

AMENDMENTS TO LB785

Introduced by McKinney, 11.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. (1) It is the intent of the Legislature to appropriate  
4 two hundred million dollars from Federal Funds for fiscal year 2023-24 to  
5 the Department of Natural Resources for the purposes described in this  
6 section. The Federal Funds described in this section are from the funds  
7 allocated to the State of Nebraska from the federal Coronavirus State  
8 Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of  
9 2021, Public Law 117-2, Subtitle M, Sec. 9901.

10           (2) On or before September 30, 2023, the Department of Natural  
11 Resources shall award a grant of two hundred million dollars to a city of  
12 the primary class. Eligible expenses for the funding from this grant  
13 include costs for a water treatment plant; water treatment, transmission,  
14 and distribution in furtherance of additional water; land acquisition;  
15 permitting; a wellfield; and pumping and transportation of water over  
16 twenty-five miles for the purpose of providing potable water to the city  
17 of the primary class. The department shall develop criteria and  
18 procedures that are consistent with projects and eligibility listed in 40  
19 C.F.R. 35.3520.

20           Sec. 2. (1) It is the intent of the Legislature to appropriate  
21 twenty million dollars from Federal Funds for fiscal year 2023-24 to the  
22 Department of Environment and Energy for the purposes described in this  
23 section. The Federal Funds appropriated in this section are from the  
24 funds allocated to the State of Nebraska from the federal Coronavirus  
25 State Fiscal Recovery Fund pursuant to the federal American Rescue Plan  
26 Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901.

27           (2)(a) The Department of Environment and Energy shall award grants

1 to install reverse osmosis systems in:

2 (i) Small and rural communities where drinking water test levels are  
3 above ten parts per million of nitrates; and

4 (ii) Private water systems if test levels for nitrates in drinking  
5 water pumped from private wells are above ten parts per million.

6 (b) Any grant awarded pursuant to this section shall be coordinated  
7 and administered by the Department of Environment and Energy in  
8 compliance with the federal American Rescue Plan Act of 2021.

9 (c) The recipient of a grant pursuant to this section shall only  
10 spend the grant in compliance with the federal American Rescue Plan Act  
11 of 2021.

12 Sec. 3. (1) It is the intent of the Legislature to appropriate  
13 thirty million dollars from Federal Funds for fiscal year 2023-24 to the  
14 Department of Environment and Energy for the purposes described in this  
15 section. The Federal Funds appropriated in this section are from the  
16 funds allocated to the State of Nebraska from the federal Coronavirus  
17 State Fiscal Recovery Fund pursuant to the federal American Rescue Plan  
18 Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901.

19 (2)(a) The Department of Environment and Energy shall award a grant  
20 for thirty million dollars to a utilities district headquartered in a  
21 city of the metropolitan class.

22 (b) The utilities district shall use the grant to replace lead  
23 service pipes in the city of the metropolitan class in which the  
24 utilities district provides services.

25 (c) The utilities district that receives the grant under this  
26 section shall only spend the grant in compliance with the federal  
27 American Rescue Plan Act of 2021.

28 Sec. 4. (1) For purposes of this section, qualified census tract  
29 means a qualified census tract as defined in 26 U.S.C. 42(d)(5)(B)(ii)  
30 (I), as such section existed on January 1, 2022.

31 (2)(a) The Economic Recovery and Incentives Division of the

1 Department of Economic Development shall create and administer the North  
2 and South Omaha Recovery Grant Program to provide grants to public and  
3 private entities to respond to the negative impact of the COVID-19 public  
4 health emergency and build resilient and innovative communities.

5 (b) To be eligible for a grant under the North and South Omaha  
6 Recovery Grant Program, an applicant shall:

7 (i) Be listed in the coordination plan or appendixes dated January  
8 10, 2023, submitted to the Economic Recovery Special Committee of the  
9 Legislature or have an independent third-party evaluation; and

10 (ii) Explain how the grant will relieve the negative impact of the  
11 COVID-19 public health emergency within a qualified census tract located  
12 within the boundaries of a city of the metropolitan class and build  
13 resilient and innovative communities, with an emphasis on assistance for  
14 small businesses, innovation, workforce development, and business  
15 development within such communities.

16 (3) When considering applications for grants under this section, the  
17 Economic Recovery and Incentives Division of the Department of Economic  
18 Development shall use the coordination plan and appendixes dated January  
19 10, 2023. Grant applications that would benefit communities and  
20 neighborhoods within qualified census tracts located within the  
21 boundaries of a city of the metropolitan class with a priority on small  
22 business development, job creation, and economic development within such  
23 communities and neighborhoods shall be prioritized.

24 (4) The Economic Recovery and Incentives Division of the Department  
25 of Economic Development shall award additional grants for the following  
26 purposes:

27 (a) Not to exceed twenty million dollars in grants for the purpose  
28 of creating a museum located in one or more qualified census tracts  
29 located within the boundaries of a city of the metropolitan class and  
30 that is named in honor of a person inducted into the Nebraska Hall of  
31 Fame on or before June 30, 2023;

1       (b) Not to exceed twenty million dollars in grants to federally  
2 qualified health centers located in a city of the metropolitan class.  
3 Such grants shall be used for persons receiving services under  
4 subsections (g), (h), and (i) of section 330 of the federal Public Health  
5 Services Act, 42 U.S.C. 254b, as such section existed on January 1, 2023;  
6 and

7       (c) Not to exceed fifteen million dollars for contracted program  
8 management services for the North and South Omaha Recovery Grant Program  
9 and the Qualified Census Tract Recovery Grant Program provided in a city  
10 of the metropolitan class. No person providing such contracted program  
11 management services shall have any conflict of interest or contractual  
12 relationship with any recipient of a grant under the North and South  
13 Omaha Recovery Grant Program or the Qualified Census Tract Recovery Grant  
14 Program.

15       (5) It is the intent of the Legislature to appropriate three hundred  
16 fifty million dollars from the General Fund for fiscal year 2023-24 to  
17 the Department of Economic Development for the purposes described in this  
18 section.

19       Sec. 5. Section 84-612, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21       84-612 (1) There is hereby created within the state treasury a fund  
22 known as the Cash Reserve Fund which shall be under the direction of the  
23 State Treasurer. The fund shall only be used pursuant to this section.

24       (2) The State Treasurer shall transfer funds from the Cash Reserve  
25 Fund to the General Fund upon certification by the Director of  
26 Administrative Services that the current cash balance in the General Fund  
27 is inadequate to meet current obligations. Such certification shall  
28 include the dollar amount to be transferred. Any transfers made pursuant  
29 to this subsection shall be reversed upon notification by the Director of  
30 Administrative Services that sufficient funds are available.

31       (3) In addition to receiving transfers from other funds, the Cash

1 Reserve Fund shall receive federal funds received by the State of  
2 Nebraska for undesignated general government purposes, federal revenue  
3 sharing, or general fiscal relief of the state.

4 (4) The State Treasurer shall transfer fifty-four million seven  
5 hundred thousand dollars on or after July 1, 2019, but before June 15,  
6 2021, from the Cash Reserve Fund to the Nebraska Capital Construction  
7 Fund on such dates and in such amounts as directed by the budget  
8 administrator of the budget division of the Department of Administrative  
9 Services.

10 (5) The State Treasurer shall transfer two hundred fifteen million  
11 five hundred eighty thousand dollars from the Cash Reserve Fund to the  
12 Nebraska Capital Construction Fund on or after July 1, 2022, but before  
13 June 15, 2023, on such dates and in such amounts as directed by the  
14 budget administrator of the budget division of the Department of  
15 Administrative Services.

16 (6) The State Treasurer shall transfer fifty-three million five  
17 hundred thousand dollars from the Cash Reserve Fund to the Perkins County  
18 Canal Project Fund on or before June 30, 2023, on such dates and in such  
19 amounts as directed by the budget administrator of the budget division of  
20 the Department of Administrative Services.

21 (7) No funds shall be transferred from the Cash Reserve Fund to  
22 fulfill the obligations created under the Nebraska Property Tax Incentive  
23 Act unless the balance in the Cash Reserve Fund after such transfer will  
24 be at least equal to five hundred million dollars.

25 (8) The State Treasurer shall transfer thirty million dollars from  
26 the Cash Reserve Fund to the Military Base Development and Support Fund  
27 on or before June 30, 2023, but not before July 1, 2022, on such dates  
28 and in such amounts as directed by the budget administrator of the budget  
29 division of the Department of Administrative Services.

30 (9) The State Treasurer shall transfer eight million three hundred  
31 thousand dollars from the Cash Reserve Fund to the Trail Development and

1 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on  
2 such dates and in such amounts as directed by the budget administrator of  
3 the budget division of the Department of Administrative Services.

4 (10) The State Treasurer shall transfer fifty million dollars from  
5 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after  
6 July 1, 2022, but before July 15, 2023, on such dates and in such amounts  
7 as directed by the budget administrator of the budget division of the  
8 Department of Administrative Services.

9 (11) The State Treasurer shall transfer thirty million dollars from  
10 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on  
11 or after July 1, 2022, but before July 15, 2023, on such dates and in  
12 such amounts as directed by the budget administrator of the budget  
13 division of the Department of Administrative Services.

14 (12) The State Treasurer shall transfer twenty million dollars from  
15 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July  
16 1, 2022, but before June 15, 2023, on such dates and in such amounts as  
17 directed by the budget administrator of the budget division of the  
18 Department of Administrative Services.

19 (13) The State Treasurer shall transfer twenty million dollars from  
20 the Cash Reserve Fund to the Middle Income Workforce Housing Investment  
21 Fund on July 15, 2022, or as soon thereafter as administratively  
22 possible, and in such amounts as directed by the budget administrator of  
23 the budget division of the Department of Administrative Services.

24 (14) The State Treasurer shall transfer eighty million dollars from  
25 the Cash Reserve Fund to the Jobs and Economic Development Initiative  
26 Fund on or after July 1, 2022, but before July 15, 2023, on such dates  
27 and in such amounts as directed by the budget administrator of the budget  
28 division of the Department of Administrative Services.

29 (15) The State Treasurer shall transfer twenty million dollars from  
30 the Cash Reserve Fund to the Site and Building Development Fund on July  
31 15, 2022, or as soon thereafter as administratively possible, and in such

1 amounts as directed by the budget administrator of the budget division of  
2 the Department of Administrative Services.

3 (16) The State Treasurer shall transfer fifty million dollars from  
4 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund  
5 on or after July 15, 2022, but before January 1, 2023, on such dates and  
6 in such amounts as directed by the budget administrator of the budget  
7 division of the Department of Administrative Services.

8 (17) The State Treasurer shall transfer fifteen million dollars from  
9 the Cash Reserve Fund to the Site and Building Development Fund on or  
10 before June 30, 2022, on such dates and in such amounts as directed by  
11 the budget administrator of the budget division of the Department of  
12 Administrative Services.

13 (18) The State Treasurer shall transfer fifty-five million dollars  
14 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on  
15 or before June 30, 2022, on such dates and in such amounts as directed by  
16 the budget administrator of the budget division of the Department of  
17 Administrative Services.

18 (19) The State Treasurer shall transfer four hundred fifty million  
19 dollars from the Cash Reserve Fund to the General Fund as soon as  
20 administratively possible after the effective date of this act, on such  
21 dates and in such amounts as directed by the budget administrator of the  
22 budget division of the Department of Administrative Services.

23 Sec. 6. Original section 84-612, Revised Statutes Cumulative  
24 Supplement, 2022, is repealed.

25 Sec. 7. Since an emergency exists, this act takes effect when  
26 passed and approved according to law.