

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1232**

Introduced by McDonnell, 5; Sanders, 45.

Read first time January 20, 2022

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to amend section 84-612,
- 2 Revised Statutes Supplement, 2021; to appropriate funds from the
- 3 Cash Reserve Fund to the Department of Economic Development; to
- 4 repeal the original section; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1.   (1) There is hereby appropriated \$20,000,000 from the  
2 Cash Reserve Fund for FY2022-23 to the Department of Economic Development  
3 to provide a capital construction grant for the establishment of the  
4 United States Strategic Command Nuclear Command, Control, and  
5 Communications public-private partnership facility.

6           (2) On or before December 31, 2022, the Department of Economic  
7 Development shall award a capital construction grant to either a  
8 political subdivision or a not-for-profit corporation holding a  
9 certificate under section 501(c)(3) of the Internal Revenue Code of 1986,  
10 as amended. Prior to being awarded a grant, an applicant shall provide  
11 the department with documentation of support from the United States  
12 Strategic Command to develop the public-private partnership facility and  
13 documentation of a twenty-million-dollar match in private or other funds.

14           (3) The State Treasurer shall provide the funds appropriated in this  
15 section as directed by the budget administrator of the budget division of  
16 the Department of Administrative Services. The Department of Economic  
17 Development shall report to the budget administrator the receipt of  
18 twenty million dollars in private or other funds for the purpose of the  
19 facility prior to the budget administrator directing the State Treasurer  
20 to provide the funds appropriated in this section.

21           Sec. 2. 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 Legislature may appropriate funds from the Cash Reserve Fund  
29 for the United States Strategic Command.

30 Sec. 3. Original section 84-612, Revised Statutes Supplement, 2021,  
31 is repealed.

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