

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 537**

Introduced by Watermeier, 1; Schilz, 47.

Read first time January 21, 2015

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to amend section 2-1588,
- 2 Revised Statutes Cumulative Supplement, 2014; to appropriate funds
- 3 relating to natural resources; to harmonize provisions; to repeal
- 4 the original section; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. There is hereby appropriated (1) \$15,054,000 from the  
2 General Fund for FY2015-16 to the Department of Natural Resources, for  
3 Program No. 307.

4           There is included in the appropriation to this program for FY2015-16  
5 \$15,054,000 General Funds for state aid, which shall only be used for  
6 such purpose.

7           It is the intent of the Legislature that the funds appropriated in  
8 this section shall be in addition to appropriations made to Program No.  
9 307 as a result of the FY2015-17 biennial budget request of the  
10 Department of Natural Resources and shall be used to provide additional  
11 allocations to Nebraska Resources Development Fund projects approved as  
12 of March 30, 2014.

13           Sec. 2. Section 2-1588, Revised Statutes Cumulative Supplement,  
14 2014, is amended to read:

15           2-1588 (1) No money in the Nebraska Resources Development Fund may  
16 be reallocated by the commission in accordance with sections 2-1586 to  
17 2-1595 for utilization by the department, by any state office, agency,  
18 board, or commission, or by any political subdivision of the state which  
19 has the authority to develop the state's water and related land resources  
20 after March 30, 2014. The commission may commit appropriated funds to  
21 projects approved as of March 30, 2014, not to exceed amounts  
22 specifically allocated to such projects prior to March 30, 2014, unless  
23 specific appropriations to exceed the March 30, 2014, allocation amounts  
24 are approved by the Legislature. In the event of such specific  
25 appropriations, the commission shall develop procedures to allocate the  
26 additional funding to projects approved as of March 30, 2014. Any of such  
27 funds remaining after all such project costs have been completely funded  
28 shall be transferred to the Water Sustainability Fund by the State  
29 Treasurer. Prior to March 30, 2014, the fund may be allocated in the form  
30 of grants or loans or for acquiring state interests in water and related  
31 land resources programs and projects undertaken within the state. The

1 allocation of funds to a program or project in one form shall not of  
2 itself preclude additional allocations in the same or any other form to  
3 the same program or project. Funds may also be allocated to assist  
4 natural resources districts in the preparation of management plans as  
5 provided in section 46-709. Funds so allocated shall not be subject to  
6 sections 2-1589 to 2-1595.

7 (2) No project, including all related phases, segments, parts, or  
8 divisions, shall receive more than ten million dollars from the fund. On  
9 July 1 of each year after 1993, the director shall adjust the project  
10 cost and payment limitation of this subsection by an amount equal to the  
11 average percentage change in a readily available construction cost index  
12 for the prior three years.

13 (3) Prior to September 1 of each even-numbered year, a biennial  
14 report shall be made to the Governor and the Clerk of the Legislature  
15 describing the work accomplished by the use of such development fund  
16 during the immediately preceding two-year period. The report submitted to  
17 the Clerk of the Legislature shall be submitted electronically. The  
18 report shall include a complete financial statement. Each member of the  
19 Legislature shall receive an electronic copy of such report upon making a  
20 request to the director.

21 Sec. 3. Original section 2-1588, Revised Statutes Cumulative  
22 Supplement, 2014, is repealed.

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