

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1094**

Introduced by Carlson, 38; Christensen, 44.

Read first time January 23, 2008

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Nebraska Resources Development Fund;  
2 to amend sections 2-1586 and 2-1589, Revised Statutes  
3 Cumulative Supplement, 2006; to change provisions  
4 relating to allocations from the fund; to repeal the  
5 original sections; and to declare an emergency.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 2-1586, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           2-1586 The Legislature finds that it is a public purpose  
4 of the state to properly develop the water and related land  
5 resources of the state and that it is in the public interest (1)  
6 to provide financial assistance to programs and projects essential  
7 to the development, preservation, and maintenance of the state's  
8 water and related land resources, including programs and projects  
9 for the (a) abatement of pollution, (b) reduction of potential  
10 flood damages, (c) reservation of lands for resource development  
11 projects, (d) provision of public irrigation facilities, (e)  
12 preservation and development of fish and wildlife resources,  
13 (f) protection and improvement of public lands, (g) provision  
14 of public outdoor recreation lands and facilities, (h) provision  
15 and preservation of the waters of the state for all beneficial  
16 uses, including domestic, agricultural, and manufacturing uses, (i)  
17 conservation of land resources, ~~and~~ (j) provision of drought relief  
18 assistance, and (k) protection of the health, safety, and general  
19 welfare of the people, and (2) to provide financial assistance to  
20 natural resources districts in the preparation of management plans  
21 pursuant to section 46-709 or for the augmentation of river flows  
22 as an incentive program pursuant to section 46-739.

23           Sec. 2. Section 2-1589, Revised Statutes Cumulative  
24 Supplement, 2006, is amended to read:

25           2-1589 (1) The commission shall adopt and promulgate

1 rules and regulations governing the administration of the Nebraska  
2 Resources Development Fund. The commission may make an allocation  
3 from the fund as a grant to an agency or political subdivision  
4 if the commission determines that such an allocation will not  
5 be reimbursed from revenue or receipts and when the program or  
6 project appears to be of general public benefit, thereby making  
7 reimbursement of such money from local tax funds inappropriate or  
8 impossible, or when the funds are intended for a state or local  
9 contribution to a program or project requiring such contribution to  
10 meet the requirements for a matching federal grant.

11 (2) The commission ~~may~~ shall, at the recommendation of  
12 the director, make an allocation from the fund as a loan to an  
13 agency or political subdivision for any program or project or any  
14 part thereof consistent with the purposes of the fund which will  
15 directly generate revenue or receipts, which can be anticipated to  
16 culminate in a program or project which will generate revenue or  
17 receipts, or which would not generate revenue or receipts but would  
18 be of general public benefit to the applicant making repayment from  
19 local tax funds appropriate.

20 Sec. 3. Original sections 2-1586 and 2-1589, Revised  
21 Statutes Cumulative Supplement, 2006, are repealed.

22 Sec. 4. Since an emergency exists, this act takes effect  
23 when passed and approved according to law.