

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1383

Introduced by Raybould, 28.

Read first time January 17, 2024

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to Indian tribes; to amend section 81-1210.04,
2 Revised Statutes Cumulative Supplement, 2022; to create the Nebraska
3 Tribal Community Assistance Program for the purpose of providing
4 grants to Indian tribes to improve drinking water systems or
5 sanitary sewer systems as prescribed; to create the Nebraska Tribal
6 Community Assistance Fund; to transfer funds from the Intern
7 Nebraska Cash Fund; to harmonize provisions; and to repeal the
8 original section.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Department means the Department of Environment and Energy; and

3 (b) Eligible entity means any state-recognized Indian tribe.

4 (2) The Nebraska Tribal Community Assistance Program is created and
5 shall be administered by the department.

6 (3) Any eligible entity may apply to the department for a grant to
7 be used for the purposes described in subsection (5) of this section. The
8 application shall include a description of the project for which the
9 grant will be used and the estimated cost of such project. The
10 application shall be on a form prescribed by the department and made
11 available on the department's website.

12 (4) The department shall award a minimum of one grant per year to
13 any eligible entity. Each such grant shall:

14 (a) Be limited to the availability of money in the Nebraska Tribal
15 Community Assistance Fund; and

16 (b) Not exceed two million dollars.

17 (5) Any eligible entity that is awarded a grant under the Nebraska
18 Tribal Community Assistance Program shall:

19 (a) Only use such grant to improve any drinking water system or
20 sanitary sewer system owned by the eligible entity or located on land
21 owned by the eligible entity; and

22 (b) Upon demand by the department, return any grant money awarded
23 but not used within five years of disbursement or not used for a purpose
24 authorized under subdivision (5)(a) of this section.

25 (6) The department shall recoup any grant money that:

26 (a) Remains unused within five years of the date of disbursement of
27 the grant; or

28 (b) Was not used for a purpose described in subdivision (5)(a) of
29 this section.

30 Sec. 2. The Nebraska Tribal Community Assistance Fund is created.

31 The fund may consist of transfers by the Legislature and gifts, grants,

1 bequests, and other contributions from any public or private source. The
2 Department of Environment and Energy shall administer the fund for the
3 purpose of providing grants through the Nebraska Tribal Community
4 Assistance Program. Any money in the fund available for investment shall
5 be invested by the state investment officer pursuant to the Nebraska
6 Capital Expansion Act and the Nebraska State Funds Investment Act. Any
7 investment earnings from investment of money in the fund shall be
8 credited to the fund.

9 Sec. 3. Section 81-1210.04, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 81-1210.04 (1) The Intern Nebraska Cash Fund is created. The fund
12 shall be used to carry out sections 81-1210.01 to 81-1210.03. The fund
13 shall consist of money transferred to the fund by the Legislature and
14 money donated as gifts, bequests, or other contributions from public or
15 private entities. Any money in the fund available for investment shall be
16 invested by the state investment officer pursuant to the Nebraska Capital
17 Expansion Act and the Nebraska State Funds Investment Act.

18 (2) Transfers may be made from the Intern Nebraska Cash Fund to the
19 Nebraska Tribal Community Assistance Fund.

20 (3) {2} The Department of Economic Development, or any entity with
21 which the department contracts for such purpose, may use up to five
22 percent of any appropriation to carry out sections 81-1210.01 to
23 81-1210.03 for administrative services.

24 (4) The State Treasurer shall transfer ten million dollars from the
25 Intern Nebraska Cash Fund to the Nebraska Tribal Community Assistance
26 Fund as soon as administratively possible on or after the effective date
27 of this act, on such dates and in such amounts as directed by the budget
28 administrator of the budget division of the Department of Administrative
29 Services.

30 Sec. 4. Original section 81-1210.04, Revised Statutes Cumulative
31 Supplement, 2022, is repealed.