

AMENDMENTS TO LB331

Introduced by Appropriations.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. The State Treasurer shall transfer \$221,000,000 from the
4 General Fund to the Property Tax Credit Cash Fund on or before December
5 15, 2017, on such date as directed by the budget administrator of the
6 budget division of the Department of Administrative Services.

7 Sec. 2. The State Treasurer shall transfer \$221,000,000 from the
8 General Fund to the Property Tax Credit Cash Fund on or before December
9 15, 2018, on such date as directed by the budget administrator of the
10 budget division of the Department of Administrative Services.

11 Sec. 3. The State Treasurer shall transfer \$10,670,000 from the
12 General Fund to the Water Sustainability Fund on or before June 30, 2018,
13 on such dates and in such amounts as directed by the budget administrator
14 of the budget division of the Department of Administrative Services.

15 Sec. 4. The State Treasurer shall transfer \$10,670,000 from the
16 General Fund to the Water Sustainability Fund on or before June 30, 2019,
17 on such dates and in such amounts as directed by the budget administrator
18 of the budget division of the Department of Administrative Services.

19 Sec. 5. The State Treasurer shall transfer \$3,300,000 from the
20 General Fund to the Water Resources Cash Fund on or before June 30, 2018,
21 on such dates and in such amounts as directed by the budget administrator
22 of the budget division of the Department of Administrative Services.

23 Sec. 6. The State Treasurer shall transfer \$3,300,000 from the
24 General Fund to the Water Resources Cash Fund on or before June 30, 2019,
25 on such dates and in such amounts as directed by the budget administrator
26 of the budget division of the Department of Administrative Services.

27 Sec. 7. The State Treasurer shall transfer \$1,200,000 from the

1 Health and Human Services Cash Fund to the General Fund on or before June
2 30, 2018, at the direction of the budget administrator of the budget
3 division of the Department of Administrative Services. It is the intent
4 of the Legislature that the transfer to the General Fund in this section
5 be from funds credited to the False Medicaid Claims Act Cash Fund, a
6 subfund of the Health and Human Services Cash Fund.

7 Sec. 8. The State Treasurer shall transfer up to \$1,500,000 from the
8 Petroleum Release Remedial Action Cash Fund to the Superfund Cost Share
9 Cash Fund on or before June 30, 2018, on such dates and in such amounts
10 as directed by the budget administrator of the budget division of the
11 Department of Administrative Services. Transfers shall be made as
12 required by the Department of Environmental Quality and used pursuant to
13 subdivision (2)(i) of section 66-1519.

14 Sec. 9. The State Treasurer shall transfer up to \$1,500,000 from the
15 Petroleum Release Remedial Action Cash Fund to the Superfund Cost Share
16 Cash Fund on or before June 30, 2019, on such dates and in such amounts
17 as directed by the budget administrator of the budget division of the
18 Department of Administrative Services. Transfers shall be made as
19 required by the Department of Environmental Quality and used pursuant to
20 subdivision (2)(i) of section 66-1519.

21 Sec. 10. The State Treasurer shall transfer \$700,000 from the Litter
22 Reduction and Recycling Fund to the General Fund on or before June 30,
23 2018, on such dates and in such amounts as directed by the budget
24 administrator of the budget division of the Department of Administrative
25 Services.

26 Sec. 11. The State Treasurer shall transfer \$200,000 from the Litter
27 Reduction and Recycling Fund to the General Fund on or before June 30,
28 2019, on such dates and in such amounts as directed by the budget
29 administrator of the budget division of the Department of Administrative
30 Services.

31 Sec. 12. There is hereby created the Shared Services Revolving

1 Fund. The fund shall be administered by the Department of Administrative
2 Services. The fund shall consist of money received from state agencies,
3 boards, commissions, political subdivisions, and other governmental
4 entities for shared services provided by the department. Shared services
5 include, but are not limited to, human resource management including
6 payroll processing, process improvement projects, and financial services.
7 Billings for shared services shall be adequate to cover actual and
8 necessary expenses associated with providing these services. The fund
9 shall be used to pay for the administrative expenses incurred by the
10 department to provide such services. Any money in the fund available for
11 investment shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act.

14 Sec. 13. There is hereby created the Combined Law Enforcement
15 Information Network Cash Fund. The fund shall be maintained by the
16 Nebraska State Patrol and administered by the Superintendent of Law
17 Enforcement and Public Safety. The fund shall consist of fees collected
18 by the Nebraska State Patrol from users of the network and shall be used
19 to pay the costs of operating, maintaining, and enhancing the network.
20 Any money in the fund available for investment shall be invested by the
21 state investment officer pursuant to the Nebraska Capital Expansion Act
22 and the Nebraska State Funds Investment Act.

23 Sec. 14. There is hereby created the Treasury Agency Forfeitures
24 Cash Fund. All forfeitures and proceeds received by the Nebraska State
25 Patrol under the federal equitable sharing provisions distributed by
26 federal Treasury agencies as of July 1, 2017, shall be deposited in the
27 fund. This section shall not apply to funds otherwise subject to sections
28 28-431 and 28-1439.02. The fund shall be used only in accordance with the
29 applicable requirements of the federal government. The fund shall be
30 administered by the Superintendent of Law Enforcement and Public Safety.
31 Any money in the fund available for investment shall be invested by the

1 state investment officer pursuant to the Nebraska Capital Expansion Act
2 and the Nebraska State Funds Investment Act.

3 Sec. 15. There is hereby created the Accounting Division Cash Fund.
4 The fund shall be administered by the Department of Administrative
5 Services. The fund shall consist of funds transferred from the State
6 Building Renewal Assessment Fund and the Building Renewal Allocation
7 Fund. The fund shall be used to finance the consolidation,
8 implementation, operation, and migration of the state's existing
9 enterprise resourcing planning (ERP) platform, the human resource
10 management platform, an eProcurement platform, and other financial
11 recordkeeping platforms to an off-premise software driven platform or
12 platforms. Any money in the fund available for investment shall be
13 invested by the state investment officer pursuant to the Nebraska Capital
14 Expansion Act and the Nebraska State Funds Investment Act.

15 Sec. 16. Section 2-1222, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 2-1222 There is hereby created the Racing Commission's Cash Fund
18 from which shall be appropriated such amounts as are available therefrom
19 and as shall be considered incident to the administration of the State
20 Racing Commission's office. The fund shall contain all license fees and
21 gross receipt taxes collected by the commission as provided under
22 sections 2-1203, 2-1203.01, and 2-1208 but shall not include taxes
23 collected pursuant to section 2-1208.01, and such fees and taxes
24 collected shall be remitted to the State Treasurer for credit to the
25 Racing Commission's Cash Fund. Money in the fund may be transferred to
26 the General Fund at the direction of the Legislature. The State Treasurer
27 shall transfer one hundred fifty thousand dollars from the fund to the
28 General Fund on or before June 15, 2018, on such dates and in such
29 amounts as directed by the budget administrator of the budget division of
30 the Department of Administrative Services. Any money in the fund
31 available for investment shall be invested by the state investment

1 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
2 State Funds Investment Act.

3 Sec. 17. Section 7-209, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 7-209 The Legal Education for Public Service and Rural Practice Loan
6 Repayment Assistance Fund is created. The fund shall consist of funds
7 appropriated or transferred by the Legislature, funds donated to the
8 legal education for public legal service and rural practice loan
9 repayment assistance program pursuant to section 7-208, and application
10 fees collected under the Legal Education for Public Service and Rural
11 Practice Loan Repayment Assistance Act. Any money in the Legal Education
12 for Public Service Loan Repayment Fund on July 18, 2014, shall be
13 transferred to the Legal Education for Public Service and Rural Practice
14 Loan Repayment Assistance Fund. Any money in the fund available for
15 investment shall be invested by the state investment officer pursuant to
16 the Nebraska Capital Expansion Act and the Nebraska State Funds
17 Investment Act.

18 The unexpended, unobligated balance in the Legal Education for
19 Public Service and Rural Practice Loan Repayment Assistance Fund existing
20 on June 30, 2017, shall be transferred to the General Fund on or before
21 July 30, 2017, as directed by the budget administrator of the budget
22 division of the Department of Administrative Services.

23 Sec. 18. Section 12-1301, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 12-1301 (1) The Director of Veterans' Affairs may establish and
26 operate a state veteran cemetery system consisting of a facility in Box
27 Butte County, a facility in Sarpy County, and the Nebraska Veterans'
28 Memorial Cemetery in Hall County. The director may seek and expend
29 private, state, and federal funds for the establishment, construction,
30 maintenance, administration, and operation of the cemetery system as
31 provided in this section. Any gift, bequest, or devise of real property

1 and any acquisition of real property with the proceeds of a donation,
2 gift, bequest, devise, or grant from an individual, an organization, a
3 corporation, a foundation, or a similar entity or from a nonfederal
4 governmental agency for the cemetery system shall be subject to the
5 approval requirements of section 81-1108.33 notwithstanding the value of
6 the real property. All funds received for the construction of the
7 cemetery system shall be remitted to the State Treasurer for credit to
8 the Veteran Cemetery Construction Fund. Any funds remaining in the
9 Veteran Cemetery Construction Fund following the completion of
10 construction of the three facilities comprising the state veteran
11 cemetery system shall upon such completion be transferred to the Nebraska
12 Veteran Cemetery System Endowment Fund, and the Veteran Cemetery
13 Construction Fund shall thereafter terminate.

14 (2)(a) A trust fund to be known as the Nebraska Veteran Cemetery
15 System Endowment Fund is hereby created. The fund shall consist of:

16 (i) Gifts, bequests, grants, or contributions from private or public
17 sources designated for the maintenance, administration, or operation of
18 the state veteran cemetery system;

19 (ii) Any funds transferred from the Veteran Cemetery Construction
20 Fund following the completion of construction of the three facilities
21 comprising the state veteran cemetery system; and

22 (iii) Following the termination of the Veteran Cemetery Construction
23 Fund, any funds received by the state from any source for the state
24 veteran cemetery system.

25 (b) No revenue from the General Fund shall be remitted to the
26 Nebraska Veteran Cemetery System Endowment Fund. The Legislature shall
27 not appropriate or transfer money from the Nebraska Veteran Cemetery
28 System Endowment Fund for any purpose other than as provided in this
29 section. Any money in the Nebraska Veteran Cemetery System Endowment Fund
30 available for investment shall be invested by the state investment
31 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska

1 State Funds Investment Act. No portion of the principal of the Nebraska
2 Veteran Cemetery System Endowment Fund shall be expended for any purpose
3 except investment pursuant to this subdivision. All investment earnings
4 from the Nebraska Veteran Cemetery System Endowment Fund shall be
5 credited on a quarterly basis to the Nebraska Veteran Cemetery System
6 Operation Fund.

7 (3) There is hereby created the Nebraska Veteran Cemetery System
8 Operation Fund. Money in the fund shall be used for the operation,
9 administration, and maintenance of the state veteran cemetery system. Any
10 money in the fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act and the
12 Nebraska State Funds Investment Act.

13 (4) The director may make formal application to the federal
14 government regarding federal financial assistance for the construction of
15 any of the facilities comprising the state veteran cemetery system which
16 is located in a county with a population of less than one hundred
17 thousand persons when he or she determines that the requirements for such
18 assistance have been met.

19 (5) The director may make formal application to the federal
20 government regarding financial assistance for the construction of any
21 facility comprising a portion of the state veteran cemetery system
22 located in a county with a population of more than one hundred thousand
23 persons when sufficient funds have been remitted to the Nebraska Veteran
24 Cemetery System Endowment Fund such that (a) the projected annual
25 earnings from such fund available for transfer to the Nebraska Veteran
26 Cemetery System Operation Fund plus (b) the projected annual value of
27 formal agreements that have been entered into between the state and any
28 political subdivisions or private entities to subsidize or undertake the
29 operation, administration, or maintenance of any of the facilities within
30 the state veteran cemetery system, has a value that is sufficient to fund
31 the operation, administration, and maintenance of any cemetery created

1 pursuant to this subsection.

2 (6) The director may expend such funds as may be available for any
3 of the purposes authorized in this section.

4 (7) The director, with the approval of the Governor, may enter into
5 agreements for cemetery construction, administration, operation, or
6 maintenance with qualified persons, political subdivisions, or business
7 entities. The director shall provide lots in the cemetery system for the
8 interment of deceased veterans as defined by the National Cemetery
9 Administration of the United States Department of Veterans Affairs. The
10 director shall provide lots for the interment of those veterans' spouses,
11 minor children, and unmarried adult children who were physically or
12 mentally disabled and incapable of self-support. Section 12-501 does not
13 apply to the state veteran cemetery system.

14 (8) The Veteran Cemetery Construction Fund is created. Any money in
15 the fund available for investment shall be invested by the state
16 investment officer pursuant to the Nebraska Capital Expansion Act and the
17 Nebraska State Funds Investment Act. The balance in the Veteran Cemetery
18 Construction Fund shall be transferred to the General Fund on or before
19 June 30, 2018, as directed by the budget administrator of the budget
20 division of the Department of Administrative Services.

21 (9) The director may adopt and promulgate rules and regulations to
22 carry out this section. The rules and regulations shall include
23 requirements for proof of residency, cost of burial if any, and standards
24 for cemeteries, including decorations and headstones.

25 Sec. 19. Section 19-102, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 19-102 There is hereby created the City of the Primary Class
28 Development Fund. Amounts credited to the fund pursuant to section
29 77-2602 shall, upon appropriation by the Legislature, be first expended
30 to support the design and development of the Antelope Valley project and
31 financing costs related thereto for the Antelope Valley Study as outlined

1 in the Environmental Impact Statement and Comprehensive Plan Amendment
2 94-60 to the 1994 Lincoln/Lancaster County Comprehensive Plan. Any money
3 in the fund available for investment shall be invested by the state
4 investment officer pursuant to the Nebraska Capital Expansion Act and the
5 Nebraska State Funds Investment Act.

6 No distribution from the fund shall be made unless the city of the
7 primary class provides matching funds equal to the ratio of one dollar
8 for each three dollars of the state distribution. Funds derived from any
9 state source may not be utilized as matching funds for purposes of this
10 section.

11 The State Treasurer shall transfer the unobligated balance in the
12 City of the Primary Class Development Fund to the General Fund on or
13 before June 30, 2017, on such date as directed by the budget
14 administrator of the budget division of the Department of Administrative
15 Services. On July 1, 2017, the City of the Primary Class Development Fund
16 shall terminate.

17 Sec. 20. Section 19-103, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 19-103 There is hereby created the City of the Metropolitan Class
20 Development Fund. Amounts credited to the fund pursuant to section
21 77-2602 shall, upon appropriation by the Legislature, be first expended
22 to support the design and development of the redevelopment projects
23 within the riverfront redevelopment plan designated for the area along
24 the Missouri River generally north of Interstate 480 to Interstate 680 by
25 the city of Omaha, except that each fiscal year there shall be no
26 distribution from the fund until the finance director of the city
27 certifies that other funds have been encumbered for that calendar year by
28 the city to pay the cost of the combined sewer separation program project
29 east of Seventy-second Street in the city of Omaha. Such certification
30 shall be required only until such sewer separation project is completed
31 or until no cigarette tax money is available to the fund. The amount

1 certified shall be at least seven million dollars each calendar year
2 until 2007 and at least four million dollars each calendar year
3 thereafter. The sewer separation project has such a significant impact on
4 the health and welfare of such a large percentage of the population and
5 on public health in general that the project is a matter of statewide
6 concern. Any money in the fund available for investment shall be invested
7 by the state investment officer pursuant to the Nebraska Capital
8 Expansion Act and the Nebraska State Funds Investment Act.

9 No distribution from the fund shall be made unless the city of the
10 metropolitan class provides matching funds equal to the ratio of one
11 dollar for each three dollars of the state distribution. Funds derived
12 from any state source may not be utilized as matching funds for purposes
13 of this section.

14 The State Treasurer shall transfer the unobligated balance in the
15 City of the Metropolitan Class Development Fund to the General Fund on or
16 before June 30, 2017, on such date as directed by the budget
17 administrator of the budget division of the Department of Administrative
18 Services. On July 1, 2017, the City of the Metropolitan Class Development
19 Fund shall terminate.

20 Sec. 21. Section 29-4115.01, Reissue Revised Statutes of Nebraska,
21 is amended to read:

22 29-4115.01 The State DNA Sample and Data Base Fund is created. The
23 fund shall be maintained by the Nebraska State Patrol and administered by
24 the Superintendent of Law Enforcement and Public Safety Department ~~of~~
25 ~~Justice and administered by the Attorney General.~~ The fund shall consist
26 of any funds transferred to the fund by the Legislature or made available
27 by any department or agency of the United States Government if so
28 directed by such department or agency. The fund shall be used to pay the
29 expenses of the Department of Correctional Services and the Nebraska
30 State Patrol as needed to collect DNA samples as provided in section
31 29-4106. Any money in the fund available for investment shall be invested

1 by the state investment officer pursuant to the Nebraska Capital
2 Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 22. Section 37-327.02, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 37-327.02 The Game and Parks Commission Capital Maintenance Fund is
6 created. The fund shall consist of money credited to the fund pursuant to
7 section 77-27,132, transfers authorized by the Legislature, and any
8 gifts, grants, bequests, or donations to the fund. The fund shall be
9 administered by the commission and shall be used to build, repair,
10 renovate, rehabilitate, restore, modify, or improve any infrastructure
11 within the statutory authority and administration of the commission. Any
12 money in the fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act and the
14 Nebraska State Funds Investment Act.

15 Transfers may be made from the Game and Parks Commission Capital
16 Maintenance Fund to the General Fund at the direction of the Legislature
17 through June 30, 2019. The State Treasurer shall transfer four million
18 five hundred thousand dollars from the Game and Parks Commission Capital
19 Maintenance Fund to the General Fund between June 1, 2018, and June 30,
20 2018, on such date as directed by the budget administrator of the budget
21 division of the Department of Administrative Services. The State
22 Treasurer shall transfer four million five hundred thousand dollars from
23 the Game and Parks Commission Capital Maintenance Fund to the General
24 Fund between June 1, 2019, and June 30, 2019, on such date as directed by
25 the budget administrator of the budget division of the Department of
26 Administrative Services.

27 Sec. 23. Section 47-632, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 47-632 (1) The Community Corrections Uniform Data Analysis Cash Fund
30 is created. Except as provided in subsections (2), ~~and (3)~~, and (4) of
31 this section, the fund shall be within the Nebraska Commission on Law

1 Enforcement and Criminal Justice, shall be administered by the division,
2 and shall only be used to support operations costs and analysis relating
3 to the implementation and coordination of the uniform analysis of crime
4 data pursuant to the Community Corrections Act, including associated
5 information technology projects. The fund shall consist of money
6 collected pursuant to section 47-633.

7 (2) Transfers may be made from the fund to the General Fund at the
8 direction of the Legislature.

9 (3) The State Treasurer shall transfer the following amounts from
10 the Community Corrections Uniform Data Analysis Cash Fund to the Violence
11 Prevention Cash Fund:

12 (a) Two hundred thousand dollars on July 1, 2011, or as soon
13 thereafter as administratively possible; and

14 (b) Two hundred thousand dollars on July 1, 2012, or as soon
15 thereafter as administratively possible.

16 (4) The State Treasurer shall transfer the following amounts from
17 the Community Corrections Uniform Data Analysis Cash Fund to the Nebraska
18 Law Enforcement Training Center Cash Fund:

19 (a) Two hundred thousand dollars on July 1, 2017, or as soon
20 thereafter as administratively possible; and

21 (b) Two hundred thousand dollars on July 1, 2018, or as soon
22 thereafter as administratively possible.

23 (5) (4) Any money in the Community Corrections Uniform Data Analysis
24 Cash Fund available for investment shall be invested by the state
25 investment officer pursuant to the Nebraska Capital Expansion Act and the
26 Nebraska State Funds Investment Act.

27 Sec. 24. Section 48-1,116, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 48-1,116 The Compensation Court Cash Fund is hereby created. The
30 fund shall be used to aid in providing for the expense of administering
31 the Nebraska Workers' Compensation Act and the payment of the salaries

1 and expenses of the personnel of the Nebraska Workers' Compensation
2 Court, ~~except that transfers may be made from the fund to the General~~
3 ~~Fund at the direction of the Legislature through June 30, 2011.~~

4 The State Treasurer shall transfer one million five hundred thousand
5 dollars from the Compensation Court Cash Fund to the General Fund after
6 June 15, 2018, and before June 30, 2018, on such dates as directed by the
7 budget administrator of the budget division of the Department of
8 Administrative Services.

9 All fees received pursuant to sections 48-120, 48-120.02, 48-138,
10 48-139, 48-145.04, and 48-165 shall be remitted to the State Treasurer
11 for credit to the Compensation Court Cash Fund. The fund shall also
12 consist of amounts credited to the fund pursuant to sections 48-1,113,
13 48-1,114, and 77-912. The State Treasurer may receive and credit to the
14 fund any money which may at any time be contributed to the state or the
15 fund by the federal government or any agency thereof to which the state
16 may be or become entitled under any act of Congress or otherwise by
17 reason of any payment made from the fund.

18 Any money in the fund available for investment shall be invested by
19 the state investment officer pursuant to the Nebraska Capital Expansion
20 Act and the Nebraska State Funds Investment Act.

21 Sec. 25. Section 48-735.01, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 48-735.01 The Boiler Inspection Cash Fund is created. The
24 commissioner shall use the fund for the administration of the boiler
25 inspection program pursuant to the Boiler Inspection Act. The fund shall
26 consist of money appropriated to it by the Legislature and fees collected
27 in the administration of the act. Fees so collected shall be remitted to
28 the State Treasurer with an itemized statement showing the source of
29 collection. The State Treasurer shall credit the fees to the fund and the
30 money in the fund shall not lapse into the General Fund, except that
31 money in the Boiler Inspection Cash Fund may be transferred to the

1 General Fund at the direction of the Legislature. Any money in the Boiler
2 Inspection Cash Fund available for investment shall be invested by the
3 state investment officer pursuant to the Nebraska Capital Expansion Act
4 and the Nebraska State Funds Investment Act.

5 The State Treasurer shall transfer one hundred fifty thousand
6 dollars from the Boiler Inspection Cash Fund to the General Fund on or
7 before June 15, 2018, on such dates and in such amounts as directed by
8 the budget administrator of the budget division of the Department of
9 Administrative Services.

10 Sec. 26. Section 54-197, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 54-197 The Nebraska Brand Inspection and Theft Prevention Fund is
13 created. Fees and money collected pursuant to the Livestock Brand Act not
14 otherwise provided for in the act shall be remitted to the State
15 Treasurer for credit to the fund. The fund shall be used by the Nebraska
16 Brand Committee in the administration and enforcement of the act and
17 section 54-415. All expenses and salaries provided for under such act or
18 incurred by reason thereof shall be paid out of the fund. The State
19 Treasurer shall transfer one hundred thousand dollars from the Nebraska
20 Brand Inspection and Theft Prevention Fund to the General Fund on or
21 before June 30, 2018, on such dates and in such amounts as directed by
22 the budget administrator of the budget division of the Department of
23 Administrative Services. Any money in the fund available for investment
24 shall be invested by the state investment officer pursuant to the
25 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
26 Act.

27 Sec. 27. Section 59-1608.04, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 59-1608.04 (1) The State Settlement Cash Fund is created. The fund
30 shall be maintained by the Department of Justice and administered by the
31 Attorney General. Except as otherwise provided by law, the fund shall

1 consist of all recoveries received pursuant to the Consumer Protection
2 Act, including any money, funds, securities, or other things of value in
3 the nature of civil damages or other payment, except criminal penalties,
4 whether such recovery is by way of verdict, judgment, compromise, or
5 settlement in or out of court, or other final disposition of any case or
6 controversy, or any other payments received on behalf of the state by the
7 Department of Justice and administered by the Attorney General for the
8 benefit of the state or the general welfare of its citizens, but
9 excluding all funds held in a trust capacity where specific benefits
10 accrue to specific individuals, organizations, or governments. The fund
11 may be expended for any allowable legal purposes as determined by the
12 Attorney General. Transfers from the State Settlement Cash Fund may be
13 made at the direction of the Legislature to the Nebraska Capital
14 Construction Fund and the General Fund. To provide necessary financial
15 accountability and management oversight, revenue from individual
16 settlement agreements or other separate sources credited to the State
17 Settlement Cash Fund may be tracked and accounted for within the state
18 accounting system through the use of separate and distinct funds,
19 subfunds, or any other available accounting mechanism specifically
20 approved by the Accounting Administrator for use by the Department of
21 Justice. Any money in the fund available for investment shall be invested
22 by the state investment officer pursuant to the Nebraska Capital
23 Expansion Act and the Nebraska State Funds Investment Act.

24 (2) The State Treasurer shall transfer two million five hundred
25 thousand dollars from the State Settlement Cash Fund to the Nebraska
26 Capital Construction Fund on July 1, 2013, or as soon thereafter as
27 administratively possible.

28 (3) The State Treasurer shall transfer seven hundred fifty thousand
29 dollars from the State Settlement Cash Fund to the General Fund on or
30 before June 30, 2018, on such dates and in such amounts as directed by
31 the budget administrator of the budget division of the Department of

1 Administrative Services.

2 (4) The State Treasurer shall transfer seven hundred fifty thousand
3 dollars from the State Settlement Cash Fund to the General Fund on or
4 before June 30, 2019, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services.

7 Sec. 28. Section 60-3,218, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 60-3,218 (1) There is hereby created the Nebraska Snowmobile Trail
10 Cash Fund into which shall be deposited the portion of the fees collected
11 from snowmobile registration as provided in section 60-3,217.

12 (2) The Game and Parks Commission shall use the money in the
13 Nebraska Snowmobile Trail Cash Fund for the operation, maintenance,
14 enforcement, planning, establishment, and marking of snowmobile trails
15 throughout the state and for the acquisition by purchase or lease of real
16 property to carry out the provisions of this section.

17 (3) The commission shall establish rules and regulations pertaining
18 to the use and maintenance of snowmobile trails.

19 (4) Transfers may be made from the Nebraska Snowmobile Trail Cash
20 Fund to the General Fund at the direction of the Legislature ~~through June~~
21 ~~30, 2011~~. Any money in the Nebraska Snowmobile Trail Cash Fund available
22 for investment shall be invested by the state investment officer pursuant
23 to the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act.

25 (5) The State Treasurer shall transfer the unobligated June 30,
26 2017, balance in the Nebraska Snowmobile Trail Cash Fund to the General
27 Fund on or before July 31, 2017, on such date as directed by the budget
28 administrator of the budget division of the Department of Administrative
29 Services.

30 Sec. 29. Section 60-6,211.05, Revised Statutes Cumulative
31 Supplement, 2016, is amended to read:

1 60-6,211.05 (1) If an order is granted under section 60-6,196 or
2 60-6,197 and sections 60-6,197.02 and 60-6,197.03, the court may order
3 that the defendant install an ignition interlock device of a type
4 approved by the Director of Motor Vehicles on each motor vehicle operated
5 by the defendant during the period of revocation. Upon sufficient
6 evidence of installation, the defendant may apply to the director for an
7 ignition interlock permit pursuant to section 60-4,118.06. The device
8 shall, without tampering or the intervention of another person, prevent
9 the defendant from operating the motor vehicle when the defendant has an
10 alcohol concentration greater than three-hundredths of one gram or more
11 by weight of alcohol per one hundred milliliters of his or her blood or
12 three-hundredths of one gram or more by weight of alcohol per two hundred
13 ten liters of his or her breath. The Department of Motor Vehicles shall
14 issue an ignition interlock permit to the defendant under section
15 60-4,118.06 only upon sufficient proof that a defendant has installed an
16 ignition interlock device on any motor vehicle that the defendant will
17 operate during his or her release.

18 (2) If the court orders installation of an ignition interlock device
19 and issuance of an ignition interlock permit pursuant to subsection (1)
20 of this section, the court may also order the use of a continuous alcohol
21 monitoring device and abstention from alcohol use at all times. The
22 device shall, without tampering or the intervention of another person,
23 test and record the alcohol consumption level of the defendant on a
24 periodic basis and transmit such information to probation authorities.

25 (3) Any order issued by the court pursuant to this section shall not
26 take effect until the defendant is eligible to operate a motor vehicle
27 pursuant to subsection (8) of section 60-498.01. A person shall be
28 eligible to be issued an ignition interlock permit allowing operation of
29 a motor vehicle equipped with an ignition interlock device if he or she
30 is not subject to any other suspension, cancellation, required no-driving
31 period, or period of revocation and has successfully completed the

1 ignition interlock permit application process. The Department of Motor
2 Vehicles shall review its records and the driving record abstract of any
3 person who applies for an ignition interlock permit allowing operation of
4 a motor vehicle equipped with an ignition interlock device to determine
5 (a) the applicant's eligibility for an ignition interlock permit, (b) the
6 applicant's previous convictions under section 60-6,196, 60-6,197, or
7 60-6,197.06 or any previous administrative license revocation, if any,
8 and (c) if the applicant is subject to any required no-drive periods
9 before the ignition interlock permit may be issued.

10 (4)(a) If the court orders an ignition interlock device or the Board
11 of Pardons orders an ignition interlock device under section 83-1,127.02,
12 the court or the Board of Pardons shall order the defendant to apply for
13 an ignition interlock permit as provided in section 60-4,118.06 which
14 indicates that the defendant is only allowed to operate a motor vehicle
15 equipped with an ignition interlock device.

16 (b) Such court order shall remain in effect for a period of time as
17 determined by the court not to exceed the maximum term of revocation
18 which the court could have imposed according to the nature of the
19 violation and shall allow operation by the defendant of only an ignition-
20 interlock-equipped motor vehicle.

21 (c) Such Board of Pardons order shall remain in effect for a period
22 of time not to exceed any period of revocation the applicant is subject
23 to at the time the application for a reprieve is made.

24 (5) Any person restricted to operating a motor vehicle equipped with
25 an ignition interlock device, pursuant to a Board of Pardons order, who
26 operates upon the highways of this state a motor vehicle without such
27 device or if the device has been disabled, bypassed, or altered in any
28 way, shall be punished as provided in subsection (3) of section
29 83-1,127.02.

30 (6) If a person ordered to use a continuous alcohol monitoring
31 device and abstain from alcohol use pursuant to a court order as provided

1 in subsection (2) of this section violates the provisions of such court
2 order by removing, tampering with, or otherwise bypassing the continuous
3 alcohol monitoring device or by consuming alcohol while required to use
4 such device, he or she shall have his or her ignition interlock permit
5 revoked and be unable to apply for reinstatement for the duration of the
6 revocation period imposed by the court.

7 (7) The director shall adopt and promulgate rules and regulations
8 regarding the approval of ignition interlock devices, the means of
9 installing ignition interlock devices, and the means of administering the
10 ignition interlock permit program.

11 (8)(a) The costs incurred in order to comply with the ignition
12 interlock requirements of this section shall be paid directly to the
13 ignition interlock provider by the person complying with an order for an
14 ignition interlock permit and installation of an ignition interlock
15 device.

16 (b) If the Department of Motor Vehicles has determined the person to
17 be indigent and incapable of paying for the cost of installation,
18 removal, or maintenance of the ignition interlock device in accordance
19 with this section, such costs shall be paid out of the Department of
20 Motor Vehicles Ignition Interlock Fund if such funds are available,
21 according to rules and regulations adopted and promulgated by the
22 department. Such costs shall also be paid out of the Department of Motor
23 Vehicles Ignition Interlock Fund if such funds are available and if the
24 court or the Board of Pardons, whichever is applicable, has determined
25 the person to be indigent and incapable of paying for the cost of
26 installation, removal, or maintenance of the ignition interlock device in
27 accordance with this section. The Department of Motor Vehicles Ignition
28 Interlock Fund is created. Money in the Department of Motor Vehicles
29 Ignition Interlock Fund may be used for transfers to the General Fund at
30 the direction of the Legislature. On October 1, 2017, or as soon
31 thereafter as administratively possible, the State Treasurer shall

1 transfer twenty-five thousand dollars from the Department of Motor
2 Vehicles Ignition Interlock Fund to the Violence Prevention Cash Fund. On
3 October 1, 2018, or as soon thereafter as administratively possible, the
4 State Treasurer shall transfer twenty-five thousand dollars from the
5 Department of Motor Vehicles Ignition Interlock Fund to the Violence
6 Prevention Cash Fund. Any money in the Department of Motor Vehicles
7 Ignition Interlock Fund available for investment shall be invested by the
8 state investment officer pursuant to the Nebraska Capital Expansion Act
9 and the Nebraska State Funds Investment Act.

10 (9)(a)(i) An ignition interlock service facility shall notify the
11 appropriate district probation office or the appropriate court, as
12 applicable, of any evidence of tampering with or circumvention of an
13 ignition interlock device, or any attempts to do so, when the facility
14 becomes aware of such evidence. Failure of the facility to provide
15 notification as provided in this subdivision is a Class V misdemeanor.

16 (ii) An ignition interlock service facility shall notify the
17 Department of Motor Vehicles, if the ignition interlock permit is issued
18 pursuant to sections 60-498.01 to 60-498.04, of any evidence of tampering
19 with or circumvention of an ignition interlock device, or any attempts to
20 do so, when the facility becomes aware of such evidence. Failure of the
21 facility to provide notification as provided in this subdivision is a
22 Class V misdemeanor.

23 (b) If a district probation office receives evidence of tampering
24 with or circumvention of an ignition interlock device, or any attempts to
25 do so, from an ignition interlock service facility, the district
26 probation office shall notify the appropriate court of such violation.
27 The court shall immediately schedule an evidentiary hearing to be held
28 within fourteen days after receiving such evidence, either from the
29 district probation office or an ignition interlock service facility, and
30 the court shall cause notice of the hearing to be given to the person
31 operating a motor vehicle pursuant to an order under subsection (1) of

1 this section. If the person who is the subject of such evidence does not
2 appear at the hearing and show cause why the order made pursuant to
3 subsection (1) of this section should remain in effect, the court shall
4 rescind the original order. Nothing in this subsection shall apply to an
5 order made by the Board of Pardons pursuant to section 83-1,127.02.

6 (10) Notwithstanding any other provision of law, the issuance of an
7 ignition interlock permit by the Department of Motor Vehicles under
8 section 60-498.01 or an order for the installation of an ignition
9 interlock device and ignition interlock permit made pursuant to
10 subsection (1) of this section as part of a conviction, as well as the
11 administration of such court order by the Office of Probation
12 Administration for the installation, maintenance, and removal of such
13 device, as applicable, shall not be construed to create an order of
14 probation when an order of probation has not been issued.

15 Sec. 30. Section 60-1409, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 60-1409 The Nebraska Motor Vehicle Industry Licensing Fund is
18 created. All fees collected under the Motor Vehicle Industry Regulation
19 Act shall be remitted by the board, as collected, to the State Treasurer
20 for credit to the fund. Such fund shall be appropriated by the
21 Legislature for the operations of the Nebraska Motor Vehicle Industry
22 Licensing Board and shall be paid out from time to time by warrants of
23 the Director of Administrative Services on the State Treasurer for
24 authorized expenditures upon duly itemized vouchers executed as provided
25 by law and approved by the chairperson of the board or the executive
26 secretary, except that transfers from the fund to the General Fund may be
27 made at the direction of the Legislature through June 30, 2018 ~~2014~~. The
28 expenses of conducting the office must always be kept within the income
29 collected and reported to the State Treasurer by such board. Such office
30 and expense thereof shall not be supported or paid from the General Fund,
31 and all money deposited in the Nebraska Motor Vehicle Industry Licensing

1 Fund shall be expended only for such office and expense thereof and,
2 unless determined by the board, it shall not be required to expend any
3 funds to any person or any other governmental agency.

4 Any money in the Nebraska Motor Vehicle Industry Licensing Fund
5 available for investment shall be invested by the state investment
6 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
7 State Funds Investment Act. The fund shall be audited by the Auditor of
8 Public Accounts at such time as he or she determines necessary.

9 The State Treasurer shall transfer five hundred thousand dollars
10 from the Nebraska Motor Vehicle Industry Licensing Fund to the General
11 Fund on or before June 30, 2018, on such dates and in such amounts as
12 directed by the budget administrator of the budget division of the
13 Department of Administrative Services.

14 Sec. 31. Section 61-218, Revised Statutes Cumulative Supplement,
15 2016, is amended to read:

16 61-218 (1) The Water Resources Cash Fund is created. The fund shall
17 be administered by the Department of Natural Resources. Any money in the
18 fund available for investment shall be invested by the state investment
19 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
20 State Funds Investment Act.

21 (2) The State Treasurer shall credit to the fund such money as is
22 (a) transferred to the fund by the Legislature, (b) paid to the state as
23 fees, deposits, payments, and repayments relating to the fund, both
24 principal and interest, (c) donated as gifts, bequests, or other
25 contributions to such fund from public or private entities, (d) made
26 available by any department or agency of the United States if so directed
27 by such department or agency, and (e) allocated pursuant to section
28 81-15,175.

29 (3) The fund shall be expended by the department (a) to aid
30 management actions taken to reduce consumptive uses of water or to
31 enhance streamflows or ground water recharge in river basins, subbasins,

1 or reaches which are deemed by the department overappropriated pursuant
2 to section 46-713 or fully appropriated pursuant to section 46-714 or are
3 bound by an interstate compact or decree or a formal state contract or
4 agreement, (b) for purposes of projects or proposals described in the
5 grant application as set forth in subdivision (2)(h) of section
6 81-15,175, and (c) to the extent funds are not expended pursuant to
7 subdivisions (a) and (b) of this subsection, the department may conduct a
8 statewide assessment of short-term and long-term water management
9 activities and funding needs to meet statutory requirements in sections
10 46-713 to 46-718 and 46-739 and any requirements of an interstate compact
11 or decree or formal state contract or agreement. The fund shall not be
12 used to pay for administrative expenses or any salaries for the
13 department or any political subdivision.

14 (4) It is the intent of the Legislature that three million three
15 hundred thousand dollars be transferred each fiscal year from the General
16 Fund to the Water Resources Cash Fund for FY2011-12 through FY2018-19,
17 except that for FY2012-13 it is the intent of the Legislature that four
18 million seven hundred thousand dollars be transferred from the General
19 Fund to the Water Resources Cash Fund.

20 (5)(a) Expenditures from the Water Resources Cash Fund may be made
21 to natural resources districts eligible under subsection (3) of this
22 section for activities to either achieve a sustainable balance of
23 consumptive water uses or assure compliance with an interstate compact or
24 decree or a formal state contract or agreement and shall require a match
25 of local funding in an amount equal to or greater than forty percent of
26 the total cost of carrying out the eligible activity. The department
27 shall, no later than August 1 of each year, beginning in 2007, determine
28 the amount of funding that will be made available to natural resources
29 districts from the Water Resources Cash Fund and notify natural resources
30 districts of this determination. The department shall adopt and
31 promulgate rules and regulations governing application for and use of the

1 Water Resources Cash Fund by natural resources districts. Such rules and
2 regulations shall, at a minimum, include the following components:

3 (i) Require an explanation of how the planned activity will achieve
4 a sustainable balance of consumptive water uses or will assure compliance
5 with an interstate compact or decree or a formal state contract or
6 agreement as required by section 46-715 and the controls, rules, and
7 regulations designed to carry out the activity; and

8 (ii) A schedule of implementation of the activity or its components,
9 including the local match as set forth in subdivision (5)(a) of this
10 section.

11 (b) Any natural resources district that fails to implement and
12 enforce its controls, rules, and regulations as required by section
13 46-715 shall not be eligible for funding from the Water Resources Cash
14 Fund until it is determined by the department that compliance with the
15 provisions required by section 46-715 has been established.

16 (6) The Department of Natural Resources shall submit electronically
17 an annual report to the Legislature no later than October 1 of each year,
18 beginning in the year 2007, that shall detail the use of the Water
19 Resources Cash Fund in the previous year. The report shall provide:

20 (a) Details regarding the use and cost of activities carried out by
21 the department; and

22 (b) Details regarding the use and cost of activities carried out by
23 each natural resources district that received funds from the Water
24 Resources Cash Fund.

25 (7)(a) Prior to the application deadline for fiscal year 2011-12,
26 the Department of Natural Resources shall apply for a grant of nine
27 million nine hundred thousand dollars from the Nebraska Environmental
28 Trust Fund, to be paid out in three annual installments of three million
29 three hundred thousand dollars. The purposes listed in the grant
30 application shall be consistent with the uses of the Water Resources Cash
31 Fund provided in this section and shall be used to aid management actions

1 taken to reduce consumptive uses of water, to enhance streamflows, to
2 recharge ground water, or to support wildlife habitat in any river basin
3 determined to be fully appropriated pursuant to section 46-714 or
4 designated as overappropriated pursuant to section 46-713.

5 (b) If the application is granted, funds received from such grant
6 shall be remitted to the State Treasurer for credit to the Water
7 Resources Cash Fund for the purpose of supporting the projects set forth
8 in the grant application. The department shall include in its grant
9 application documentation that the Legislature has authorized a transfer
10 of three million three hundred thousand dollars from the General Fund
11 into the Water Resources Cash Fund for each of fiscal years 2011-12 and
12 2012-13 and has stated its intent to transfer three million three hundred
13 thousand dollars to the Water Resources Cash Fund for fiscal year
14 2013-14.

15 (c) It is the intent of the Legislature that the department apply
16 for an additional three-year grant that would begin in fiscal year
17 2014-15 and an additional three-year grant from the Nebraska
18 Environmental Trust Fund that would begin in fiscal year 2017-18 if the
19 criteria established in subsection (4) of section 81-15,175 are achieved.

20 (8) The department shall establish a subaccount within the Water
21 Resources Cash Fund for the accounting of all money received as a grant
22 from the Nebraska Environmental Trust Fund as the result of an
23 application made pursuant to subsection (7) of this section. At the end
24 of each calendar month, the department shall calculate the amount of
25 interest earnings accruing to the subaccount and shall notify the State
26 Treasurer who shall then transfer a like amount from the Water Resources
27 Cash Fund to the Nebraska Environmental Trust Fund.

28 Sec. 32. Section 66-4,100, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 66-4,100 The Highway Cash Fund and the Roads Operations Cash Fund
31 are hereby created. If bonds are issued pursuant to subsection (2) of

1 section 39-2223, the balance of the share of the Highway Trust Fund
2 allocated to the Department of Roads and deposited into the Highway
3 Restoration and Improvement Bond Fund as provided in subsection (6) of
4 section 39-2215 and the balance of the money deposited in the Highway
5 Restoration and Improvement Bond Fund as provided in section 39-2215.01
6 shall be transferred by the State Treasurer, on or before the last day of
7 each month, to the Highway Cash Fund. If no bonds are issued pursuant to
8 subsection (2) of section 39-2223, the share of the Highway Trust Fund
9 allocated to the Department of Roads shall be transferred by the State
10 Treasurer on or before the last day of each month to the Highway Cash
11 Fund.

12 The Legislature may direct the State Treasurer to transfer funds
13 from the Highway Cash Fund to the Roads Operations Cash Fund. Both funds
14 shall be expended by the department (1) for acquiring real estate, road
15 materials, equipment, and supplies to be used in the construction,
16 reconstruction, improvement, and maintenance of state highways, (2) for
17 the construction, reconstruction, improvement, and maintenance of state
18 highways, including grading, drainage, structures, surfacing, roadside
19 development, landscaping, and other incidentals necessary for proper
20 completion and protection of state highways as the department shall,
21 after investigation, find and determine shall be for the best interests
22 of the highway system of the state, either independent of or in
23 conjunction with federal-aid money for highway purposes, (3) for the
24 share of the department of the cost of maintenance of state aid bridges,
25 (4) for planning studies in conjunction with federal highway funds for
26 the purpose of analyzing traffic problems and financial conditions and
27 problems relating to state, county, township, municipal, federal, and all
28 other roads in the state and for incidental costs in connection with the
29 federal-aid grade crossing program for roads not on state highways, (5)
30 for tests and research by the department or proportionate costs of
31 membership, tests, and research of highway organizations when

1 participated in by the highway departments of other states, (6) for the
2 payment of expenses and costs of the Board of Examiners for County
3 Highway and City Street Superintendents as set forth in section 39-2310,
4 (7) for support of the public transportation assistance program
5 established under section 13-1209 and the intercity bus system assistance
6 program established under section 13-1213, and (8) for purchasing from
7 political or governmental subdivisions or public corporations, pursuant
8 to section 39-1307, any federal-aid transportation funds available to
9 such entities.

10 Any money in the Highway Cash Fund and the Roads Operations Cash
11 Fund not needed for current operations of the department shall, as
12 directed by the Director-State Engineer to the State Treasurer, be
13 invested by the state investment officer pursuant to the Nebraska Capital
14 Expansion Act and the Nebraska State Funds Investment Act, subject to
15 approval by the board of each investment. All income received as a result
16 of such investment shall be placed in the Highway Cash Fund.

17 Transfers may be made from the Roads Operations Cash Fund to the
18 General Fund at the direction of the Legislature through June 30, 2019.
19 The State Treasurer shall transfer fifteen million dollars from the Roads
20 Operations Cash Fund to the General Fund on or before June 30, 2018, on
21 such date as directed by the budget administrator of the budget division
22 of the Department of Administrative Services. The State Treasurer shall
23 transfer fifteen million dollars from the Roads Operations Cash Fund to
24 the General Fund on or after July 1, 2018, but on or before June 30,
25 2019, on such date as directed by the budget administrator of the budget
26 division of the Department of Administrative Services.

27 Sec. 33. Section 66-1519, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 66-1519 (1) There is hereby created the Petroleum Release Remedial
30 Action Cash Fund to be administered by the department. Revenue from the
31 following sources shall be remitted to the State Treasurer for credit to

1 the fund:

2 (a) The fees imposed by sections 66-1520 and 66-1521;

3 (b) Money paid under an agreement, stipulation, cost-recovery award
4 under section 66-1529.02, or settlement; and

5 (c) Money received by the department in the form of gifts, grants,
6 reimbursements, property liquidations, or appropriations from any source
7 intended to be used for the purposes of the fund.

8 (2) Money in the fund may be spent for: (a) Reimbursement for the
9 costs of remedial action by a responsible person or his or her designated
10 representative and costs of remedial action undertaken by the department
11 in response to a release first reported after July 17, 1983, and on or
12 before June 30, 2020, including reimbursement for damages caused by the
13 department or a person acting at the department's direction while
14 investigating or inspecting or during remedial action on property other
15 than property on which a release or suspected release has occurred; (b)
16 payment of any amount due from a third-party claim; (c) fee collection
17 expenses incurred by the State Fire Marshal; (d) direct expenses incurred
18 by the department in carrying out the Petroleum Release Remedial Action
19 Act; (e) other costs related to fixtures and tangible personal property
20 as provided in section 66-1529.01; (f) interest payments as allowed by
21 section 66-1524; (g) claims approved by the State Claims Board authorized
22 under section 66-1531; ~~and~~ (h) the direct and indirect costs incurred by
23 the department in responding to spills and other environmental
24 emergencies related to petroleum or petroleum products; and (i) to pay up
25 to one million five hundred thousand dollars each fiscal year of the
26 department's cost share obligations and operation and maintenance
27 obligations under the federal Comprehensive Environmental Response,
28 Compensation, and Liability Act of 1980, 42 U.S.C. 9601 et seq.

29 (3) Transfers may be made from the Petroleum Release Remedial Action
30 Cash Fund to the General Fund at the direction of the Legislature.—~~The~~
31 ~~State Treasurer shall transfer one million five hundred thousand dollars~~

1 ~~from the Petroleum Release Remedial Action Cash Fund to the Ethanol~~
2 ~~Production Incentive Cash Fund on July 1 of each of the following years:~~
3 ~~2004 through 2011.~~

4 (4) Transfers may be made from the Petroleum Release Remedial Action
5 Cash Fund to the Superfund Cost Share Cash Fund at the direction of the
6 Legislature.

7 (5) (4) Any money in the Petroleum Release Remedial Action Cash Fund
8 available for investment shall be invested by the state investment
9 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 34. Section 71-1001, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 71-1001 The heads of the anatomy departments of the medical schools
14 and colleges of this state, one professor of anatomy appointed by the
15 head of the anatomy department from each medical school or college of
16 this state, one professor of anatomy appointed from each dental school or
17 college of this state, and one layperson appointed by the Department of
18 Health and Human Services shall constitute the State Anatomical Board of
19 the State of Nebraska for the distribution, delivery, and use of certain
20 dead human bodies, described in section 71-1002, to and among such
21 schools, colleges, and persons as are entitled thereto under the
22 provisions of such section. The board shall have power to establish rules
23 and regulations for its government and for the collection, storage, and
24 distribution of dead human bodies for anatomical purposes. It shall have
25 power to appoint and remove its officers and agents. It shall keep
26 minutes of its meetings. It shall cause a record to be kept of all of its
27 transactions, of bodies received and distributed by it, and of the
28 school, college, or person receiving every such body, and its records
29 shall be open at all times to the inspection of each member of the board
30 and to every county attorney within this state.

31 There is hereby created the State Anatomical Board Cash Fund. The

1 fund shall be under the University of Nebraska Medical Center for
2 accounting and budgeting purposes only. The fund shall consist of revenue
3 collected by the State Anatomical Board and shall only be used to pay for
4 costs of operating the board. Any money in the fund available for
5 investment shall be invested by the state investment officer pursuant to
6 the Nebraska Capital Expansion Act and the Nebraska State Funds
7 Investment Act.

8 Sec. 35. Section 71-7450, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 71-7450 (1) Licensure activities under the Wholesale Drug
11 Distributor Licensing Act shall be funded by license fees. An applicant
12 for an initial or renewal license under the act shall pay a license fee
13 as provided in this section.

14 (2) License fees shall include (a) a base fee of fifty dollars and
15 (b) an additional fee of not more than five hundred dollars based on
16 variable costs to the department of inspections and of receiving and
17 investigating complaints, other similar direct and indirect costs, and
18 other relevant factors as determined by the department.

19 (3) If the licensure application is denied, the license fee shall be
20 returned to the applicant, except that the department may retain up to
21 twenty-five dollars as an administrative fee and may retain the entire
22 license fee if an inspection has been completed prior to such denial.

23 (4) The department shall also collect a fee for reinstatement of a
24 license that has lapsed or has been suspended or revoked. The department
25 shall collect a fee of ten dollars for a duplicate original license.

26 (5) The department shall remit all license fees collected under this
27 section to the State Treasurer for credit to the Health and Human
28 Services Cash Fund. License fees collected under this section shall only
29 be used for activities related to the licensure of wholesale drug
30 distributors, except for the transfer of funds provided for under
31 subsection (6) of this section.

1 (6) The State Treasurer shall transfer three million seven hundred
2 thousand dollars from the Health and Human Services Cash Fund to the
3 General Fund on or before June 30, 2018, on such dates and in such
4 amounts as directed by the budget administrator of the budget division of
5 the Department of Administrative Services. It is the intent of the
6 Legislature that the transfer to the General Fund in this subsection be
7 from funds credited to the Wholesale Drug Distributor Licensing subfund
8 of the Health and Human Services Cash Fund.

9 Sec. 36. Section 71-7611, Revised Statutes Cumulative Supplement,
10 2016, is amended to read:

11 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
12 Treasurer shall transfer (a) sixty million three hundred thousand dollars
13 on or before July 15, 2014, (b) sixty million three hundred fifty
14 thousand dollars on or before July 15, 2015, (c) sixty million three
15 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
16 million seven ~~three~~ hundred ~~fifty~~ thousand dollars on or before July 15,
17 2017, (e) sixty million seven ~~three~~ hundred ~~fifty~~ thousand dollars on or
18 before July 15, 2018, and (f) sixty million four ~~one~~ hundred fifty
19 thousand dollars on or before every July 15 thereafter from the Nebraska
20 Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement
21 Trust Fund to the Nebraska Health Care Cash Fund, except that such amount
22 shall be reduced by the amount of the unobligated balance in the Nebraska
23 Health Care Cash Fund at the time the transfer is made. The state
24 investment officer ~~upon consultation with the Nebraska Investment Council~~
25 shall advise the State Treasurer on the amounts to be transferred first
26 from the Nebraska Medicaid Intergovernmental Trust Fund until the fund
27 balance is depleted and from the Nebraska Tobacco Settlement Trust Fund
28 thereafter ~~under this section~~ in order to sustain such transfers in
29 perpetuity. The state investment officer shall report electronically to
30 the Legislature on or before October 1 of every even-numbered year on the
31 sustainability of such transfers. The Nebraska Health Care Cash Fund

1 shall also include money received pursuant to section 77-2602. Except as
2 otherwise provided by law, no more than the amounts specified in this
3 subsection may be appropriated or transferred from the Nebraska Health
4 Care Cash Fund in any fiscal year.

5 The State Treasurer shall transfer ten million dollars from the
6 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on
7 June 28, 2018, and June 28, 2019.

8 It is the intent of the Legislature that no additional programs are
9 funded through the Nebraska Health Care Cash Fund until funding for all
10 programs with an appropriation from the fund during FY2012-13 are
11 restored to their FY2012-13 levels.

12 (2) Any money in the Nebraska Health Care Cash Fund available for
13 investment shall be invested by the state investment officer pursuant to
14 the Nebraska Capital Expansion Act and the Nebraska State Funds
15 Investment Act.

16 (3) The University of Nebraska and postsecondary educational
17 institutions having colleges of medicine in Nebraska and their affiliated
18 research hospitals in Nebraska, as a condition of receiving any funds
19 appropriated or transferred from the Nebraska Health Care Cash Fund,
20 shall not discriminate against any person on the basis of sexual
21 orientation.

22 (4) The State Treasurer shall transfer fifty thousand dollars on or
23 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
24 Board of Regents of the University of Nebraska for the University of
25 Nebraska Medical Center. It is the intent of the Legislature that these
26 funds be used by the College of Public Health for workforce training.

27 Sec. 37. Section 72-1001, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 72-1001 The Nebraska Capital Construction Fund is created. The fund
30 shall consist of revenue and transfers credited to the fund as authorized
31 by law. Money shall be appropriated from the fund to state agencies for

1 making payments on projects as determined by the Legislature, including,
2 but not limited to, purchases of land, structural improvements to land,
3 acquisition of buildings, construction of buildings, including
4 architectural and engineering costs, replacement of or major repairs to
5 structural improvements to land or buildings, additions to existing
6 structures, remodeling of buildings, and acquisition of equipment and
7 furnishings of new or remodeled buildings. The fund shall be administered
8 by the State Treasurer as a multiple-agency-use fund and appropriated to
9 state agencies as determined by the Legislature. Transfers may be made
10 from the fund to the Capitol Restoration Cash Fund at the direction of
11 the Legislature. Any money in the fund available for investment shall be
12 invested by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 ~~The State Treasurer shall transfer four million five hundred~~
15 ~~seventy-four thousand four hundred sixty-six dollars from the Nebraska~~
16 ~~Capital Construction Fund to the General Fund on or before June 30, 2010,~~
17 ~~on such date as directed by the budget administrator of the budget~~
18 ~~division of the Department of Administrative Services.~~

19 Sec. 38. Section 72-2211, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 72-2211 The Capitol Restoration Cash Fund is created. The
22 administrator shall administer the fund, which shall consist of money
23 received from the sale of material, rental revenue, private donations,
24 ~~and~~ public donations, and transfers from the Nebraska Capital
25 Construction Fund as directed by the Legislature. The fund shall be used
26 to finance projects to restore the State Capitol and capitol grounds to
27 their original condition, to purchase and conserve items to be added to
28 the Nebraska Capitol Collections housed in the State Capitol, ~~and~~
29 produce promotional material concerning the State Capitol, its grounds,
30 and the Nebraska State Capitol Environs District, and to pay the
31 expenditures for a project manager for the Capitol Heating, Ventilation,

1 and Air Conditioning Systems Replacement Project until such time as the
2 project is completed, except that transfers may be made from the fund to
3 the General Fund at the direction of the Legislature. Such expenditures
4 shall be prescribed by the administrator and approved by the commission.
5 Any money in the Capitol Restoration Cash Fund available for investment
6 shall be invested by the state investment officer pursuant to the
7 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
8 Act.

9 Sec. 39. Section 77-27,132, Revised Statutes Cumulative Supplement,
10 2016, is amended to read:

11 77-27,132 (1) There is hereby created a fund to be designated the
12 Revenue Distribution Fund which shall be set apart and maintained by the
13 Tax Commissioner. Revenue not required to be credited to the General Fund
14 or any other specified fund may be credited to the Revenue Distribution
15 Fund. Credits and refunds of such revenue shall be paid from the Revenue
16 Distribution Fund. The balance of the amount credited, after credits and
17 refunds, shall be allocated as provided by the statutes creating such
18 revenue.

19 (2) The Tax Commissioner shall pay to a depository bank designated
20 by the State Treasurer all amounts collected under the Nebraska Revenue
21 Act of 1967. The Tax Commissioner shall present to the State Treasurer
22 bank receipts showing amounts so deposited in the bank, and of the
23 amounts so deposited the State Treasurer shall:

24 (a) For transactions occurring on or after October 1, 2014, and
25 before October 1, 2022 ~~2019~~, credit to the Game and Parks Commission
26 Capital Maintenance Fund all of the proceeds of the sales and use taxes
27 imposed pursuant to section 77-2703 on the sale or lease of motorboats as
28 defined in section 37-1204, personal watercraft as defined in section
29 37-1204.01, all-terrain vehicles as defined in section 60-103, and
30 utility-type vehicles as defined in section 60-135.01;

31 (b) Credit to the Highway Trust Fund all of the proceeds of the

1 sales and use taxes derived from the sale or lease for periods of more
2 than thirty-one days of motor vehicles, trailers, and semitrailers,
3 except that the proceeds equal to any sales tax rate provided for in
4 section 77-2701.02 that is in excess of five percent derived from the
5 sale or lease for periods of more than thirty-one days of motor vehicles,
6 trailers, and semitrailers shall be credited to the Highway Allocation
7 Fund;

8 (c) For transactions occurring on or after July 1, 2013, and before
9 July 1, 2033, of the proceeds of the sales and use taxes derived from
10 transactions other than those listed in subdivisions (2)(a) and (b) of
11 this section from a sales tax rate of one-quarter of one percent, credit
12 monthly eighty-five percent to the State Highway Capital Improvement Fund
13 and fifteen percent to the Highway Allocation Fund; and

14 (d) Of the proceeds of the sales and use taxes derived from
15 transactions other than those listed in subdivisions (2)(a) and (b) of
16 this section, credit to the Property Tax Credit Cash Fund the amount
17 certified under section 77-27,237, if any such certification is made.

18 The balance of all amounts collected under the Nebraska Revenue Act
19 of 1967 shall be credited to the General Fund.

20 Sec. 40. Section 81-179, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 81-179 (1) There is hereby created under the control of the
23 Governor, for allocation to building renewal projects of the various
24 agencies, a fund to be known as the Building Renewal Allocation Fund. The
25 fund shall contain the revenue from the special privilege tax as provided
26 in section 77-2602 and such other money as is appropriated by the
27 Legislature. Such appropriation is declared to consist of building
28 renewal funds which shall be kept separate and distinct from the program
29 continuation funds and project construction funds.

30 (2) Separate subfunds, subprograms, projects, or accounts shall be
31 established to separately account for any expenditures on state buildings

1 or facilities to comply with the federal Americans with Disabilities Act
2 of 1990. A minimal amount of the funds contained in the subfunds,
3 subprograms, projects, or accounts may be used for planning and
4 evaluation of buildings and facilities.

5 (3) The budget division of the Department of Administrative Services
6 may administratively transfer funds to appropriate accounting entities to
7 correctly account for the operating expenditures. A separate fund, cash
8 fund, project, or other account may be administratively established for
9 such purpose.

10 (4) Any money in the fund available for investment shall be invested
11 by the state investment officer pursuant to the Nebraska Capital
12 Expansion Act and the Nebraska State Funds Investment Act.

13 (5) The State Treasurer shall transfer seven hundred eighty-three
14 thousand six hundred sixty-seven dollars from the Building Renewal
15 Allocation Fund to the General Fund on or after June 15, 2018, but before
16 June 30, 2018, on such date as directed by the budget administrator of
17 the budget division of the Department of Administrative Services.

18 (6) The State Treasurer shall transfer two hundred thousand dollars
19 from the Building Renewal Allocation Fund to the General Fund on or after
20 June 15, 2019, but before June 30, 2019, on such date as directed by the
21 budget administrator of the budget division of the Department of
22 Administrative Services.

23 (7) The State Treasurer shall transfer one million seven hundred
24 sixteen thousand three hundred thirty-three dollars from the Building
25 Renewal Allocation Fund to the Accounting Division Cash Fund on July 1,
26 2017, or as soon thereafter as administratively possible.

27 (8) The State Treasurer shall transfer two million three hundred
28 thousand dollars from the Building Renewal Allocation Fund to the
29 Accounting Division Cash Fund on July 1, 2018, or as soon thereafter as
30 administratively possible.

31 Sec. 41. Section 81-188.01, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-188.01 (1) The State Building Renewal Assessment Fund is created.
3 The fund shall be under the control of the Governor for allocation to
4 building renewal projects of the various agencies and shall be
5 administered in a manner consistent with the administration of the
6 Building Renewal Allocation Fund pursuant to the Deferred Building
7 Renewal Act. No amounts accruing to the State Building Renewal Assessment
8 Fund shall be expended in any manner for purposes other than as provided
9 in this section or as appropriated by the Legislature to meet the cost of
10 administering the act. Transfers may be made from the fund to the General
11 Fund at the direction of the Legislature.

12 (2) Revenue credited to the State Building Renewal Assessment Fund
13 shall include amounts derived from charges assessed pursuant to
14 subdivision (4)(b) of section 81-1108.17 and such other revenue as may be
15 incident to the administration of the fund.

16 (3) Amounts appropriated from the fund shall be expended to conduct
17 renewal work as defined in section 81-173 and to complete other
18 improvements incident to such renewal work as deemed necessary or
19 appropriate by the task force. From amounts accruing to the fund as the
20 result of depreciation charges assessed pursuant to subdivision (4)(b) of
21 section 81-1108.17, expenditures for capital improvements shall be
22 limited to improvements to only those facilities for which such charges
23 have been assessed and remitted. From amounts accruing to the fund as the
24 result of depreciation charges assessed pursuant to section 81-188.02
25 prior to July 1, 2011, expenditures for capital improvement projects
26 shall be limited to exclude (a) capital improvement projects relating to
27 facilities, structures, or buildings owned, leased, or operated by the
28 (i) University of Nebraska, (ii) Nebraska state colleges, (iii)
29 Department of Aeronautics, (iv) Department of Roads, (v) Game and Parks
30 Commission, or (vi) Board of Educational Lands and Funds and (b) capital
31 improvement projects relating to facilities, structures, or buildings for

1 which depreciation charges are assessed pursuant to subdivision (4)(b) of
2 section 81-1108.17.

3 (4) The State Treasurer shall transfer three million four hundred
4 thirty-two thousand six hundred sixty-seven dollars from the State
5 Building Renewal Assessment Fund to the Accounting Division Cash Fund on
6 July 1, 2017, or as soon thereafter as administratively possible.

7 (5) The State Treasurer shall transfer four million six hundred
8 thousand dollars from the State Building Renewal Assessment Fund to the
9 Accounting Division Cash Fund on July 1, 2018, or as soon thereafter as
10 administratively possible.

11 (6) (4) Any money in the fund available for investment shall be
12 invested by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 Sec. 42. Section 81-405, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 81-405 The Mechanical Safety Inspection Fund is created. All fees
17 collected by the Department of Labor pursuant to the Nebraska Amusement
18 Ride Act and the Conveyance Safety Act shall be remitted to the State
19 Treasurer for credit to the Mechanical Safety Inspection Fund. ~~Fees so~~
20 ~~collected shall not lapse into the General Fund.~~ Fees so collected shall
21 be used for the ~~sole purpose of~~ administering the provisions of the
22 Nebraska Amusement Ride Act and the Conveyance Safety Act. Any money in
23 the Mechanical Safety Inspection Fund available for investment shall be
24 invested by the state investment officer pursuant to the Nebraska Capital
25 Expansion Act and the Nebraska State Funds Investment Act. Money in the
26 Mechanical Safety Inspection Fund may be transferred to the General Fund
27 at the direction of the Legislature ~~All funds existing in the Elevator~~
28 ~~Inspection Fund and the Nebraska Amusement Ride Fund on January 1, 2008,~~
29 ~~shall be transferred to the Mechanical Safety Inspection Fund.~~

30 The State Treasurer shall transfer one hundred fifty thousand
31 dollars from the Mechanical Safety Inspection Fund to the General Fund on

1 or before June 15, 2018, on such dates and in such amounts as directed by
2 the budget administrator of the budget division of the Department of
3 Administrative Services.

4 Sec. 43. Section 81-406, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 81-406 ~~(1)~~—The Contractor and Professional Employer Organization
7 Registration Cash Fund is created. The fund shall be administered by the
8 Department of Labor and shall consist of fees collected by the department
9 pursuant to the Farm Labor Contractors Act, the Contractor Registration
10 Act, and the Professional Employer Organization Registration Act and such
11 sums as are appropriated to the fund by the Legislature. The fund shall
12 be used for enforcing and administering the Farm Labor Contractors Act,
13 the Contractor Registration Act, the Employee Classification Act, and the
14 Professional Employer Organization Registration Act. Any money in the
15 fund available for investment shall be invested by the state investment
16 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
17 State Funds Investment Act. Money in the Contractor and Professional
18 Employer Organization Registration Cash Fund may be transferred to the
19 General Fund at the direction of the Legislature.

20 The State Treasurer shall transfer one million seven hundred
21 thousand dollars from the Contractor and Professional Employer
22 Organization Registration Cash Fund to the General Fund on or before June
23 15, 2018, on such dates and in such amounts as directed by the budget
24 administrator of the budget division of the Department of Administrative
25 Services.

26 ~~(2) The Farm Labor Contractors Fund, the Contractor Registration~~
27 ~~Cash Fund, and the Professional Employer Organization Cash Fund terminate~~
28 ~~on July 1, 2016, and the State Treasurer shall transfer any money in such~~
29 ~~funds on such date to the Contractor and Professional Employer~~
30 ~~Organization Registration Cash Fund.~~

31 Sec. 44. Section 81-638, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-638 (1) Subject to subsection (4) of this section, the The
3 Legislature shall appropriate for each year from the Health and Human
4 Services Cash Fund to the department an amount derived from one cent of
5 the cigarette tax imposed by section 77-2602, less any amount
6 appropriated from the fund specifically to the University of Nebraska
7 Eppley Institute for Research in Cancer and Allied Diseases. The
8 department shall, after deducting expenses incurred in the administration
9 of such funds, distribute such funds exclusively for grants and contracts
10 for research of cancer and smoking diseases, for funding the cancer
11 registry prescribed in sections 81-642 to 81-650, and for associated
12 expenses due to the establishment and maintenance of such cancer
13 registry. Not more than two hundred thousand dollars shall be
14 appropriated for funding the cancer registry and associated expenses. The
15 University of Nebraska may receive such grants and contracts, and other
16 postsecondary institutions having colleges of medicine located in the
17 State of Nebraska may receive such contracts.

18 (2) Subject to subsection (4) of this section, the The Legislature
19 shall appropriate for each year from the Health and Human Services Cash
20 Fund to the department for cancer research an amount derived from two
21 cents of the cigarette tax imposed by section 77-2602 to be used
22 exclusively for grants and contracts for research on cancer and smoking
23 diseases. No amount shall be appropriated or used pursuant to this
24 subsection for the operation and associated expenses of the cancer
25 registry. Not more than one-half of the funds appropriated pursuant to
26 this subsection shall be distributed to the University of Nebraska
27 Medical Center for research in cancer and allied diseases and the
28 University of Nebraska Eppley Institute for Research in Cancer and Allied
29 Diseases. The remaining funds available pursuant to this subsection shall
30 be distributed for contracts with other postsecondary educational
31 institutions having colleges of medicine located in Nebraska which have

1 cancer research programs for the purpose of conducting research in cancer
2 and allied diseases.

3 (3) Any contract between the department and another postsecondary
4 educational institution for cancer research under subsection (2) of this
5 section shall provide that:

6 (a) Any money appropriated for such contract shall only be used for
7 cancer research and shall not be used to support any other program in the
8 institution;

9 (b) Full and detailed reporting of the expenditure of all funds
10 under the contract is required. The report shall include, but not be
11 limited to, separate accounting for personal services, equipment
12 purchases or leases, and supplies. Such reports shall be made available
13 electronically to the Legislature; and

14 (c) No money appropriated for such contract shall be spent for
15 travel, building construction, or any other purpose not directly related
16 to the research that is the subject of the contract.

17 (4) The State Treasurer shall transfer seven million dollars from
18 the Health and Human Services Cash Fund to the General Fund on or before
19 June 30, 2018, on such dates and in such amounts as directed by the
20 budget administrator of the budget division of the Department of
21 Administrative Services. It is the intent of the Legislature that the
22 transfer to the General Fund in this subsection be from funds credited to
23 the Cancer Research subfund of the Health and Human Services Cash Fund
24 which were in excess of appropriations established in subsections (1) and
25 (2).

26 Sec. 45. Section 81-885.15, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 81-885.15 All fees collected under the Nebraska Real Estate License
29 Act shall be deposited in the state treasury in a fund to be known as the
30 State Real Estate Commission's Fund. The commission may use such part of
31 the money in this fund as is necessary to be used by it in the

1 administration and enforcement of the act. Transfers may be made from the
2 fund to the General Fund at the direction of the Legislature through June
3 30, 2019 ~~2011~~. The State Real Estate Commission's Fund shall be paid out
4 only upon proper vouchers and upon warrants issued by the Director of
5 Administrative Services and countersigned by the State Treasurer, as
6 provided by law. The expenses of conducting the office must always be
7 kept within the income collected and deposited with the State Treasurer
8 by such commission and such office, and the expense thereof shall not be
9 supported or paid from any other state fund. Any money in the State Real
10 Estate Commission's Fund available for investment shall be invested by
11 the state investment officer pursuant to the Nebraska Capital Expansion
12 Act and the Nebraska State Funds Investment Act.

13 The State Treasurer shall transfer two hundred thousand dollars from
14 the State Real Estate Commission's Fund to the General Fund on or before
15 June 30, 2018, on such dates and in such amounts as directed by the
16 budget administrator of the budget division of the Department of
17 Administrative Services. The State Treasurer shall transfer two hundred
18 thousand dollars from the State Real Estate Commission's Fund to the
19 General Fund on or before June 30, 2019, on such dates and in such
20 amounts as directed by the budget administrator of the budget division of
21 the Department of Administrative Services.

22 Sec. 46. Section 81-12,160, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 81-12,160 (1) The department shall establish a financial assistance
25 program to provide financial assistance to businesses operating in
26 Nebraska that employ no more than five hundred employees or to
27 individuals that have a prototype of a product or process for the
28 purposes of commercializing such product or process. The applicant shall
29 submit a feasibility study stating the potential sales and profit
30 projections for the product or process.

31 (2) The department shall create a program with the following

1 provisions to support commercialization of a product or process:

2 (a) Commercialization infrastructure documentation, including market
3 assessments and start-up strategic planning;

4 (b) Promotion, marketing, advertising, and consulting;

5 (c) Management and business planning support;

6 (d) Linking companies and entrepreneurs to mentors;

7 (e) Preparing companies and entrepreneurs to acquire venture
8 capital; and

9 (f) Linking companies to sources of capital.

10 (3) Funds shall be matched by nonstate funds equal to fifty percent
11 of the funds requested. Matching funds may be from any nonstate source,
12 including private foundations, federal or local government sources,
13 quasi-governmental entities, or commercial lending institutions, or any
14 other funds whose source does not include funds appropriated by the
15 Legislature.

16 (4) The department shall not provide more than five hundred thousand
17 dollars to any one project. Each year the department ~~may shall~~ award up
18 ~~to at least two million dollars but not more than~~ four million dollars
19 under this section.

20 (5) Financial assistance provided under this section shall be
21 expended within twenty-four months after the date of the awarding
22 decision.

23 (6) To carry out this section, the department shall contract with
24 one statewide venture development organization that is incorporated in
25 the State of Nebraska and exempt for federal tax purposes under section
26 501(c)(3) of the Internal Revenue Code.

27 Sec. 47. Section 81-12,162, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 81-12,162 (1) The department shall establish a small business
30 investment program. The program:

31 (a) Shall provide grants to microloan delivery or microloan

1 technical assistance organizations to:

2 (i) Better assure that Nebraska's microenterprises are able to
3 realize their full potential to create jobs, enhance entrepreneurial
4 skills and activity, and increase low-income households' capacity to
5 become self-sufficient;

6 (ii) Provide funding to foster the creation of microenterprises;

7 (iii) Establish the department as the coordinating office for the
8 facilitation of microlending and microenterprise development;

9 (iv) Facilitate the development of a permanent, statewide
10 infrastructure of microlending support organizations to serve Nebraska's
11 microenterprise and self-employment sectors;

12 (v) Enable the department to provide grants to community-based
13 microenterprise development organizations in order to encourage the
14 development and growth of microenterprises throughout Nebraska; and

15 (vi) Enable the department to engage in contractual relationships
16 with statewide microlending support organizations which have the capacity
17 to leverage additional nonstate funds for microenterprise lending.

18 To the maximum extent possible, the selection process should assure
19 that the distribution of such financial assistance provides equitable
20 access to the benefits of the Business Innovation Act by all geographic
21 areas of the state; and

22 (b) May identify and coordinate other state and federal sources of
23 funds which may be available to the department to enhance the state's
24 ability to facilitate financial assistance pursuant to the program.

25 (2) To establish the criteria for making an award to a microloan
26 delivery or microloan technical assistance organization, the department
27 shall consider:

28 (a) The plan for providing business development services and
29 microloans to microenterprises;

30 (b) The scope of services to be provided by the microloan delivery
31 or microloan technical assistance organization;

1 (c) The plan for coordinating the services and loans provided by the
2 microloan delivery or microloan technical assistance organization with
3 commercial lending institutions;

4 (d) The geographic representation of all regions of the state,
5 including both urban and rural communities and neighborhoods;

6 (e) The ability of the microloan delivery or microloan technical
7 assistance organization to provide for business development in areas of
8 chronic economic distress and low-income regions of the state;

9 (f) The ability of the microloan delivery or microloan technical
10 assistance organization to provide business training and technical
11 assistance to microenterprise clients;

12 (g) The ability of the microloan delivery or microloan technical
13 assistance organization to monitor and provide financial oversight of
14 recipients of microloans; and

15 (h) Sources and sufficiency of operating funds for the
16 microenterprise development organization.

17 (3) Awards made by the department to a microloan delivery or
18 microloan technical assistance organization may be used to:

19 (a) Satisfy matching fund requirements for other federal or private
20 grants;

21 (b) Establish a revolving loan fund from which the microloan
22 delivery or microloan technical assistance organization may make loans to
23 microenterprises;

24 (c) Establish a guaranty fund from which the microloan delivery or
25 microloan technical assistance organization may guarantee loans made by
26 commercial lending institutions to microenterprises;

27 (d) Provide funding for the operating costs of a microloan delivery
28 or microloan technical assistance organization not to exceed twenty
29 percent; and

30 (e) Provide grants to establish loan-loss reserve funds to match
31 loan capital borrowed from other sources, including federal

1 microenterprise loan programs.

2 (4) Any award of financial assistance to a microloan delivery or
3 microloan technical assistance organization shall meet the following
4 qualifications:

5 (a) Funds shall be matched by nonstate funds equivalent in money or
6 in-kind contributions or a combination of both equal to thirty-five
7 percent of the grant funds requested. Such matching funds may be from any
8 nonstate source, including private foundations, federal or local
9 government sources, quasi-governmental entities, or commercial lending
10 institutions, or any other funds whose source does not include funds
11 appropriated by the Legislature;

12 (b) Microloan funds shall be disbursed in microloans which do not
13 exceed one hundred thousand dollars or used to capitalize loan-loss
14 reserve funds for such loans; and

15 (c) A minimum of fifty percent of the microloan funds shall be used
16 by a microenterprise development assistance organization for small
17 business technical assistance.

18 The department shall contract with a statewide microenterprise
19 development assistance organization to carry out this section.

20 (5) Each year the department ~~may shall~~ award up to at least one
21 ~~million dollars but not more than~~ two million dollars under this section.

22 Sec. 48. Section 81-1558, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 81-1558 There is hereby created within the state treasury a fund to
25 be known as the Nebraska Litter Reduction and Recycling Fund. The
26 proceeds of the fee imposed by sections 81-1559 to 81-1560.02, money
27 received by the department as gifts, donations, or contributions toward
28 the goals stated in section 81-1535, and money received by the department
29 for nonprofit activities concerning litter reduction and recycling,
30 including, but not limited to, honoraria, literature furnished by the
31 department, and funds realized as reimbursement for expenses in

1 conducting educational forums, shall be remitted to the State Treasurer
2 for credit to such fund to be used for the administration and enforcement
3 of the Nebraska Litter Reduction and Recycling Act. Transfers may be made
4 from the fund to the General Fund at the direction of the Legislature.
5 Any money in the fund available for investment shall be invested by the
6 state investment officer pursuant to the Nebraska Capital Expansion Act
7 and the Nebraska State Funds Investment Act.

8 Sec. 49. Section 81-15,175, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 81-15,175 (1) The board may make an annual allocation each fiscal
11 year from the Nebraska Environmental Trust Fund to the Nebraska
12 Environmental Endowment Fund as provided in section 81-15,174.01. The
13 board shall make annual allocations from the Nebraska Environmental Trust
14 Fund and may make annual allocations each fiscal year from the Nebraska
15 Environmental Endowment Fund for projects which conform to the
16 environmental categories of the board established pursuant to section
17 81-15,176 and to the extent the board determines those projects to have
18 merit. The board shall establish a calendar annually for receiving and
19 evaluating proposals and awarding grants. To evaluate the economic,
20 financial, and technical feasibility of proposals, the board may
21 establish subcommittees, request or contract for assistance, or establish
22 advisory groups. Private citizens serving on advisory groups shall be
23 reimbursed for their actual and necessary expenses pursuant to sections
24 81-1174 to 81-1177.

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

29 (a) Conformance with categories established pursuant to section
30 81-15,176;

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

- 1 (c) Encouragement of public-private partnerships;
- 2 (d) Geographic mix of projects over time;
- 3 (e) Cost-effectiveness and economic impact;
- 4 (f) Direct environmental impact;
- 5 (g) Environmental benefit to the general public and the long-term
- 6 nature of such public benefit; and

7 (h) Applications recommended by the Director of Natural Resources
8 and submitted by the Department of Natural Resources pursuant to
9 subsection (7) of section 61-218 shall be awarded fifty priority points
10 in the ranking process for the 2011 grant application if the Legislature
11 has authorized annual transfers of three million three hundred thousand
12 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12
13 and 2012-13 and has stated its intent to transfer three million three
14 hundred thousand dollars to the Water Resources Cash Fund in fiscal year
15 2013-14. Priority points shall be awarded if the proposed programs set
16 forth in the grant application are consistent with the purposes of
17 reducing consumptive uses of water, enhancing streamflows, recharging
18 ground water, or supporting wildlife habitat in any river basin
19 determined to be fully appropriated pursuant to section 46-714 or
20 designated as overappropriated pursuant to section 46-713.

21 (3) A grant awarded under this section pursuant to an application
22 made under subsection (7) of section 61-218 shall be paid out in the
23 following manner:

24 (a) The initial three million three hundred thousand dollar
25 installment shall be remitted to the State Treasurer for credit to the
26 Water Resources Cash Fund no later than fifteen business days after the
27 date that the grant is approved by the board;

28 (b) The second three million three hundred thousand dollar
29 installment shall be remitted to the State Treasurer for credit to the
30 Water Resources Cash Fund no later than May 15, 2013; and

31 (c) The third three million three hundred thousand dollar

1 installment shall be remitted to the State Treasurer for credit to the
2 Water Resources Cash Fund no later than May 15, 2014, if the Legislature
3 has authorized a transfer of three million three hundred thousand dollars
4 from the General Fund to the Water Resources Cash Fund for fiscal year
5 2013-14.

6 (4) It is the intent of the Legislature that the Department of
7 Natural Resources apply for an additional three-year grant from the
8 Nebraska Environmental Trust Fund that would begin in fiscal year 2014-15
9 and a three-year grant that would begin in fiscal year 2017-18 and such
10 application shall be awarded fifty priority points in the ranking process
11 as set forth in subdivision (2)(h) of this section if the following
12 criteria are met:

13 (a) The Natural Resources Committee of the Legislature has examined
14 options for water funding and has submitted a report electronically to
15 the Clerk of the Legislature and the Governor by December 1, 2012,
16 setting forth:

17 (i) An outline and priority listing of water management and funding
18 needs in Nebraska, including instream flows, residential, agricultural,
19 recreational, and municipal needs, interstate obligations, water quality
20 issues, and natural habitats preservation;

21 (ii) An outline of statewide funding options which create a
22 dedicated, sustainable funding source to meet the needs set forth in the
23 report; and

24 (iii) Recommendations for legislation;

25 (b) The projects and activities funded by the department through
26 grants from the Nebraska Environmental Trust Fund under this section have
27 resulted in enhanced streamflows, reduced consumptive uses of water,
28 recharged ground water, supported wildlife habitat, or otherwise
29 contributed towards conserving, enhancing, and restoring Nebraska's
30 ground water and surface water resources. On or before July 1, 2014, the
31 department shall submit electronically a report to the Natural Resources

1 Committee of the Legislature providing demonstrable evidence of the
2 benefits accrued from such projects and activities; and

3 (c) In addition to the grant reporting requirements of the trust, on
4 or before July 1, 2014, the department provides to the board a report
5 which includes documentation that:

6 (i) Expenditures from the Water Resources Cash Fund made to natural
7 resources districts have met the matching fund requirements provided in
8 subdivision (5)(a) of section 61-218;

9 (ii) Ten percent or less of the matching fund requirements has been
10 provided by in-kind contributions for expenses incurred for projects
11 enumerated in the grant application. In-kind contributions shall not
12 include land or land rights; and

13 (iii) All other projects and activities funded by the department
14 through grants from the Nebraska Environmental Trust Fund under this
15 section were matched not less than forty percent of the project or
16 activity cost by other funding sources.

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

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

1 (7) The board shall adopt and promulgate rules and regulations and
2 publish guidelines governing allocations from the fund. The board shall
3 conduct annual reviews of existing projects for compliance with project
4 goals and grant requirements.

5 (8) Every five years the board may evaluate the long-term effects of
6 the projects it funds. The evaluation may assess a sample of such
7 projects. The board may hire an independent consultant to conduct the
8 evaluation and may report the evaluation findings to the Legislature and
9 the Governor. The report submitted to the Legislature shall be submitted
10 electronically.

11 Sec. 50. Section 81-3432, Revised Statutes Cumulative Supplement,
12 2016, is amended to read:

13 81-3432 The Engineers and Architects Regulation Fund is created. The
14 secretary of the board shall receive and account for all money derived
15 from the operation of the Engineers and Architects Regulation Act and
16 shall remit the money to the State Treasurer for credit to the Engineers
17 and Architects Regulation Fund. All expenses certified by the board as
18 properly and necessarily incurred in the discharge of duties, including
19 compensation and administrative staff, and any expense incident to the
20 administration of the act relating to other states shall be paid out of
21 the fund. Debt repayments payable pursuant to section 81-3432.01 shall be
22 paid out of the fund. Warrants for the payment of expenses shall be
23 issued by the Director of Administrative Services and paid by the State
24 Treasurer upon presentation of vouchers regularly drawn by the
25 chairperson and secretary of the board and approved by the board. At no
26 time shall the total amount of warrants exceed the total amount of the
27 fees collected under the act and to the credit of the fund. Any money in
28 the fund available for investment shall be invested by the state
29 investment officer pursuant to the Nebraska Capital Expansion Act and the
30 Nebraska State Funds Investment Act. Money in the Engineers and
31 Architects Regulation Fund may be transferred to the General Fund at the

1 direction of the Legislature.

2 The State Treasurer shall transfer three hundred thousand dollars
3 from the Engineers and Architects Regulation Fund to the General Fund on
4 or before June 15, 2018, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services.

7 Sec. 51. Section 82-331, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 82-331 (1) There is hereby established in the state treasury a trust
10 fund to be known as the Nebraska Cultural Preservation Endowment Fund.
11 The fund shall consist of funds appropriated or transferred by the
12 Legislature, and only the earnings of the fund may be used as provided in
13 this section.

14 (2) On August 1, 1998, the State Treasurer shall transfer five
15 million dollars from the General Fund to the Nebraska Cultural
16 Preservation Endowment Fund.

17 (3) Except as provided in subsection (4) of this section, it is the
18 intent of the Legislature that the State Treasurer shall transfer (a) an
19 amount not to exceed one million dollars from the General Fund to the
20 Nebraska Cultural Preservation Endowment Fund on December 31, 2013, (b)
21 an amount not to exceed five hundred thousand dollars from the General
22 Fund to the Nebraska Cultural Preservation Endowment Fund on December 31,
23 2014, (c) an amount not to exceed seven hundred fifty thousand dollars
24 from the General Fund to the Nebraska Cultural Preservation Endowment
25 Fund on December 31 of 2015 and 2016, and (d) an amount not to exceed
26 five hundred thousand dollars from the General Fund to the Nebraska
27 Cultural Preservation Endowment Fund annually on December 31 beginning in
28 2019 ~~2017~~ and continuing through December 31, 2028 ~~2026~~.

29 (4) Prior to the transfer of funds from any state account into the
30 Nebraska Cultural Preservation Endowment Fund, the Nebraska Arts Council
31 shall provide documentation to the budget division of the Department of

1 Administrative Services that qualified endowments have generated a
2 dollar-for-dollar match of new money, up to the amount of state funds
3 authorized by the Legislature to be transferred to the Nebraska Cultural
4 Preservation Endowment Fund. For purposes of this section, new money
5 means a contribution to a qualified endowment generated after July 1,
6 2011. Contributions not fully matched by state funds shall be carried
7 forward to succeeding years and remain available to provide a dollar-for-
8 dollar match for state funds. For an endowment to be a qualified
9 endowment (a) the endowment must meet the standards set by the Nebraska
10 Arts Council or Nebraska Humanities Council, (b) the endowment must be
11 intended for long-term stabilization of the organization, and (c) the
12 funds of the endowment must be endowed and only the earnings thereon
13 expended. The budget division of the Department of Administrative
14 Services shall notify the State Treasurer to execute a transfer of state
15 funds up to the amount specified by the Legislature, but only to the
16 extent that the Nebraska Arts Council has provided documentation of a
17 dollar-for-dollar match. State funds not transferred shall be carried
18 forward to the succeeding year and be added to the funds authorized for a
19 dollar-for-dollar match during that year.

20 (5) The Legislature shall not appropriate or transfer money from the
21 Nebraska Cultural Preservation Endowment Fund for any purpose other than
22 the purposes stated in sections 82-330 to 82-333, except that the
23 Legislature may appropriate or transfer money from the fund upon a
24 finding that the purposes of such sections are not being accomplished by
25 the fund.

26 (6) Any money in the Nebraska Cultural Preservation Endowment Fund
27 available for investment shall be invested by the state investment
28 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
29 State Funds Investment Act.

30 (7) All investment earnings from the Nebraska Cultural Preservation
31 Endowment Fund shall be credited to the Nebraska Arts and Humanities Cash

1 Fund.

2 Sec. 52. Section 85-1414.01, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 85-1414.01 (1) The Legislature finds that:

5 (a) The availability and accessibility of quality, affordable oral
6 health care for all residents of the State of Nebraska is a matter of
7 public concern and represents a compelling need affecting the general
8 welfare of all residents;

9 (b) The development and sustainability of a skilled workforce in the
10 practice of dentistry is a public health priority for the State of
11 Nebraska; and

12 (c) According to research sponsored by the Office of Oral Health and
13 Dentistry of the Department of Health and Human Services, the Nebraska
14 Rural Health Advisory Commission, and the Health Professions Tracking
15 Service of the College of Public Health of the University of Nebraska
16 Medical Center:

17 (i) A majority of the ninety-three counties of the State of Nebraska
18 are general dentistry shortage areas as designated by the Nebraska Rural
19 Health Advisory Commission and more than twenty percent of the ninety-
20 three counties have no dentist;

21 (ii) Eighty-two counties are shortage areas in pediatric dentistry
22 as designated by the Nebraska Rural Health Advisory Commission;

23 (iii) The uneven distribution of dentists in the State of Nebraska
24 is a public health concern and twenty-four percent of the dentists in
25 Nebraska are estimated to be planning to retire by 2017;

26 (iv) Sixty percent of the children in the State of Nebraska
27 experience dental disease by the time they are in the third grade; and

28 (v) It is estimated that more than twenty-five thousand children
29 attending public schools in Omaha, Nebraska, do not have a means of
30 continuing dental care.

31 (2) It is the intent of the Legislature to provide for the

1 development of a skilled and diverse workforce in the practice of
2 dentistry and oral health care in order to provide for the oral health of
3 all residents of Nebraska, to assist in dispersing the workforce to
4 address the disparities of the at-risk populations in the state, and to
5 focus efforts in areas and demographic groups in which access to a
6 skilled workforce in the practice of dentistry and oral health care is
7 most needed. In order to accomplish these goals, the Legislature
8 recognizes that it is necessary to contract with professional dental
9 education institutions committed to addressing the critical oral health
10 care needs of the residents of Nebraska.

11 (3) The Oral Health Training and Services Fund is created. The
12 Coordinating Commission for Postsecondary Education shall administer the
13 fund to contract for reduced-fee and charitable oral health services,
14 oral health workforce development, and oral health services using
15 telehealth as defined in section 71-8503 for the residents of Nebraska.
16 Any money in the fund available for investment shall be invested by the
17 state investment officer pursuant to the Nebraska Capital Expansion Act
18 and the Nebraska State Funds Investment Act.

19 (4) To be eligible to enter into a contract under this section, an
20 applicant shall be a corporation exempt for federal tax purposes under
21 section 501(c)(3) of the Internal Revenue Code and shall submit a plan to
22 the commission as prescribed in subsection (5) of this section to provide
23 oral health training, including assistance for the graduation of dental
24 students at a Nebraska dental college, to provide discounted or
25 charitable oral health services focusing on lower-income and at-risk
26 populations within the state, and to target the unmet oral health care
27 needs of residents of Nebraska. In addition, the applicant shall submit
28 at least five letters of intent with school districts or federally
29 qualified health centers as defined in section 1905(l)(2)(B) of the
30 federal Social Security Act, 42 U.S.C. 1396d(l)(2)(B), as such act and
31 section existed on January 1, 2010, in at least five different counties

1 throughout the state to provide discounted or charitable oral health
2 services for a minimum of ten years. An application to enter into a
3 contract under this section shall be made no later than January 1, 2017.

4 (5) The plan shall include (a) a proposal to provide oral health
5 training at a reduced fee to students in dental education programs who
6 agree to practice dentistry for at least five years after graduation in a
7 dental health profession shortage area designated by the Nebraska Rural
8 Health Advisory Commission pursuant to section 71-5665, (b) a proposal to
9 provide discounted or charitable oral health services for a minimum of
10 ten years to residents of Nebraska, and (c) a proposal to provide oral
11 health services to residents of Nebraska using telehealth as defined in
12 section 71-8503.

13 (6) Any party entering into a contract under this section shall
14 agree that any funds disbursed pursuant to the contract shall only be
15 used for services and equipment related to the proposals in the plan and
16 shall not be used for any other program operated by the contracting
17 party. If any of the funds disbursed pursuant to the contract are used
18 for equipment, such funds shall only be used for patient-centered oral
19 health care equipment, including, but not limited to, dental chairs for
20 patients, lighting for examination and procedure rooms, and other
21 equipment used for oral health services for patients and for training
22 students in dental education programs, and shall not be used for travel,
23 construction, or any other purpose not directly related to the proposals
24 in the plan.

25 (7) The contract shall require matching funds from other sources in
26 a four-to-one ratio with the funds to be disbursed under the contract.
27 The party entering into the contract shall specify the source and amount
28 of all matching funds. No applicant shall receive an award amount under a
29 contract under this section of more than eight million dollars. If more
30 than one applicant meets the requirements of this section to enter into a
31 contract and provides evidence that private or other funds have been

1 received by the applicant as matching funds for such a contract in an
2 amount greater than or equal to sixteen million dollars, each of such
3 applicants shall receive an award amount under a contract equal to eight
4 million dollars divided by the number of such applicants. If one of such
5 applicants qualifies for a contract award amount of less than four
6 million dollars, any other such applicant may receive a contract award
7 amount up to eight million dollars minus the amount awarded to the
8 applicant qualifying for less than four million dollars. The contract
9 amount shall be awarded first to the applicant qualifying for the lowest
10 contract award amount. The contract shall require full and detailed
11 reporting of the expenditure of funds disbursed pursuant to the contract.
12 Any party entering into a contract under this section shall report
13 electronically to the Legislature within one hundred twenty days after
14 the expenditure of the funds disbursed pursuant to the contract detailing
15 the nature of the expenditures made as a result of the contract. In
16 addition, any party entering into a contract under this section shall
17 report electronically to the Legislature on an annual basis the
18 charitable oral health services provided in school districts and
19 federally qualified health centers and the number of recipients and the
20 placements of students receiving oral health training at a reduced fee in
21 dental education programs.

22 (8) The State Treasurer shall transfer the June 30, 2017,
23 unobligated balance in the Oral Health Training and Services Fund to the
24 Cash Reserve Fund on such date as directed by the budget administrator of
25 the budget division of the Department of Administrative Services.

26 Sec. 53. Section 86-324, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 86-324 (1) The Nebraska Telecommunications Universal Service Fund is
29 hereby created. The fund shall provide the assistance necessary to make
30 universal access to telecommunications services available to all persons
31 in the state consistent with the policies set forth in the Nebraska

1 Telecommunications Universal Service Fund Act. Only eligible
2 telecommunications companies designated by the commission shall be
3 eligible to receive support to serve high-cost areas from the fund. A
4 telecommunications company that receives such support shall use that
5 support only for the provision, maintenance, and upgrading of facilities
6 and services for which the support is intended. Any such support should
7 be explicit and sufficient to achieve the purpose of the act.

8 (2) Notwithstanding the provisions of section 86-124, in addition to
9 other provisions of the act, and to the extent not prohibited by federal
10 law, the commission:

11 (a) Shall have authority and power to subject eligible
12 telecommunications companies to service quality, customer service, and
13 billing regulations. Such regulations shall apply only to the extent of
14 any telecommunications services or offerings made by an eligible
15 telecommunications company which are eligible for support by the fund.
16 The commission shall be reimbursed from the fund for all costs related to
17 drafting, implementing, and enforcing the regulations and any other
18 services provided on behalf of customers pursuant to this subdivision;

19 (b) Shall have authority and power to issue orders carrying out its
20 responsibilities and to review the compliance of any eligible
21 telecommunications company receiving support for continued compliance
22 with any such orders or regulations adopted pursuant to the act;

23 (c) May withhold all or a portion of the funds to be distributed
24 from any telecommunications company failing to continue compliance with
25 the commission's orders or regulations;

26 (d) Shall require every telecommunications company to contribute to
27 any universal service mechanism established by the commission pursuant to
28 state law. The commission shall require, as reasonably necessary, an
29 annual audit of any telecommunications company to be performed by a
30 third-party certified public accountant to insure the billing,
31 collection, and remittance of a surcharge for universal service. The

1 costs of any audit required pursuant to this subdivision shall be paid by
2 the telecommunications company being audited;

3 (e) Shall require an audit of information provided by a
4 telecommunications company to be performed by a third-party certified
5 public accountant for purposes of calculating universal service fund
6 payments to such telecommunications company. The costs of any audit
7 required pursuant to this subdivision shall be paid by the
8 telecommunications company being audited; and

9 (f) May administratively fine pursuant to section 75-156 any person
10 who violates the Nebraska Telecommunications Universal Service Fund Act.

11 (3) Any money in the fund available for investment shall be invested
12 by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 (4) Beginning July 1, 2017, until June 30, 2019, and any interest
15 earned by the fund shall be transferred to the General Fund on a
16 quarterly basis.

17 ~~(4)(a) The State Treasurer shall transfer funds from the Nebraska~~
18 ~~Telecommunications Universal Service Fund to the General Fund upon~~
19 ~~certification by the Director of Administrative Services that the current~~
20 ~~cash balances in the General Fund and the Cash Reserve Fund are~~
21 ~~inadequate to meet current obligations. Such certification shall include~~
22 ~~the dollar amount to be transferred which shall not exceed the amount by~~
23 ~~which the General Fund and Cash Reserve Fund are inadequate to meet~~
24 ~~current obligations. The total of such transfers shall not reduce the~~
25 ~~Nebraska Telecommunications Universal Service Fund balance below an~~
26 ~~amount sufficient to meet the obligations on the fund for the next sixty~~
27 ~~days. Any transfers made pursuant to this subsection shall be reversed~~
28 ~~upon notification by the Director of Administrative Services that~~
29 ~~sufficient funds are available or on June 30, 2007, whichever occurs~~
30 ~~first.~~

31 ~~(b) Any transfer under this subsection not reversed within thirty~~

~~1 days after the initial transfer shall accrue interest in the amount of
2 five percent annually. Interest shall be calculated beginning on the
3 thirty-first day after the initial transfer and continue until the
4 transfer is completely reversed. The interest calculated shall be
5 credited to the Nebraska Telecommunications Universal Service Fund.~~

~~6 (c) Any transfer of funds which has not been reversed as provided in
7 this subsection, with accrued interest, shall be considered an
8 encumbrance against the General Fund.~~

~~9 (d) This subsection terminates on June 30, 2007.~~

10 Sec. 54. Section 86-463, Revised Statutes Cumulative Supplement,
11 2016, is amended to read:

12 86-463 (1) The Enhanced Wireless 911 Fund is created. The fund
13 shall consist of the surcharges credited to the fund, any money
14 appropriated by the Legislature, any federal funds received for wireless
15 emergency communication except as otherwise provided in section 86-1028,
16 and any other funds designated for credit to the fund. Money in the fund
17 shall be used for the costs of administering the fund and the purposes
18 specified in section 86-465 unless otherwise directed by federal law with
19 respect to any federal funds. Money shall be transferred from the fund to
20 the 911 Service System Fund at the direction of the Legislature. Within
21 five days after April 19, 2016, the State Treasurer shall transfer two
22 million one hundred thirty-eight thousand three hundred thirty-seven
23 dollars from the Enhanced Wireless 911 Fund to the 911 Service System
24 Fund. On or before July 5, 2017, the State Treasurer shall transfer one
25 million nine hundred eighty-eight thousand seven hundred ninety dollars
26 from the Enhanced Wireless 911 Fund to the 911 Service System Fund. The
27 costs of administering the Enhanced Wireless 911 Fund shall be kept to a
28 minimum. The money in the Enhanced Wireless 911 Fund shall not be subject
29 to any fiscal-year limitation or lapse provision of unexpended balance at
30 the end of any fiscal year or biennium. Any money in the Enhanced
31 Wireless 911 Fund available for investment shall be invested by the state

1 investment officer pursuant to the Nebraska Capital Expansion Act and the
2 Nebraska State Funds Investment Act.

3 (2) Beginning July 1, 2017, until June 30, 2019, any interest earned
4 by the fund shall be transferred to the General Fund on a quarterly
5 basis.

6 Sec. 55. Original sections 12-1301, 19-102, 19-103, 29-4115.01,
7 37-327.02, 48-1,116, 48-735.01, 54-197, 60-3,218, 71-1001, 71-7450,
8 81-179, 81-188.01, 81-405, 81-638, 81-885.15, 81-1558, 81-15,175, and
9 86-324, Reissue Revised Statutes of Nebraska, and sections 2-1222, 7-209,
10 47-632, 59-1608.04, 60-6,211.05, 60-1409, 61-218, 66-4,100, 66-1519,
11 71-7611, 72-1001, 72-2211, 77-27,132, 81-406, 81-12,160, 81-12,162,
12 81-3432, 82-331, 85-1414.01, and 86-463, Revised Statutes Cumulative
13 Supplement, 2016, are repealed.

14 Sec. 56. Since an emergency exists, this act takes effect when
15 passed and approved according to law.