

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 179**

FINAL READING

Introduced by Natural Resources Committee: Langemeier, 23,  
Chairperson; Carlson, 38; Cook, 13; Fischer, 43;  
Haar, 21; McCoy, 39; Schilz, 47; Dubas, 34.

Read first time January 12, 2009

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Nebraska Resources Development Fund;  
2 to amend section 2-1588, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to adjustments to  
4 project limits; to repeal the original section; and to  
5 declare an emergency.

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

1           Section 1. Section 2-1588, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           2-1588 (1) Any money in the Nebraska Resources  
4 Development Fund may be allocated by the commission in accordance  
5 with sections 2-1586 to 2-1595 for utilization by the department,  
6 by any state office, agency, board, or commission, or by any  
7 political subdivision of the state which has the authority to  
8 develop the state's water and related land resources. Such money  
9 may be allocated in the form of grants or loans or for acquiring  
10 state interests in water and related land resources programs and  
11 projects undertaken within the state. The allocation of funds to  
12 a program or project in one form shall not of itself preclude  
13 additional allocations in the same or any other form to the same  
14 program or project. Funds may also be allocated to assist natural  
15 resources districts in the preparation of management plans as  
16 provided in section 46-709. Funds so allocated shall not be subject  
17 to sections 2-1589 to 2-1595.

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

25           (3) Prior to September 1 of each even-numbered year, a

1 biennial report shall be made to the Governor and the Clerk of  
2 the Legislature describing the work accomplished by the use of  
3 such development fund during the immediately preceding two-year  
4 period. The report shall include a complete financial statement.  
5 Each member of the Legislature shall receive a copy of such report  
6 upon making a request to the director.

7           Sec. 2. Original section 2-1588, Reissue Revised Statutes  
8 of Nebraska, is repealed.

9           Sec. 3. Since an emergency exists, this act takes effect  
10 when passed and approved according to law.