

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 674

Introduced by Raybould, 28.

Read first time January 22, 2025

Committee: Appropriations

1 A BILL FOR AN ACT relating to the Perkins County Canal Project; to amend
2 sections 61-302 and 61-305, Revised Statutes Cumulative Supplement,
3 2024; to restate intent regarding the Perkins County Canal Project;
4 to transfer money from the Perkins County Canal Project Fund to the
5 General Fund and the Water Sustainability Fund; to repeal the
6 original sections; and to declare an emergency.

7 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 61-302, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 61-302 (1) The Legislature finds that it is essential to the
4 economic prosperity, health, and welfare of the people of the State of
5 Nebraska, and to the environmental health of the entire Platte River
6 Basin, to protect Nebraska's full entitlement to the flows of the South
7 Platte River as provided for in the South Platte River Compact. The South
8 Platte River Compact is the law of Nebraska and of the United States that
9 specifically authorizes Nebraska to develop a canal and associated
10 storage facilities for the diversion of water from the South Platte River
11 for beneficial use in Nebraska.

12 (2) The Legislature declares that a canal and associated storage
13 facilities, which shall be known as the Perkins County Canal Project, may
14 ~~shall~~ be developed, constructed, managed, and operated under the
15 authority of the State of Nebraska consistent with the South Platte River
16 Compact and pursuant to the Perkins County Canal Project Act.

17 **Sec. 2.** Section 61-305, Revised Statutes Cumulative Supplement,
18 2024, is amended to read:

19 61-305 (1) The Perkins County Canal Project Fund is created. The
20 fund shall be administered by the Department of Natural Resources. The
21 State Treasurer shall credit to the fund any money transferred by the
22 Legislature and such grants, loans, donations, gifts, bequests, or other
23 money received from any federal or state agency or public or private
24 source for use by the department for the canal project. Any fees
25 collected for water delivery may be credited to the fund. Any money in
26 the Perkins County Canal Project Fund available for investment shall be
27 invested by the state investment officer pursuant to the Nebraska Capital
28 Expansion Act and the Nebraska State Funds Investment Act. Any investment
29 earnings from investment of money in the Perkins County Canal Project
30 Fund shall be credited to such fund, except that for fiscal years
31 2023-24, 2024-25, and 2025-26, such investment earnings shall be credited

1 as provided in section 84-622.

2 (2) The State Treasurer shall transfer two hundred fifty million
3 dollars from the Perkins County Canal Project Fund to the General Fund on
4 or before June 30, 2025, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services. The State Treasurer shall transfer two hundred
7 fifty million dollars from the Perkins County Canal Project Fund to the
8 Water Sustainability Fund on or before June 30, 2025, on such dates and
9 in such amounts as directed by the budget administrator of the budget
10 division of the Department of Administrative Services.

11 (3)(a) ~~(2)(a)~~ The department shall use the Perkins County Canal
12 Project Fund to identify the optimal route and purchase land for and
13 develop, construct, manage, and operate the Perkins County Canal as
14 outlined by the South Platte River Compact and to contract with an
15 independent firm for the purposes of completing a study of such canal.
16 The study shall include, but may not be limited to, the following:

17 (i) Costs of completion of a canal and adjoining reservoirs as
18 outlined in the South Platte River Compact;

19 (ii) A timeline for completion of a canal and adjoining reservoirs
20 as outlined in the South Platte River Compact;

21 (iii) A cost-effectiveness study examining alternatives, including
22 alternatives that may reduce environmental or financial impacts; and

23 (iv) The impacts of the canal on drinking water supplies for the
24 cities of Lincoln and Omaha.

25 (b) The department shall provide the findings of such study
26 electronically to the Clerk of the Legislature and present the findings
27 at a public hearing held by the Appropriations Committee of the
28 Legislature on or before December 31, 2022.

29 **Sec. 3.** Original sections 61-302 and 61-305, Revised Statutes
30 Cumulative Supplement, 2024, are repealed.

31 **Sec. 4.** Since an emergency exists, this act takes effect when

1 passed and approved according to law.