

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1074**

Introduced by Bostelman, 23; Stinner, 48.

Read first time January 18, 2022

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to irrigation districts; to amend section
- 2 84-612, Revised Statutes Supplement, 2021; to create a fund; to
- 3 create a grant program; to provide powers and duties to the
- 4 Department of Natural Resources; to provide for a transfer of funds;
- 5 and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1           Section 1. There is hereby created the Surface Water Irrigation  
2 Infrastructure Fund to be administered by the Department of Natural  
3 Resources. The fund shall be used to provide grants in accordance with  
4 section 2 of this act to irrigation districts. There shall be a one-time  
5 transfer of fifty million dollars from the Cash Reserve Fund to the  
6 Surface Water Irrigation Infrastructure Fund to carry out the purposes of  
7 section 2 of this act. Any money in the Surface Water Irrigation  
8 Infrastructure Fund available for investment shall be invested by the  
9 state investment officer pursuant to the Nebraska Capital Expansion Act  
10 and the Nebraska State Funds Investment Act.

11           Sec. 2. The Department of Natural Resources shall establish  
12 procedures and criteria for awarding grants to irrigation districts from  
13 the Surface Water Irrigation Infrastructure Fund to be used for repair or  
14 construction of any headgate, flume, diversion structure, check valve, or  
15 any other physical structure used for irrigation projects. The department  
16 may award grants, not to exceed five million dollars per applicant, to an  
17 irrigation district that applies to the department based on criteria and  
18 procedures established by the department. In order to receive a grant  
19 under this section, a grant applicant shall provide matching funds equal  
20 to ten percent of the grant amount awarded for such project.

21           Sec. 3. Section 84-612, Revised Statutes Supplement, 2021, is  
22 amended to read:

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

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

1 Administrative Services that sufficient funds are available.

2 (3) In addition to receiving transfers from other funds, the Cash  
3 Reserve Fund shall receive federal funds received by the State of  
4 Nebraska for undesignated general government purposes, federal revenue  
5 sharing, or general fiscal relief of the state.

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

12 (5) The State Treasurer shall transfer thirty million dollars from  
13 the Cash Reserve Fund to the General Fund after November 15, 2020, but  
14 before December 31, 2020, on such date as directed by the budget  
15 administrator of the budget division of the Department of Administrative  
16 Services. Except for the transfer authorized in this subsection, no funds  
17 shall be transferred from the Cash Reserve Fund to fulfill the  
18 obligations created under the Nebraska Property Tax Incentive Act unless  
19 the balance in the Cash Reserve Fund after such transfer will be at least  
20 equal to five hundred million dollars.

21 (6) The State Treasurer shall transfer fifty million dollars from  
22 the Cash Reserve Fund to the United States Space Command Headquarters  
23 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,  
24 on such dates and in such amounts as directed by the budget administrator  
25 of the budget division of the Department of Administrative Services. The  
26 transfer in this subsection shall not occur unless the State of Nebraska  
27 is selected as the site of the United States Space Command headquarters.

28 (7) The State Treasurer shall transfer fifty million dollars from  
29 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund  
30 on or after July 1, 2022, but before January 1, 2023, on such date and in  
31 such amounts as directed by the budget administrator of the budget

1 division of the Department of Administrative Services.

2       Sec. 4. Original section 84-612, Revised Statutes Supplement, 2021,  
3 is repealed.