

AMENDMENTS TO LB 229

Introduced by Langemeier

1 1. Insert the following new sections:

2 Sec. 3. Section 81-15,175, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 81-15,175 (1) The board may make an annual allocation
5 each fiscal year from the Nebraska Environmental Trust Fund to
6 the Nebraska Environmental Endowment Fund as provided in section
7 81-15,174.01. The board shall make annual allocations from the
8 Nebraska Environmental Trust Fund and may make annual allocations
9 each fiscal year from the Nebraska Environmental Endowment Fund
10 for projects which conform to the environmental categories of the
11 board established pursuant to section 81-15,176 and to the extent
12 the board determines those projects to have merit. The board
13 shall establish a calendar annually for receiving and evaluating
14 proposals and awarding grants. To evaluate the economic, financial,
15 and technical feasibility of proposals, the board may establish
16 subcommittees, request or contract for assistance, or establish
17 advisory groups. Private citizens serving on advisory groups shall
18 be reimbursed for their actual and necessary expenses pursuant to
19 sections 81-1174 to 81-1177.

20 (2) The board shall establish rating systems for ranking
21 proposals which meet the board's environmental categories and other
22 criteria. The rating systems shall include, but not be limited to,
23 the following considerations:

1 (a) Conformance with categories established pursuant to
2 section 81-15,176;

3 (b) Amount of funds committed from other funding sources;

4 (c) Encouragement of public-private partnerships;

5 (d) Geographic mix of projects over time;

6 (e) Cost-effectiveness and economic impact;

7 (f) Direct environmental impact; ~~and~~

8 (g) Environmental benefit to the general public and the
9 long-term nature of such public benefit; ~~and-~~

10 (h) Applications recommended by the Director of Natural
11 Resources and submitted by the Department of Natural Resources
12 totaling three million three hundred thousand dollars annually
13 that benefit any river basin determined to be fully appropriated
14 or designated as overappropriated pursuant to the Nebraska Ground
15 Water Management and Protection Act shall be awarded fifty points
16 in the ranking process if the Legislature appropriates three
17 million three hundred thousand dollars of matching funds annually
18 until July 1, 2014.

19 (3) The board may establish a subcommittee to rate grant
20 applications. If the board uses a subcommittee, the subcommittee
21 shall (a) use the rating systems established by the board under
22 subsection (2) of this section, (b) assign a numeric value to
23 each rating criterion, combine these values into a total score
24 for each application, and rank the applications by the total
25 scores, (c) recommend an amount of funding for each application,
26 which amount may be more or less than the requested amount, and
27 (d) submit the ranked list and recommended funding to the board

1 for its approval or disapproval. A motion to deviate from the
2 subcommittee's recommendations must specify the reason for doing so
3 and be adopted with an affirmative vote of not fewer than eight
4 members of the board.

5 (4) The board may commit funds to multiyear projects,
6 subject to available funds and appropriations. No commitment shall
7 exceed three years without formal action by the board to renew the
8 grant or contract. Multiyear commitments may be exempt from the
9 rating process except for the initial application and requests to
10 renew the commitment.

11 (5) The board shall adopt and promulgate rules and
12 regulations and publish guidelines governing allocations from the
13 fund. The board shall conduct annual reviews of existing projects
14 for compliance with project goals and grant requirements.

15 (6) Every five years the board may evaluate the long-term
16 effects of the projects it funds. The evaluation may assess
17 a sample of such projects. The board may hire an independent
18 consultant to conduct the evaluation and may report the evaluation
19 findings to the Legislature and the Governor.

20 Sec. 4. The State Treasurer shall transfer \$600,000 from
21 the General Fund to the Water Resources Cash Fund on or before June
22 30, 2012, on such date as directed by the budget administrator of
23 the budget division of the Department of Administrative Services,
24 pursuant to section 61-218.

25 Sec. 5. The State Treasurer shall transfer \$600,000 from
26 the General Fund to the Water Resources Cash Fund on or before June
27 30, 2013, on such date as directed by the budget administrator of

1 the budget division of the Department of Administrative Services,
2 pursuant to section 61-218.

3 2. On page 2, line 17, strike "81-15,174" and insert
4 "81-15,175".

5 3. On page 3, lines 11 and 12, strike "two million seven
6 hundred thousand", show as stricken, and insert "three million
7 three hundred thousand"; and in line 13 strike "FY2009-10", show as
8 stricken, and insert "FY2011-12".

9 4. On page 5, after line 2 insert the following new
10 subsection:

11 "(7) The Department of Natural Resources shall apply
12 for a three-year grant from the Nebraska Environmental Trust Fund
13 that benefits any river basin determined to be fully appropriated
14 or designated as overappropriated pursuant to the Nebraska Ground
15 Water Management and Protection Act prior to the application
16 deadline beginning with fiscal year 2011-12 through fiscal year
17 2013-14. Funds received from such grants shall be remitted to the
18 State Treasurer for credit to the Water Resources Cash Fund for the
19 purpose of supporting water projects as described in the Nebraska
20 Environmental Trust grant application. It is the intent of the
21 Legislature that the department apply for an additional three-year
22 grant if the following criteria have been met:

23 [XXXX]."; and strike lines 16 through 19.

24 5. Renumber the remaining sections and amend the repealer
25 accordingly.