

AMENDMENTS TO LB 3

Introduced by Appropriations.

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

3 Section 1. Section 1-111, Revised Statutes Supplement,
4 2009, is amended to read:

5 1-111 (1) All fees collected under the Public Accountancy
6 Act and all costs collected under subdivision (8) of section
7 1-148 shall be remitted by the board to the State Treasurer for
8 credit to the Certified Public Accountants Fund which is hereby
9 created. Such fund shall, if and when specifically appropriated
10 by the Legislature during any biennium for that purpose, be paid
11 out from time to time by the State Treasurer upon warrants drawn
12 by the Director of Administrative Services on vouchers approved
13 by the board, and such board and expense thereof shall not be
14 supported or paid from any other fund of the state. Transfers may
15 be made from the fund to the General Fund at the direction of
16 the Legislature through June 30, 2011. Any money in the Certified
17 Public Accountants Fund available for investment shall be invested
18 by the state investment officer pursuant to the Nebraska Capital
19 Expansion Act and the Nebraska State Funds Investment Act.

20 (2) The board shall remit civil penalties collected
21 under subdivision (5) of section 1-148 to the State Treasurer for
22 distribution in accordance with Article VII, section 5, of the
23 Constitution of Nebraska.

1 Sec. 2. Section 2-1503.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-1503.01 The Small Watersheds Flood Control Fund is
4 created. The State Treasurer shall credit to the fund such
5 money as is specifically appropriated during any session of the
6 Legislature. The State Treasurer shall also credit such fund with
7 money contributed to or remitted by local organizations which was
8 obtained through the sale or lease of property procured through the
9 use of state funds as authorized in sections 2-1502 to 2-1503.03.
10 In addition, funds, services, and properties made available by
11 the United States or one of its departments or agencies may be
12 credited to the fund. The money in the fund shall not be subject
13 to fiscal year or biennium limitations. Transfers may be made from
14 the fund to the General Fund at the direction of the Legislature.
15 Any money in the ~~fund~~ Small Watersheds Flood Control Fund available
16 for investment shall be invested by the state investment officer
17 pursuant to the Nebraska Capital Expansion Act and the Nebraska
18 State Funds Investment Act.

19 Sec. 3. Section 2-1577, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 2-1577 (1) There is hereby created the Nebraska Soil and
22 Water Conservation Fund to be administered by the department. The
23 State Treasurer shall credit to the fund such money as is (a)
24 appropriated to the fund by the Legislature, (b) paid to the state
25 as fees, deposits, payments, and repayments relating to the fund,
26 both principal and interest, and (c) donated as gifts, bequests, or
27 other contributions to such fund from public or private entities.

1 Funds made available by any agency of the United States may also be
2 credited to such fund if so directed by such agency.

3 (2) The money in the fund shall not be subject to any
4 fiscal-year limitation or lapse provision of unexpended balance at
5 the end of any such fiscal year or biennium. Transfers may be
6 made from the fund to the General Fund at the direction of the
7 Legislature.

8 (3) Any money in the fund Nebraska Soil and Water
9 Conservation Fund available for investment shall be invested by the
10 state investment officer pursuant to the Nebraska Capital Expansion
11 Act and the Nebraska State Funds Investment Act.

12 Sec. 4. Section 2-1587, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 2-1587 (1) There is hereby created the Nebraska Resources
15 Development Fund to be administered by the department. The State
16 Treasurer shall credit to the fund, to carry out sections 2-1586
17 to 2-1595, such money as is (a) appropriated to the fund by the
18 Legislature, (b) paid to the state as fees, deposits, payments,
19 and repayments relating to the fund, both principal and interest,
20 and (c) donated as gifts, bequests, or other contributions to such
21 fund from public or private entities. Funds made available by any
22 department or agency of the United States may also be credited to
23 this fund if so directed by such department or agency. The money
24 in the fund shall not be subject to any fiscal year or biennium
25 limitation requiring reappropriation of the unexpended balance at
26 the end of the fiscal year or biennium. Transfers may be made from
27 the fund to the General Fund at the direction of the Legislature.

1 (2) To aid in the funding of projects and to prevent
2 excessive fluctuations in appropriation requirements for the ~~fund~~,
3 Nebraska Resources Development Fund, the department shall create
4 a reserve fund to be used only for projects requiring total
5 expenditures from the Nebraska Resources Development Fund in excess
6 of five million dollars. Unless disapproved by the Governor, the
7 department may credit to such reserve fund that portion of any
8 appropriation to the Nebraska Resources Development Fund which
9 exceeds five million dollars. The department may also credit to the
10 reserve fund such other funds as it determines are available.

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

15 Sec. 5. Section 2-15,122, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 2-15,122 There is hereby created the Natural Resources
18 Water Quality Fund. The State Treasurer shall credit to the fund
19 for the uses and purposes of section 2-15,123 such money as
20 is specifically appropriated, such funds, fees, donations, gifts,
21 services, or devises or bequests of real or personal property
22 received by the department from any source, federal, state, public,
23 or private, to be used by the department for the purpose of
24 funding programs listed in subsection (2) of section 2-15,123,
25 and such money credited under sections 2-2634, 2-2638, and 2-2641.
26 The department shall allocate money from the fund pursuant to
27 section 2-15,123. The fund shall be exempt from provisions relating

1 to lapsing of appropriations, and the unexpended and unencumbered
2 balance existing in the fund on June 30 each year shall be
3 reappropriated, except that transfers may be made from the fund
4 to the General Fund at the direction of the Legislature. Any
5 money in the ~~fund~~ Natural Resources Water Quality Fund available
6 for investment shall be invested by the state investment officer
7 pursuant to the Nebraska Capital Expansion Act and the Nebraska
8 State Funds Investment Act.

9 Sec. 6. Section 2-5106, Revised Statutes Supplement,
10 2009, is amended to read:

11 2-5106 The Buffer Strip Incentive Fund is created.
12 Proceeds raised from fees imposed for the registration of
13 pesticides and earmarked for the fund pursuant to section 2-2634,
14 proceeds raised from federal grants earmarked for the fund, and
15 any proceeds raised from public or private donations made to the
16 fund shall be remitted to the State Treasurer for credit to the
17 fund. The fund shall be administered by the department to maintain
18 the buffer strip program and for expenses directly related to
19 the program, including necessary expenses of the department in
20 carrying out its duties and responsibilities under the Buffer
21 Strip Act, except that ~~on July 1, 2009, or as soon thereafter~~
22 ~~as administratively possible, the State Treasurer shall transfer~~
23 ~~five hundred thousand dollars from the Buffer Strip Incentive Fund~~
24 ~~to the Noxious Weed and Invasive Plant Species Assistance Fund.~~
25 transfers may be made from the fund to the General Fund at the
26 direction of the Legislature. The annual cost of administering
27 the buffer strip program shall not exceed ten percent of the

1 total annual proceeds credited to the Buffer Strip Incentive Fund.
2 Such administrative costs shall include funds allocated by the
3 department to the districts for their administrative costs. Any
4 money in the fund available for investment shall be invested by the
5 state investment officer pursuant to the Nebraska Capital Expansion
6 Act and the Nebraska State Funds Investment Act.

7 Sec. 7. Section 3-126, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 3-126 The Department of Aeronautics Cash Fund is created.
10 All money received by the department pursuant to the State
11 Aeronautics Department Act shall be remitted to the State Treasurer
12 for credit to the fund. The department is authorized, whether
13 acting for this state, as the agent of any of its municipalities,
14 or as the agent of any person owning a privately owned public use
15 airport, or when requested by the United States Government or any
16 agency or department thereof, to disburse such money. Transfers
17 may be made from the fund to the General Fund at the direction of
18 the Legislature. Any money in the fund Department of Aeronautics
19 Cash Fund available for investment shall be invested by the state
20 investment officer pursuant to the Nebraska Capital Expansion Act
21 and the Nebraska State Funds Investment Act.

22 Sec. 8. Section 13-2704, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 13-2704 The Local Civic, Cultural, and Convention Center
25 Financing Fund is created. The fund shall be administered by the
26 department. Transfers may be made from the fund to the General Fund
27 at the direction of the Legislature. Any money in the fund Local

1 Civic, Cultural, and Convention Center Financing Fund available
2 for investment shall be invested by the state investment officer
3 pursuant to the Nebraska Capital Expansion Act and the Nebraska
4 State Funds Investment Act. The fund may be used for assistance
5 for the construction of new centers or the renovation or expansion
6 of existing centers. The fund may not be used for planning,
7 programming, marketing, advertising, and related activities.

8 Sec. 9. Section 24-205, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 24-205 The Supreme Court Education Fund is created. The
11 State Court Administrator shall administer the fund. The fund shall
12 consist of money remitted pursuant to section 33-154. The Except as
13 otherwise directed by the Supreme Court during the period from the
14 effective date of this act until June 30, 2011, the fund shall only
15 be used to aid in supporting the mandatory training and education
16 program for judges and employees of the Supreme Court, Court of
17 Appeals, district courts, separate juvenile courts, county courts,
18 and Nebraska Probation System as enacted by rule of the Supreme
19 Court. Any money in the fund available for investment shall be
20 invested by the state investment officer pursuant to the Nebraska
21 Capital Expansion Act and the Nebraska State Funds Investment Act.

22 Sec. 10. Section 24-227.01, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 24-227.01 The Supreme Court Automation Cash Fund is
25 created. The State Court Administrator shall administer the fund.
26 The Except as otherwise directed by the Supreme Court during the
27 period from the effective date of this act until June 30, 2011,

1 the fund shall only be used to support automation expenses of
2 the Supreme Court, Court of Appeals, district courts, separate
3 juvenile courts, county courts, and Nebraska Probation System from
4 the computer automation budget program, except that the State
5 Treasurer shall, on or before June 30, 2011, on such date as
6 directed by the budget administrator of the budget division of
7 the Department of Administrative Services, transfer the amount
8 set forth in Legislative Bill 1, One Hundred First Legislature,
9 First Special Session, 2009. Any money in the fund Supreme Court
10 Automation Cash 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 Sec. 11. Section 24-229, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 24-229 The Counsel for Discipline Cash Fund is created.
16 The fund shall be established within the ~~Nebraska~~ Supreme Court
17 and administered by the State Court Administrator. The fund shall
18 consist of a portion of the annual membership dues assessed by the
19 Nebraska State Bar Association and remitted to the ~~Nebraska~~ Supreme
20 Court for credit to the fund. ~~The~~ Except as otherwise directed by
21 the Supreme Court during the period from the effective date of this
22 act until June 30, 2011, the fund shall only be used to pay the
23 costs associated with the operation of the Office of the Counsel
24 for Discipline. Any money in the fund available for investment
25 shall be invested by the state investment officer pursuant to
26 the Nebraska Capital Expansion Act and the Nebraska State Funds
27 Investment Act.

1 Sec. 12. Section 25-2921, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 25-2921 The Dispute Resolution Cash Fund is created.
4 The State Court Administrator shall administer the fund. The fund
5 shall consist of proceeds received pursuant to subdivision (10)
6 of section 25-2908 and section 33-155. The Except as otherwise
7 directed by the Supreme Court during the period from the effective
8 date of this act until June 30, 2011, the fund shall be used to
9 supplement the administration of the office and the support of the
10 approved centers. It is the intent of the Legislature that any
11 General Fund money supplanted by the Dispute Resolution Cash Fund
12 may be used for the support and maintenance of the State Library.
13 Any money in the fund available for investment shall be invested
14 by the state investment officer pursuant to the Nebraska Capital
15 Expansion Act and the Nebraska State Funds Investment Act.

16 Sec. 13. Section 28-429, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 28-429 (1) There is hereby established in the Nebraska
19 State Patrol a Division of Drug Control. The division shall consist
20 of such personnel as may be designated by the Superintendent
21 of Law Enforcement and Public Safety. It shall be the duty of
22 the division to enforce all of the provisions of the Uniform
23 Controlled Substances Act and any other provisions of the law
24 dealing with controlled substances and to conduct drug education
25 activities as directed by the superintendent. The Nebraska State
26 Patrol shall cooperate with federal agencies, the department,
27 other state agencies, elementary and secondary schools, and County

1 Drug Law Enforcement and Education Fund Boards in discharging
2 their responsibilities concerning traffic in controlled substances,
3 in suppressing the abuse of controlled substances, and in
4 conducting drug education activities. To this end the division
5 is authorized to: (a) Arrange for the exchange of information
6 between governmental officials concerning the use and abuse of
7 controlled substances; (b) coordinate and cooperate in training
8 programs on controlled substance law enforcement and education
9 at the local and state levels; (c) establish a centralized unit
10 which will accept, catalog, file, and collect statistics, including
11 records of drug dependent persons and other controlled substance
12 law offenders within the state, and make such information available
13 for federal, state, and local law enforcement purposes on request;
14 (d) cooperate in locating, eradicating, and destroying wild or
15 illicit growth of plant species from which controlled substances
16 may be extracted, and for these purposes a peace officer is hereby
17 authorized to enter onto property upon which there are no buildings
18 or upon which there are only uninhabited buildings without first
19 obtaining a search warrant or consent; (e) develop a priority
20 program so as to focus the bulk of its efforts on the reduction and
21 elimination of the most damaging drugs including narcotic drugs,
22 depressant and stimulant drugs, and hallucinogenic drugs; and (f)
23 develop and conduct drug education activities in cooperation with
24 elementary and secondary schools in Nebraska and with County Drug
25 Law Enforcement and Education Fund Boards.

26 (2) There is hereby created the Nebraska State Patrol
27 Drug Control and Education Cash Fund which shall be used for

1 the purposes of (a) obtaining evidence for enforcement of any
2 state law relating to the control of drug abuse and (b) drug
3 education activities conducted pursuant to subsection (1) of this
4 section, except that transfers may be made from the fund to the
5 General Fund at the direction of the Legislature. Any money in the
6 ~~fund~~ Nebraska State Patrol Drug Control and Education Cash Fund
7 available for investment shall be invested by the state investment
8 officer pursuant to the Nebraska Capital Expansion Act and the
9 Nebraska State Funds Investment Act.

10 (3) For the purpose of establishing and maintaining
11 legislative oversight and accountability, the Appropriations
12 Committee of the Legislature shall formulate record-keeping
13 procedures to be adhered to by the Nebraska State Patrol for
14 all expenditures, disbursements, and transfers of cash from the
15 Nebraska State Patrol Drug Control and Education Cash Fund. Based
16 on these record-keeping procedures, the Nebraska State Patrol
17 shall prepare and deliver to the Clerk of the Legislature at
18 the commencement of each succeeding session a detailed report
19 which shall contain, but not be limited to: (a) Current total
20 in the cash fund; (b) total amount of expenditures; (c) purpose
21 of the expenditures to include: (i) Salaries and any expenses of
22 all agents and informants; (ii) front money for drug purchases;
23 (iii) names of drugs and quantity of purchases; (iv) amount of
24 front money recovered; and (v) drug education activities; (d)
25 total number of informers on payroll; (e) amounts delivered to
26 patrol supervisors for distribution to agents and informants and
27 the method of accounting for such transactions and the results

1 procured through such transactions; and (f) a description of the
2 drug education activities conducted since the date of the previous
3 report. Each member of the Legislature shall receive a copy of such
4 report by making a request for it to the superintendent.

5 (4) The superintendent shall adopt and promulgate rules
6 and regulations to carry out this section.

7 Sec. 14. Section 29-2259.02, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 29-2259.02 The State Probation Contractual Services
10 Cash Fund is created. The fund shall consist only of payments
11 received by the state pursuant to contractual agreements with
12 local political subdivisions for probation services provided by
13 the Office of Probation Administration. The Except as otherwise
14 directed by the Supreme Court during the period from the effective
15 date of this act until June 30, 2011, the fund shall only be used
16 to pay for probation services provided by the Office of Probation
17 Administration to local political subdivisions which enter into
18 contractual agreements with the Office of Probation Administration.
19 The fund shall be administered by the probation administrator. Any
20 money in the fund available for investment shall be invested by the
21 state investment officer pursuant to the Nebraska Capital Expansion
22 Act and the Nebraska State Funds Investment Act.

23 Sec. 15. Section 29-2262.07, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 29-2262.07 The Probation Program Cash Fund is created.
26 All funds collected pursuant to section 29-2262.06 shall be
27 remitted to the State Treasurer for credit to the fund. ~~The~~

1 Except as otherwise directed by the Supreme Court during the
2 period from the effective date of this act until June 30, 2011,
3 the fund shall be utilized by the administrator, in consultation
4 with the Community Corrections Council, for the purposes stated
5 in subdivision (14) of section 29-2252, except that the State
6 Treasurer shall, on or before June 30, 2011, on such date as
7 directed by the budget administrator of the budget division of
8 the Department of Administrative Services, transfer the amount
9 set forth in Legislative Bill 1, One Hundred First Legislature,
10 First Special Session, 2009. Any money in the fund available
11 for investment shall be invested by the state investment officer
12 pursuant to the Nebraska Capital Expansion Act and the Nebraska
13 State Funds Investment Act.

14 Sec. 16. Section 29-3921, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 29-3921 The Commission on Public Advocacy Operations Cash
17 Fund is created. The fund shall be used for the operations of the
18 commission, except that transfers may be made from the fund to
19 the General Fund at the direction of the Legislature through June
20 30, 2011. The ~~fund~~ Commission on Public Advocacy Operations Cash
21 Fund shall consist of money remitted pursuant to section 33-156.
22 It is the intent of the Legislature that the commission shall
23 be funded solely from the fund. Any money in the fund available
24 for investment shall be invested by the state investment officer
25 pursuant to the Nebraska Capital Expansion Act and the Nebraska
26 State Funds Investment Act.

27 The State Treasurer shall transfer two hundred fifty

1 thousand dollars from the Commission on Public Advocacy Operations
2 Cash Fund to the University Cash Fund within fifteen days after
3 May 1, 2008. Such funds shall be used for a study of the
4 juvenile legal defense and guardian ad litem systems utilizing
5 the University of Nebraska Public Policy Center to create,
6 administer, and review a Request for Proposals to select from
7 a national search a research consultant that is qualified to
8 provide a methodologically sound and objective assessment of
9 Nebraska's juvenile justice system. The assessment shall include:
10 (1) Gathering of general data and information about the structure
11 and funding mechanisms for juvenile legal defense and guardian ad
12 litem representation; (2) a review of caseloads; (3) examining
13 issues related to the timing of appointment of counsel and
14 guardians ad litem; (4) supervision of attorneys; (5) charging
15 and trying juveniles as adults; (6) frequency with which juveniles
16 waive their right to counsel and under what conditions they do
17 so; (7) allocation of resources; (8) adequacy of juvenile court
18 facilities; (9) compensation of attorneys; (10) supervising and
19 training of attorneys; (11) access to investigators, experts,
20 social workers, and support staff; (12) access to educational
21 officers, teachers, educational staff, and truancy officers; (13)
22 the relationship between a guardian ad litem, a juvenile's legal
23 counsel, and the judicial system with identified educational
24 staff regarding a juvenile's educational status; (14) examining
25 issues related to truancy and the relationship between the school
26 districts and the juvenile court system; (15) recidivism; (16) time
27 to permanency and time in court, especially when a guardian ad

1 litem is appointed; and (17) coordination of representation for
2 those juveniles that may have been appointed an attorney in a
3 juvenile delinquency matter and a guardian ad litem because of
4 abuse or neglect. The assessment shall also highlight promising
5 approaches and innovative practices within the state and offer
6 recommendations to improve weak areas.

7 Sec. 17. Section 33-102, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 33-102 The Secretary of State shall be entitled to,
10 for receiving, affixing the great seal to, and forwarding the
11 commission of a notary public, the sum of fifteen dollars and the
12 additional sum of fifteen dollars for filing and approving the bond
13 of a notary public. The Secretary of State shall be entitled to the
14 sum of fifteen dollars for receiving a renewal application pursuant
15 to section 64-104.

16 The fees received by the Secretary of State pursuant to
17 this section shall be remitted to the State Treasurer for credit
18 seventy-five percent to the General Fund and twenty-five percent to
19 the Administration Cash Fund which is hereby created. Transfers may
20 be made from the fund to the General Fund at the direction of the
21 Legislature. Any money in the Administration Cash Fund available
22 for investment shall be invested by the state investment officer
23 pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act.

25 Sec. 18. Section 37-351, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 37-351 There is hereby created a fund to be known as the

1 Nebraska Outdoor Recreation Development Cash Fund. The fund shall
2 contain the money received pursuant to section 77-2602 and any
3 funds donated as gifts, bequests, or other contributions to such
4 fund from public or private entities. Transfers may be made from
5 the fund to the General Fund at the direction of the Legislature
6 through June 30, 2011. Any money in the ~~fund~~ Nebraska Outdoor
7 Recreation Development Cash Fund available for investment shall be
8 invested by the state investment officer pursuant to the Nebraska
9 Capital Expansion Act and the Nebraska State Funds Investment Act.

10 Sec. 19. Section 38-157, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 38-157 (1) The Professional and Occupational
13 Credentialing Cash Fund is created. Except as provided in
14 section 71-17,113, the fund shall consist of all fees, gifts,
15 grants, and other money, excluding fines and civil penalties,
16 received or collected by the department under sections 38-151 to
17 38-156.

18 (2) The department shall use the fund for the
19 administration and enforcement of such laws regulating the
20 individuals and businesses listed in section 38-121 except for
21 a percentage of the fees credited to the Nebraska Regulation of
22 Health Professions Fund pursuant to section 71-6228. Transfers may
23 be made from the Professional and Occupational Credentialing Cash
24 Fund to the General Fund at the direction of the Legislature.

25 (3) Any money in the Professional and Occupational
26 Credentialing Cash Fund available for investment shall be invested
27 by the state investment officer pursuant to the Nebraska Capital

1 Expansion Act and the Nebraska State Funds Investment Act.

2 ~~(4) Any money in the Licensee Assistance Cash Fund on~~
3 ~~December 1, 2008, shall be transferred to the Professional and~~
4 ~~Occupational Credentialing Cash Fund.~~

5 Sec. 20. Section 39-1390, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 39-1390 The State Recreation Road Fund is created. The
8 money in the fund shall be transferred by the State Treasurer, on
9 the first day of each month, to the Department of Roads and shall
10 be expended by the Director-State Engineer with the approval of
11 the Governor for construction and maintenance of dustless-surface
12 roads to be designated as state recreation roads as provided in
13 this section, except that ~~for the period beginning July 1, 2003,~~
14 ~~and ending June 30, 2005, transfers may be made to the General Fund~~
15 ~~at the direction of the Legislature.~~ transfers may be made from
16 the fund to the General Fund at the direction of the Legislature
17 through June 30, 2011. Except as to roads under contract as
18 of March 15, 1972, only those roads, excluding state highways,
19 giving direct and immediate access to or located within state
20 parks, state recreation areas, or other recreational or historical
21 areas, shall be eligible for designation as state recreation
22 roads. Such eligibility shall be determined by the Game and Parks
23 Commission and certified to the Director-State Engineer, who shall,
24 after receiving such certification, be authorized to commence
25 construction on such recreation roads as funds are available. After
26 construction of such roads they shall be shown on the map provided
27 by section 39-1311. Preference in construction shall be based on

1 existing or potential traffic use by other than local residents.
2 Unless the State Highway Commission otherwise recommends, such
3 roads upon completion of construction shall be incorporated into
4 the state highway system. If such a road is not incorporated into
5 the state highway system, the Department of Roads and the county
6 within which such road is located shall enter into a maintenance
7 agreement establishing the responsibility for maintenance of the
8 road, the maintenance standards to be met, and the responsibility
9 for maintenance costs. Any money in the State Recreation Road Fund
10 available for investment shall be invested by the state investment
11 officer pursuant to the Nebraska Capital Expansion Act and the
12 Nebraska State Funds Investment Act.

13 Sec. 21. Section 46-1121, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 46-1121 (1) The fee for initial application for a permit
16 or special permit shall be thirty dollars payable to the district.
17 Twenty-five dollars of the fee shall be retained by the district
18 and five dollars paid by the district to the department.

19 The annual fee for renewal of a permit or special permit
20 shall be ten dollars paid to the district. Two dollars of the
21 annual fee shall be paid by the district to the department.

22 All fees shall be used by the district and the department
23 to administer the Nebraska Chemigation Act. The department's fee
24 shall be credited to the Chemigation Costs Fund which is hereby
25 created. All fees collected by the department pursuant to the act
26 shall be remitted to the State Treasurer for credit to the fund.
27 Transfers may be made from the fund to the General Fund at the

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

5 (2) All permits issued pursuant to sections 46-1117 and
6 46-1117.01 shall be annual permits and shall expire each year
7 on June 1. A permit may be renewed each year upon payment of
8 the annual renewal fee and completion of a form provided by the
9 district which lists the names of all chemicals used in chemigation
10 the previous year. Once a permit has expired, it shall not be
11 reinstated without meeting all of the requirements for a new permit
12 including an inspection and payment of the initial application fee.

13 Sec. 22. Section 46-1403, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 46-1403 There is hereby created the Water Well
16 Decommissioning Fund. The State Treasurer shall credit to the fund
17 for the uses and purposes of sections 46-1401 to 46-1405 such money
18 as is specifically appropriated and such funds, fees, donations,
19 gifts, services, or devises or bequests of real or personal
20 property received by the Department of Natural Resources from any
21 source, federal, state, public, or private, to be used by the
22 department for the purpose of accelerating the decommissioning of
23 illegal water wells. The department shall allocate money from the
24 fund for purposes of sections 46-1401 to 46-1405. The fund shall
25 be exempt from provisions relating to lapsing of appropriations.
26 Transfers may be made from the fund to the General Fund at the
27 direction of the Legislature. Any money in the fund Water Well

1 Decommissioning Fund available for investment shall be invested
2 by the state investment officer pursuant to the Nebraska Capital
3 Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 23. Section 47-632, Revised Statutes Supplement,
5 2009, is amended to read:

6 47-632 (1) The Community Corrections Uniform Data
7 Analysis Cash Fund is created. Except as provided in subsection (2)
8 of this section, the fund shall be established for administrative
9 purposes only within the Nebraska Commission on Law Enforcement
10 and Criminal Justice, shall be administered by the executive
11 director of the Community Corrections Council, and shall only
12 be used to support operations costs and analysis relating to
13 the implementation and coordination of the uniform analysis of
14 crime data pursuant to the Community Corrections Act, including
15 associated information technology projects, as specifically
16 approved by the executive director of the Community Corrections
17 Council. The fund shall consist of money collected pursuant to
18 section 47-633.

19 ~~(2) On May 28, 2009, the State Treasurer shall transfer~~
20 ~~three hundred fifty thousand dollars from the Community Corrections~~
21 ~~Uniform Data Analysis Cash Fund to the Violence Prevention Cash~~
22 ~~Fund.~~

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

25 (3) Any money in the Community Corrections Uniform Data
26 Analysis Cash Fund available for investment shall be invested
27 by the state investment officer pursuant to the Nebraska Capital

1 Expansion Act and the Nebraska State Funds Investment Act.

2 Sec. 24. Section 48-1,116, Revised Statutes Cumulative
3 Supplement, 2008, is amended to read:

4 48-1,116 The Compensation Court Cash Fund is hereby
5 created. The fund shall be used to aid in providing for the
6 expense of administering the Nebraska Workers' Compensation Act and
7 the payment of the salaries and expenses of the personnel of the
8 Nebraska Workers' Compensation Court, except that transfers may be
9 made from the fund to the General Fund at the direction of the
10 Legislature through June 30, 2011.

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

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

24 Sec. 25. Section 49-14,140, Revised Statutes Cumulative
25 Supplement, 2008, is amended to read:

26 49-14,140 The Nebraska Accountability and Disclosure
27 Commission Cash Fund is hereby created. The fund shall consist of

1 funds received by the commission pursuant to sections 49-1449.01,
2 49-1470, 49-1480.01, 49-1482, 49-1495, 49-14,123, and 49-14,123.01.
3 The fund shall not include late filing fees or civil penalties
4 assessed and collected by the commission. The fund shall be
5 used by the commission in administering the Nebraska Political
6 Accountability and Disclosure Act, except that transfers may be
7 made from the fund to the General Fund at the direction of the
8 Legislature through June 30, 2011. Any money in the ~~fund~~ Nebraska
9 Accountability and Disclosure Commission Cash Fund available for
10 investment shall be invested by the state investment officer
11 pursuant to the Nebraska Capital Expansion Act and the Nebraska
12 State Funds Investment Act.

13 Sec. 26. Section 50-114.05, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 50-114.05 The Clerk of the Legislature Cash Fund is
16 hereby created. The fund shall consist of funds received by the
17 Clerk of the Legislature pursuant to sections 49-1480.01 and
18 49-1482. The fund shall be used by the Clerk of the Legislature
19 to perform the duties required by sections 49-1480 to 49-1492.01,
20 except that transfers may be made from the fund to the General Fund
21 at the direction of the Legislature. Any money in the ~~fund~~ Clerk
22 of the Legislature Cash Fund available for investment shall be
23 invested by the state investment officer pursuant to the Nebraska
24 Capital Expansion Act and the Nebraska State Funds Investment Act.

25 Sec. 27. Section 50-437, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 50-437 There is hereby created the Nebraska Legislative

1 Shared Information System Cash Fund, which fund shall consist of
2 fees received from services provided by the Legislature. Transfers
3 may be made from the fund to the General Fund at the direction of
4 the Legislature. Any money in the ~~fund~~ Nebraska Legislative Shared
5 Information System Cash Fund available for investment shall be
6 invested by the state investment officer pursuant to the Nebraska
7 Capital Expansion Act and the Nebraska State Funds Investment Act.

8 Sec. 28. Section 53-117.06, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 53-117.06 Any money collected by the commission pursuant
11 to section 53-117.05 or 53-167.02 shall be credited to the
12 Nebraska Liquor Control Commission Rule and Regulation Cash Fund,
13 which fund is hereby created. The purpose of the fund shall
14 be to cover any costs incurred by the commission in producing
15 or distributing the material referred to in such sections
16 and to defray the costs associated with electronic regulatory
17 transactions, industry education events, enforcement training, and
18 equipment for regulatory work. Transfers may be made from the fund
19 to the General Fund at the direction of the Legislature. Any money
20 in the ~~fund~~ Nebraska Liquor Control Commission Rule and Regulation
21 Cash Fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act
23 and the Nebraska State Funds Investment Act.

24 Sec. 29. Section 54-857, Revised Statutes Cumulative
25 Supplement, 2008, is amended to read:

26 54-857 All money received pursuant to the Commercial Feed
27 Act shall be remitted by the director to the State Treasurer for

1 credit to the Commercial Feed Administration Cash Fund which is
2 hereby created. Such fund shall be used by the department to aid
3 in defraying the expenses of administering the act, except that
4 transfers may be made from the fund to the General Fund at the
5 direction of the Legislature. Any money in the ~~fund~~ Commercial Feed
6 Administration Cash 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 ~~On or before October 1, 2008, the State Treasurer shall~~
10 ~~transfer two hundred fifty thousand dollars from the Commercial~~
11 ~~Feed Administration Cash Fund to the Noxious Weed and Invasive~~
12 ~~Plant Species Assistance Fund.~~

13 Sec. 30. Section 54-2428, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 54-2428 (1) Any person required to obtain a National
16 Pollutant Discharge Elimination System permit for an animal
17 feeding operation or a construction and operating permit for
18 a livestock waste control facility shall file an application
19 with the department accompanied by the appropriate fees in the
20 manner established by the department. The application fee shall
21 be established by the council with a maximum fee of two hundred
22 dollars. For major modifications to an application or a permit, the
23 fee shall equal the amount of the application fee.

24 (2) On or before March 1, 2006, and each year thereafter,
25 each person who has a National Pollutant Discharge Elimination
26 System permit or who has a large concentrated animal feeding
27 operation, as defined in 40 C.F.R. 122 and 123, as such regulations

1 existed on January 1, 2004, and a state operating permit, a
2 construction and operating permit, or a construction approval
3 issued pursuant to the Environmental Protection Act or the
4 Livestock Waste Management Act shall pay a per head annual fee
5 based on the permitted capacity identified in the permit for that
6 facility. The department shall invoice each permittee by February
7 1, 2006, and February 1 of each year thereafter.

8 (3) The initial annual fee shall be: Beef cattle, ten
9 cents per head; veal calves, ten cents per head; dairy cows,
10 fifteen cents per head; swine larger than fifty-five pounds, four
11 dollars per one hundred head or fraction thereof; swine less than
12 fifty pounds, one dollar per one hundred head or fraction thereof;
13 horses, twenty cents per head; sheep or lambs, one dollar per one
14 hundred head or fraction thereof; turkeys, two dollars per one
15 thousand head or fraction thereof; chickens or ducks with liquid
16 manure facility, three dollars per one thousand head or fraction
17 thereof; and chickens or ducks with other than liquid manure
18 facility, one dollar per one thousand head or fraction thereof.
19 This fee structure may be reviewed in fiscal year 2007-08.

20 (4) Beginning in fiscal year 2007-08, the department
21 shall annually review and adjust the fee structure in this section
22 and section 54-2423 to ensure that fees are adequate to meet twenty
23 percent of the program costs from the previous fiscal year. All
24 fees collected under this section and sections 54-2423, 54-2435,
25 and 54-2436 shall be remitted to the State Treasurer for credit to
26 the Livestock Waste Management Cash Fund which is created for the
27 purposes described in the Livestock Waste Management Act. Transfers

1 may be made from the fund to the General Fund at the direction of
2 the Legislature. Any money in the fund Livestock Waste Management
3 Cash Fund available for investment shall be invested by the state
4 investment officer pursuant to the Nebraska Capital Expansion Act
5 and the Nebraska State Funds Investment Act.

6 (5) On or before January 1 of each year, the department
7 shall submit a report to the Legislature in sufficient detail to
8 document all direct and indirect costs incurred in the previous
9 fiscal year in carrying out the Livestock Waste Management Act,
10 including the number of inspections conducted, the number of animal
11 feeding operations with livestock waste control facilities, the
12 number of animal feeding operations inspected, the size of the
13 livestock waste control facilities, the results of water quality
14 monitoring programs, and other elements relating to carrying out
15 the act. The Appropriations Committee of the Legislature shall
16 review the report in its analysis of executive programs in order
17 to verify that the revenue generated from fees was used solely to
18 offset appropriate and reasonable costs associated with carrying
19 out the act.

20 Sec. 31. Section 55-131, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 55-131 The Military Department Cash Fund is created. The
23 fund shall be administered by the Adjutant General. The fund shall
24 consist of all nonfederal revenue received by the National Guard
25 pursuant to this section. The Adjutant General is hereby authorized
26 to accept by devise, gift, or otherwise and hold, as trustee, for
27 the benefit and use of the National Guard or any part thereof any

1 property, real or personal; to invest and reinvest the property;
2 to collect, receive, and recover the rents, incomes, and issues
3 from the property; and to expend them as provided by the terms
4 of the devise or gift, or if not so provided, to expend them for
5 the benefit and use of the National Guard as he or she in his
6 or her discretion shall determine, subject to the approval of the
7 Governor. Except as otherwise provided by law, all other money
8 received by the National Guard and derived from any other source
9 shall be remitted to the State Treasurer for credit to the Military
10 Department Cash Fund. Transfers may be made from the fund to the
11 General Fund at the direction of the Legislature. Any money in
12 the ~~fund~~ Military Department Cash Fund available for investment
13 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 Sec. 32. Section 57-705, Revised Statutes Supplement,
17 2009, is amended to read:

18 57-705 (1) All severance taxes levied by Chapter 57,
19 article 7, shall be paid to the Tax Commissioner. He or she shall
20 remit all such money received to the State Treasurer. All such
21 money received by the State Treasurer shall be credited to a
22 fund to be known as the Severance Tax Fund. An amount equal to
23 one percent of the gross severance tax receipts, excluding those
24 receipts from tax derived from oil and natural gas severed from
25 school lands, credited to the fund shall be credited by the State
26 Treasurer, upon the first day of each month, and shall inure to
27 the Severance Tax Administration Fund to be used for the expenses

1 of administering Chapter 57, article 7. Transfers may be made from
2 the Severance Tax Administration Fund to the General Fund at the
3 direction of the Legislature. The balance of the Severance Tax
4 Fund received from school lands shall be credited by the State
5 Treasurer, upon the first day of each month, and shall inure to the
6 permanent school fund.

7 (2) Of the balance of the Severance Tax Fund received
8 from other than school lands (a) the Legislature may transfer
9 an amount to be determined by the Legislature through the
10 appropriations process up to three hundred thousand dollars for
11 each year to the State Energy Office Cash Fund, (b) the Legislature
12 may transfer an amount to be determined by the Legislature through
13 the appropriations process up to thirty thousand dollars for
14 each year to the Public Service Commission for administration of
15 the Municipal Rate Negotiations Revolving Loan Fund, and (c) the
16 remainder shall be credited and inure to the permanent school fund.

17 (3) The State Treasurer shall transfer two hundred fifty
18 thousand dollars from the Severance Tax Administration Fund to the
19 Department of Revenue Enforcement Fund on July 1, 2009, or as soon
20 thereafter as administratively possible. The State Treasurer shall
21 transfer two hundred fifty thousand dollars from the Severance
22 Tax Administration Fund to the Department of Revenue Enforcement
23 Fund on July 1, 2010, or as soon thereafter as administratively
24 possible.

25 Sec. 33. Section 57-919, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 57-919 (1) All money collected by the Tax Commissioner

1 or the commission or as civil penalties under sections 57-901 to
2 57-921 shall be remitted to the State Treasurer for credit to a
3 special fund to be known as the Oil and Gas Conservation Fund.
4 Expenses incident to the administration of such sections shall be
5 paid out of the fund. Transfers may be made from the fund to the
6 General Fund at the direction of the Legislature. Any money in
7 the ~~fund~~ Oil and Gas Conservation Fund available for investment
8 shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 (2) There is hereby levied and assessed on the value
12 at the well of all oil and gas produced, saved, and sold or
13 transported from the premises in Nebraska where produced a charge
14 not to exceed fifteen mills on the dollar. The commission shall
15 by order fix the amount of such charge in the first instance and
16 may, from time to time, reduce or increase the amount thereof as
17 in its judgment the expenses chargeable against the Oil and Gas
18 Conservation Fund may require, except that the amounts fixed by the
19 commission shall not exceed the limit prescribed in this section.
20 It shall be the duty of the Tax Commissioner to make collection
21 of such assessments. The persons owning an interest, a working
22 interest, a royalty interest, payments out of production, or any
23 other interest in the oil and gas, or in the proceeds thereof,
24 subject to the charge provided for in this section shall be liable
25 to the producer for such charge in proportion to their ownership
26 at the time of production. The producer shall, on or before the
27 last day of the month next succeeding the month in which the charge

1 was assessed, file a report or return in such form as prescribed
2 by the commission and Tax Commissioner together with all charges
3 due. In the event of a sale of oil or gas within this state,
4 the first purchaser shall file this report or return together
5 with any charges then due. If the final filing date falls on a
6 Saturday, Sunday, or legal holiday, the next secular or business
7 day shall be the final filing date. Such reports or returns shall
8 be considered filed on time if postmarked before midnight of the
9 final filing date. Any such charge not paid within the time herein
10 specified shall bear interest at the rate specified in section
11 45-104.02, as such rate may from time to time be adjusted, from the
12 date of delinquency until paid, and such charge together with the
13 interest shall be a lien as provided in section 57-702. The Tax
14 Commissioner shall charge and collect a penalty for the delinquency
15 in the amount of one percent of the charge for each month or part
16 of the month that the charge has remained delinquent, but in no
17 event shall the penalty be more than twenty-five percent of the
18 charge. The Tax Commissioner may waive all or part of the penalty
19 provided in this section but shall not waive the interest. The
20 person remitting the charge as provided in this section is hereby
21 authorized, empowered, and required to deduct from any amounts
22 due the persons owning an interest in the oil and gas or in
23 the proceeds thereof at the time of production the proportionate
24 amount of such charge before making payment to such persons. This
25 subsection shall apply to all lands in the State of Nebraska,
26 anything in section 57-920 to the contrary notwithstanding, except
27 that there shall be exempted from the charge levied and assessed

1 in this section the following: (a) The interest of the United
2 States of America and the interest of the State of Nebraska and
3 the political subdivisions thereof in any oil or gas or in the
4 proceeds thereof; (b) the interest of any Indian or Indian tribe
5 in any oil or gas or in the proceeds thereof produced from land
6 subject to the supervision of the United States; and (c) oil and
7 gas used in producing operations or for repressuring or recycling
8 purposes. All money so collected shall be remitted to the State
9 Treasurer for credit to the Oil and Gas Conservation Fund and
10 shall be used exclusively to pay the costs and expenses incurred
11 in connection with the administration and enforcement of sections
12 57-901 to 57-921.

13 Sec. 34. Section 59-1608.04, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 59-1608.04 The State Settlement Cash Fund is created.
16 The fund shall be maintained by the Department of Justice and
17 administered by the Attorney General. Except as otherwise provided
18 by law, the fund shall consist of all recoveries received pursuant
19 to the Consumer Protection Act, including any money, funds,
20 securities, or other things of value in the nature of civil
21 damages or other payment, except criminal penalties, whether such
22 recovery is by way of verdict, judgment, compromise, or settlement
23 in or out of court, or other final disposition of any case or
24 controversy, or any other payments received on behalf of the state
25 by the Department of Justice and administered by the Attorney
26 General for the benefit of the state or the general welfare of its
27 citizens, but excluding all funds held in a trust capacity where

1 specific benefits accrue to specific individuals, organizations,
2 or governments. All money in the fund shall be subject to
3 legislative review and shall be appropriated and expended for
4 any allowable legal purposes as determined by the Legislature.
5 The fund shall only be appropriated to a separate and distinct
6 budget program and such appropriations shall only be expended
7 from a separate and distinct budget subprogram and shall not be
8 commingled with any other revenue or expenditure. Transfers may
9 be made from the fund to the General Fund at the direction of
10 the Legislature. To provide necessary financial accountability and
11 management oversight, revenue from individual settlement agreements
12 or other separate sources credited to the ~~fund~~ State Settlement
13 Cash Fund may be tracked and accounted for within the state
14 accounting system through the use of separate and distinct funds,
15 subfunds, or any other available accounting mechanism specifically
16 approved by the Accounting Administrator for use by the Department
17 of Justice. Any money in the fund available for investment shall be
18 invested by the state investment officer pursuant to the Nebraska
19 Capital Expansion Act and the Nebraska State Funds Investment Act.

20 Sec. 35. Section 60-3,218, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-3,218 (1) There is hereby created the Nebraska
23 Snowmobile Trail Cash Fund into which shall be deposited the
24 portion of the fees collected from snowmobile registration as
25 provided in section 60-3,217.

26 (2) The Game and Parks Commission shall use the money
27 in the Nebraska Snowmobile Trail Cash Fund for the operation,

1 maintenance, enforcement, planning, establishment, and marking of
2 snowmobile trails throughout the state and for the acquisition by
3 purchase or lease of real property to carry out the provisions of
4 this section.

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

7 (4) Transfers may be made from the Nebraska Snowmobile
8 Trail Cash Fund to the General Fund at the direction of the
9 Legislature through June 30, 2011. Any money in the Nebraska
10 Snowmobile Trail Cash Fund available for investment shall be
11 invested by the state investment officer pursuant to the Nebraska
12 Capital Expansion Act and the Nebraska State Funds Investment Act.

13 Sec. 36. Section 60-1409, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 60-1409 The Nebraska Motor Vehicle Industry Licensing
16 Fund is created. All fees collected under Chapter 60, article
17 14, shall be remitted by the board, as collected, to the State
18 Treasurer for credit to the fund. Such fund shall be appropriated
19 by the Legislature for the operations of the Nebraska Motor Vehicle
20 Industry Licensing Board and shall be paid out from time to time
21 by warrants of the Director of Administrative Services on the State
22 Treasurer for authorized expenditures upon duly itemized vouchers
23 executed as provided by law and approved by the chairperson of
24 the board or the executive secretary, except that transfers from
25 the fund to the General Fund may be made at the direction of
26 the Legislature through June 30, 2011. The expenses of conducting
27 the office must always be kept within the income collected and

1 reported to the State Treasurer by such board. Such office and
2 expense thereof shall not be supported or paid from the General
3 Fund, and all money deposited in the Nebraska Motor Vehicle
4 Industry Licensing Fund shall be expended only for such office
5 and expense thereof and, unless determined by the board, it shall
6 not be required to expend any funds to any person or any other
7 governmental agency.

8 Any money in the Nebraska Motor Vehicle Industry
9 Licensing Fund available for investment shall be invested by the
10 state investment officer pursuant to the Nebraska Capital Expansion
11 Act and the Nebraska State Funds Investment Act. The fund shall be
12 audited annually by the Auditor of Public Accounts.

13 The State Treasurer shall transfer five hundred thousand
14 dollars from the Nebraska Motor Vehicle Industry Licensing Fund to
15 the General Fund within fifteen days after July 1, 2002.

16 Sec. 37. Section 60-2132, Revised Statutes Supplement,
17 2009, is amended to read:

18 60-2132 There is hereby created a Motorcycle Safety
19 Education Fund in the state treasury which shall consist of money
20 transferred pursuant to sections 39-2215 and 60-4,115 and such
21 money as may be appropriated by the Legislature. The fund shall
22 be administered by the department. The fund shall be used for the
23 administration of the Motorcycle Safety Education Act, to reimburse
24 approved schools, businesses, or organizations for conducting
25 approved basic motorcycle safety courses, to provide educational
26 assistance, to prepare sites for offering the basic motorcycle
27 safety course, to reimburse approved schools, businesses, or

1 organizations for conducting approved advanced motorcycle safety
2 courses, and to promote motorcycle safety, except that transfers
3 may be made from the fund to the General Fund at the direction of
4 the Legislature. Any money in the ~~fund~~ Motorcycle Safety Education
5 Fund available for investment shall be invested by the state
6 investment officer pursuant to the Nebraska Capital Expansion Act
7 and the Nebraska State Funds Investment Act.

8 Sec. 38. Section 61-210, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 61-210 The Department of Natural Resources Cash Fund
11 is created. The State Treasurer shall credit to such fund such
12 money as is specifically appropriated or reappropriated by the
13 Legislature. The State Treasurer shall also credit such fund with
14 payments, if any, accepted for services rendered by the department
15 and fees collected pursuant to subsection (6) of section 46-606
16 and section 61-209. The funds made available to the Department
17 of Natural Resources by the United States, through the Natural
18 Resources Conservation Service of the Department of Agriculture or
19 through any other agencies, shall be credited to the fund by the
20 State Treasurer. Any money in the fund available for investment
21 shall be invested by the state investment officer pursuant to
22 the Nebraska Capital Expansion Act and the Nebraska State Funds
23 Investment Act. The Department of Natural Resources shall allocate
24 money from the fund to pay costs of the programs or activities
25 of the department. The Director of Administrative Services, upon
26 receipt of proper vouchers approved by the department, shall issue
27 warrants on the fund, and the State Treasurer shall countersign and

1 pay from, but never in excess of, the amounts to the credit of the
2 fund. Transfers may be made from the fund to the General Fund at
3 the direction of the Legislature.

4 Sec. 39. Section 61-218, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 61-218 (1) The Water Resources Cash Fund is created. The
7 fund shall be administered by the Department of Natural Resources.
8 Transfers may be made from the fund to the General Fund at the
9 direction of the Legislature. Any money in the ~~fund~~ Water Resources
10 Cash Fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act
12 and the Nebraska State Funds Investment Act.

13 (2) The State Treasurer shall credit to the fund such
14 money as is (a) transferred to the fund by the Legislature, (b)
15 paid to the state as fees, deposits, payments, and repayments
16 relating to the fund, both principal and interest, (c) donated as
17 gifts, bequests, or other contributions to such fund from public or
18 private entities, (d) made available by any department or agency of
19 the United States if so directed by such department or agency, and
20 (e) credited to the fund from the excise taxes imposed by section
21 66-1345.01 beginning January 1, 2013.

22 (3) The fund shall be expended by the department (a)
23 to aid management actions taken to reduce consumptive uses of
24 water in river basins, subbasins, or reaches which are deemed
25 by the department overappropriated pursuant to section 46-713 or
26 fully appropriated pursuant to section 46-714 or are bound by
27 an interstate compact or decree or a formal state contract or

1 agreement and (b) to the extent funds are not expended pursuant to
2 subdivision (a) of this subsection, the department may conduct a
3 statewide assessment of short-term and long-term water management
4 activities and funding needs to meet statutory requirements in
5 sections 46-713 to 46-718 and 46-739 and any requirements of an
6 interstate compact or decree or formal state contract or agreement.
7 The fund shall not be used to pay for administrative expenses or
8 any salaries for the department or any political subdivision.

9 (4) It is the intent of the Legislature that two million
10 seven hundred thousand dollars be transferred each fiscal year from
11 the General Fund to the Water Resources Cash Fund for FY2009-10
12 through FY2018-19.

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

1 the following components:

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

7 (ii) A schedule of implementation of the activity or its
8 components.

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

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

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

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

25 Sec. 40. Section 66-739, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 66-739 There is hereby created the Motor Fuel Tax

1 Enforcement and Collection Cash Fund. Such fund shall consist of
2 appropriations to the fund and money transferred to it pursuant to
3 section 39-2215. The fund shall be used exclusively for the costs
4 of the Motor Fuel Tax Enforcement and Collection Division created
5 by section 66-738 and other related costs for the Department of
6 Agriculture, the Nebraska State Patrol, and functional areas of
7 the Department of Revenue as provided by such section, except that
8 transfers may be made from the fund to the General Fund at the
9 direction of the Legislature. Any money in the ~~fund~~ Motor Fuel
10 Tax Enforcement and Collection Cash Fund available for investment
11 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. 41. Section 66-1521, Revised Statutes Supplement,
15 2009, is amended to read:

16 66-1521 (1) A petroleum release remedial action fee is
17 hereby imposed upon the producer, refiner, importer, distributor,
18 wholesaler, or supplier who engages in the sale, distribution,
19 delivery, and use of petroleum within this state, except that the
20 fee shall not be imposed on petroleum that is exported. The fee
21 shall also be imposed on diesel fuel which is indelibly dyed. The
22 amount of the fee shall be nine-tenths of one cent per gallon on
23 motor vehicle fuel as defined in section 66-482 and three-tenths of
24 one cent per gallon on diesel fuel as defined in section 66-482.
25 The amount of the fee shall be used first for payment of claims
26 approved by the State Claims Board pursuant to section 66-1531;
27 second, up to three million dollars of the fee per year shall be

1 used for reimbursement of owners and operators under the Petroleum
2 Release Remedial Action Act for investigations of releases ordered
3 pursuant to section 81-15,124; and third, the remainder of the fee
4 shall be used for any other purpose authorized by section 66-1519.
5 The fee shall be paid by all producers, refiners, importers,
6 distributors, wholesalers, and suppliers subject to the fee by
7 filing a monthly return on or before the twenty-fifth day of
8 the calendar month following the monthly period to which it
9 relates. The pertinent provisions, specifically including penalty
10 provisions, of the motor fuel laws as defined in section 66-712
11 shall apply to the administration and collection of the fee except
12 for the treatment given refunds. There shall be a refund allowed
13 on any fee paid on petroleum which was taxed and then exported,
14 destroyed, or purchased for use by the United States Government
15 or its agencies. The department may also adjust for all errors in
16 the payment of the fee. In each calendar year, no claim for refund
17 related to the fee can be for an amount less than ten dollars.

18 (2) No producer, refiner, importer, distributor,
19 wholesaler, or supplier shall engage in the sale, distribution,
20 delivery, or use of petroleum in this state without having first
21 obtained a petroleum release remedial action license. Application
22 for a license shall be made to the Motor Fuel Tax Enforcement
23 and Collection Division of the Department of Revenue upon a form
24 prepared and furnished by the division. If the applicant is an
25 individual, the application shall include the applicant's social
26 security number. Failure to obtain a license prior to engaging
27 in the sale, distribution, delivery, or use of petroleum shall

1 be a Class IV misdemeanor. The division may suspend or cancel
2 the license of any producer, refiner, importer, distributor,
3 wholesaler, or supplier who fails to pay the fee imposed by
4 subsection (1) of this section in the same manner as licenses are
5 suspended or canceled pursuant to section 66-720.

6 (3) The division may adopt and promulgate rules and
7 regulations necessary to carry out this section.

8 (4) The division shall deduct and withhold from the
9 petroleum release remedial action fee collected pursuant to this
10 section an amount sufficient to reimburse the direct costs of
11 collecting and administering the petroleum release remedial action
12 fee. Such costs shall not exceed one hundred fifty thousand dollars
13 for each fiscal year. The one hundred fifty thousand dollars shall
14 be prorated, based on the number of months the fee is collected,
15 whenever the fee is collected for only a portion of a year.
16 The amount deducted and withheld for costs shall be deposited in
17 the Petroleum Release Remedial Action Collection Fund which is
18 hereby created. The Petroleum Release Remedial Action Collection
19 Fund shall be appropriated to the Department of Revenue, except
20 that transfers may be made from the fund to the General Fund at
21 the direction of the Legislature. Any money in the ~~fund~~ Petroleum
22 Release Remedial Action Collection Fund available for investment
23 shall be invested by the state investment officer pursuant to
24 the Nebraska Capital Expansion Act and the Nebraska State Funds
25 Investment Act.

26 (5) The division shall collect the fee imposed by
27 subsection (1) of this section.

1 Sec. 42. Section 66-1839, Revised Statutes Supplement,
2 2009, is amended to read:

3 66-1839 (1) The Municipal Rate Negotiations Revolving
4 Loan Fund is created. The fund shall be used to make loans to
5 cities for rate negotiations under section 66-1838 or negotiations
6 or litigation under section 66-1867, except that transfers may be
7 made from the fund to the General Fund at the direction of the
8 Legislature. Only one loan may be made for each rate filing made
9 by a jurisdictional utility within the scope of each section. Money
10 in the Municipal Natural Gas Regulation Revolving Loan Fund that is
11 not necessary to finance rate proceedings initiated prior to May
12 31, 2003, shall be transferred to the Municipal Rate Negotiations
13 Revolving Loan Fund on May 31, 2003, and repayments of loans or
14 other obligations owing to the Municipal Natural Gas Regulation
15 Revolving Loan Fund on May 31, 2003, shall be deposited in the
16 Municipal Rate Negotiations Revolving Loan Fund upon receipt. Any
17 obligations against or commitments of money from the Municipal
18 Natural Gas Regulation Revolving Loan Fund on May 31, 2003, shall
19 be obligations or commitments of the Municipal Rate Negotiations
20 Revolving Loan Fund.

21 (2) The Municipal Rate Negotiations Revolving Loan Fund
22 shall be administered by the commission which shall adopt and
23 promulgate rules and regulations to carry out this section. The
24 rules and regulations shall include:

- 25 (a) Loan application procedures and forms; and
26 (b) Fund-use monitoring and quarterly accounting of fund
27 use.

1 (3) Applicants for a loan from the fund shall provide
2 a budget statement which specifies the proposed use of the loan
3 proceeds. Such proceeds may only be used for the costs and
4 expenses incurred by the city to analyze rate filings for the
5 purposes specified in section 66-1838 or 66-1867. Such costs and
6 expenses may include the cost of rate consultants and attorneys
7 and any other necessary costs related to the negotiation process
8 or litigation under section 66-1867. Disbursements from the fund
9 shall be audited by the commission. The affected jurisdictional
10 utility may petition the commission to initiate a proceeding to
11 determine whether the disbursements from the fund were expended
12 by the negotiating cities consistent with the requirements of this
13 section.

14 (4) The fund shall be audited as part of the regular
15 audit of the commission's budget, and copies of the audit shall
16 be available to all cities and any jurisdictional utility. Audits
17 conducted pursuant to this section are public records.

18 (5) Any money in the fund available for investment
19 shall be invested by the state investment officer pursuant to
20 the Nebraska Capital Expansion Act and the Nebraska State Funds
21 Investment Act. If the fund balance exceeds four hundred thousand
22 dollars, the income on the money in the fund shall be credited to
23 the permanent school fund until the balance of the Municipal Rate
24 Negotiations Revolving Loan Fund falls below such amount.

25 (6) A city which receives a loan under this section shall
26 be responsible to provide for the opportunity for all other cities
27 engaged in the same negotiations with the same jurisdictional

1 utility to participate in all negotiations. Such city shall not
2 exclude any other city from the information or benefits accruing
3 from the use of loan funds.

4 (7) Upon the conclusion of negotiations, regardless of
5 the result, the loan shall be repaid by the jurisdictional utility
6 to the commission within thirty days after the date upon which it
7 is billed by the commission. The utility shall recover the amount
8 paid on the loan by a special surcharge on ratepayers who are or
9 will be affected by the rate increase request. These ratepayers may
10 be billed on their monthly statements for a period not to exceed
11 twelve months, and the surcharge may be shown as a separate item on
12 the statements as a charge for rate negotiation expenses.

13 Sec. 43. Section 70-1020, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 70-1020 In order to defray the expenses of the Nebraska
16 Power Review Board, there shall be imposed upon each public power
17 district, public power and irrigation district, electric membership
18 association, electric cooperative company, and municipality having
19 an electric distribution system or generation and distribution
20 system, and also upon all registered groups of municipalities, an
21 assessment each fiscal year in such sum as shall be determined
22 by the board and approved by the Governor. The total of such
23 assessments shall not exceed the expenses of the board which may
24 reasonably be anticipated for the fiscal year for which assessment
25 is made and shall be apportioned among the various agencies in
26 proportion to their gross income in the preceding calendar year.
27 The board shall determine and certify such assessment to each

1 supplier after approval of the board's budget by the Legislature
2 and Governor. The supplier shall remit the amount of its assessment
3 to the board within forty-five days after the mailing of the
4 assessment. Any assessment not paid when due shall draw interest
5 at a rate equal to the rate of interest allowed per annum under
6 section 45-104.02, as such rate may from time to time be adjusted.
7 The proceeds of such assessment shall be remitted to the State
8 Treasurer for credit to the Nebraska Power Review Fund, which fund
9 is hereby created and which, when appropriated by the Legislature,
10 shall be used to administer the powers granted to the Nebraska
11 Power Review Board, except that transfers may be made from the fund
12 to the General Fund at the direction of the Legislature. Any money
13 in the ~~fund~~ Nebraska Power Review Fund available for investment
14 shall be invested by the state investment officer pursuant to
15 the Nebraska Capital Expansion Act and the Nebraska State Funds
16 Investment Act.

17 Sec. 44. Section 71-222.02, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 71-222.02 All funds collected in the administration of
20 the Barber Act shall be remitted to the State Treasurer for credit
21 to the Board of Barber Examiners Fund which is hereby created and
22 which shall be expended only for the administration of the act,
23 except that transfers may be made from the fund to the General Fund
24 at the direction of the Legislature. Any money in the ~~fund~~ Board
25 of Barber Examiners Fund available for investment shall be invested
26 by the state investment officer pursuant to the Nebraska Capital
27 Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 45. Section 71-4732, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-4732 There is hereby created a Commission for the
4 Deaf and Hard of Hearing Fund to consist of such funds as the
5 Legislature shall appropriate, any funds received under sections
6 20-156 and 71-4731, and any fees collected for interpreter services
7 as provided in section 71-4728. The fund shall be used to
8 administer sections 20-156 and 71-4720 to 71-4732.01, except that
9 (1) money in the fund from fees collected for interpreter services
10 shall be used only for expenses related to the provision of such
11 services, and (2) money in the fund may only be used to provide
12 services pursuant to section 71-4728.04 if there is no money in the
13 Telehealth System Fund, and (3) transfers may be made from the fund
14 to the General Fund at the direction of the Legislature. Any money
15 in the Commission for the Deaf and Hard of Hearing Fund available
16 for investment shall be invested by the state investment officer
17 pursuant to the Nebraska Capital Expansion Act and the Nebraska
18 State Funds Investment Act.

19 Sec. 46. Section 71-5661, Revised Statutes Cumulative
20 Supplement, 2008, is amended to read:

21 71-5661 (1) The financial incentives provided by the
22 Rural Health Systems and Professional Incentive Act shall consist
23 of (a) student loans to eligible students for attendance at an
24 eligible school as determined pursuant to section 71-5662 and
25 (b) the repayment of qualified educational debts owed by eligible
26 health professionals as determined pursuant to such section. Funds
27 for such incentives shall be appropriated from the General Fund to

1 the department for such purposes.

2 (2) The Rural Health Professional Incentive Fund is
3 created. The fund shall be used to carry out the purposes of the
4 act, except that transfers may be made from the fund to the General
5 Fund at the direction of the Legislature. Money credited pursuant
6 to section 71-5670.01 and payments received pursuant to sections
7 71-5666 and 71-5668 shall be remitted to the State Treasurer for
8 credit to the ~~fund-~~ Rural Health Professional Incentive Fund. Any
9 money in the fund available for investment shall be invested by the
10 state investment officer pursuant to the Nebraska Capital Expansion
11 Act and the Nebraska State Funds Investment Act.

12 Sec. 47. Section 71-5714, Revised Statutes Cumulative
13 Supplement, 2008, is amended to read:

14 71-5714 The Tobacco Prevention and Control Cash
15 Fund is created. The fund shall be used for a comprehensive
16 statewide tobacco-related public health program administered by
17 the Department of Health and Human Services which includes, but
18 is not limited to (1) community programs to reduce tobacco use,
19 (2) chronic disease programs, (3) school programs, (4) statewide
20 programs, (5) enforcement, (6) counter marketing, (7) cessation
21 programs, (8) surveillance and evaluation, and (9) administration.
22 Transfers may be made from the fund to the General Fund at the
23 direction of the Legislature. Any money in the Tobacco Prevention
24 and Control Cash Fund available for investment shall be invested
25 by the state investment officer pursuant to the Nebraska Capital
26 Expansion Act and the Nebraska State Funds Investment Act.

27 Sec. 48. Section 71-8612, Revised Statutes Cumulative

1 Supplement, 2008, is amended to read:

2 71-8612 The Commission for the Blind and Visually
3 Impaired Cash Fund is created. The fund shall contain money
4 received pursuant to the Commission for the Blind and Visually
5 Impaired Act and shall include a percentage of the net proceeds
6 derived from the operation of vending facilities. The net proceeds
7 from the operation of vending facilities shall accrue to the
8 blind vending facility operator, except for the percentage of
9 the net proceeds that shall revert to the cash fund. Such fund
10 shall be used for supervision and other administrative purposes
11 as necessary, except that transfers may be made from the fund
12 to the General Fund at the direction of the Legislature. The
13 commission, in consultation with the Committee of Blind Vendors,
14 shall determine the percentage of the net proceeds that reverts
15 to the ~~fund~~ Commission for the Blind and Visually Impaired Cash
16 Fund after an investigation to reveal the gross proceeds, cost of
17 operation, amount necessary to replenish the stock of merchandise,
18 and the business needs of the blind vending facility operator. All
19 equipment purchased from the fund is the property of the state and
20 shall be disposed of only by sale at a fair market price. Any money
21 in the fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act
23 and the Nebraska State Funds Investment Act.

24 Sec. 49. Section 72-2009, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 72-2009 The Niobrara Council Fund is created. The fund
27 shall be administered by the Niobrara Council. The council may

1 accept any private or public funds to carry out its work and
2 such funds shall be remitted to the State Treasurer for credit
3 to the fund. The fund shall consist of such funds and legislative
4 appropriations made to the council. Transfers may be made from
5 the fund to the General Fund at the direction of the Legislature
6 through June 30, 2011. Any money in the fund Niobrara Council Fund
7 available for investment shall be invested by the state investment
8 officer pursuant to the Nebraska Capital Expansion Act and the
9 Nebraska State Funds Investment Act.

10 Sec. 50. Section 72-2211, Revised Statutes Cumulative
11 Supplement, 2008, is amended to read:

12 72-2211 The Capitol Restoration Cash Fund is created. The
13 administrator shall administer the fund, which shall consist of
14 money received from the sale of material, rental revenue, private
15 donations, and public donations. The fund shall be used to finance
16 projects to restore the State Capitol and capitol grounds to their
17 original condition, to purchase and conserve items to be added to
18 the Nebraska Capitol Collections housed in the State Capitol, and
19 to produce promotional material concerning the State Capitol, its
20 grounds, and the Nebraska State Capitol Environs District, except
21 that transfers may be made from the fund to the General Fund at the
22 direction of the Legislature. Such expenditures shall be prescribed
23 by the administrator and approved by the commission. Any money in
24 the Capitol Restoration Cash Fund available for investment shall be
25 invested by the state investment officer pursuant to the Nebraska
26 Capital Expansion Act and the Nebraska State Funds Investment Act.

27 Sec. 51. Section 72-2501, Revised Statutes Cumulative

1 Supplement, 2008, is amended to read:

2 72-2501 The Nebraska Incentives Fund is created. ~~Any~~
3 ~~money in the Employment and Investment Growth Fund, the Invest~~
4 ~~Nebraska Fund, the Nebraska Advantage Fund, the Nebraska Advantage~~
5 ~~Rural Development Fund, the Quality Jobs Fund, or the Rural~~
6 ~~Economic Opportunities Fund, on July 18, 2008, shall be transferred~~
7 ~~by the State Treasurer to the Nebraska Incentives Fund. Transfers~~
8 ~~may be made from the fund to the General Fund at the direction~~
9 ~~of the Legislature. Any money in the fund Nebraska Incentives Fund~~
10 available for investment shall be invested by the state investment
11 officer pursuant to the Nebraska Capital Expansion Act and the
12 Nebraska State Funds Investment Act.

13 Sec. 52. Section 76-549, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 76-549 (1) All fees collected pursuant to the Abstracters
16 Act shall be deposited in the state treasury to be credited to the
17 Abstracters Board of Examiners Cash Fund which is hereby created.
18 All actual and necessary expenses of the board shall be paid from
19 such fund.

20 (2) No member of the board shall receive a salary. Each
21 member of the board shall receive as compensation for each day
22 or part thereof of actual service while attending meetings or
23 otherwise engaged upon the business of the board fifty dollars
24 and expenses incurred in the performance of official duties. The
25 director shall be paid a salary to be determined by the board.

26 (3) Transfers may be made from the Abstracters Board
27 of Examiners Cash Fund to the General Fund at the direction of

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

5 Sec. 53. Section 76-2226, Revised Statutes Cumulative
6 Supplement, 2008, is amended to read:

7 76-2226 There is hereby created the Real Property
8 Appraiser Fund. The board may use the fund for the administration
9 and enforcement of the Real Property Appraiser Act and to meet
10 the necessary expenditures of the board. The fund shall include
11 a sufficient cash fund balance as determined by the board. The
12 expense of administering and enforcing the act shall not exceed
13 the money collected by the board under the act. Transfers may be
14 made from the fund to the General Fund at the direction of the
15 Legislature. Any money in the ~~fund~~ Real Property Appraiser Fund
16 available for investment shall be invested by the state investment
17 officer pursuant to the Nebraska Capital Expansion Act and the
18 Nebraska State Funds Investment Act.

19 Sec. 54. Section 77-3,110, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 77-3,110 All funds received pursuant to sections 77-3,109
22 and 77-3,118 shall be remitted to the State Treasurer for credit
23 to the Department of Revenue Miscellaneous Receipts Fund which is
24 hereby created. All money in the fund shall be administered by
25 the Department of Revenue and shall be used to defray the cost of
26 production of the publications listed in section 77-3,109 or of
27 the listings described in section 77-3,118, except that transfers

1 may be made from the fund to the General Fund at the direction
2 of the Legislature. Any money in the ~~fund~~ Department of Revenue
3 Miscellaneous Receipts Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment Act.

6 Sec. 55. Section 77-1342, Revised Statutes Supplement,
7 2009, is amended to read:

8 77-1342 There is hereby created a fund to be known as
9 the Department of Revenue Property Assessment Division Cash Fund
10 to which shall be credited all money received by the Department
11 of Revenue for services performed for county and multicounty
12 assessment districts, for charges for publications, manuals, and
13 lists, as an assessor's examination fee authorized by section
14 77-421, and under the provisions of sections 60-3,202, 77-684,
15 77-1250, and 77-1340. The fund shall be used to carry out
16 any duties and responsibilities of the department, except that
17 transfers may be made from the fund to the General Fund at the
18 direction of the Legislature. The county or multicounty assessment
19 district shall be billed by the department for services rendered.
20 Reimbursements to the department shall be credited to the ~~fund,~~
21 Department of Revenue Property Assessment Division Cash Fund, and
22 expenditures therefrom shall be made only when such funds are
23 available. The department shall only bill for the actual amount
24 expended in performing the service.

25 The fund shall not, at the close of each year, be
26 lapsed to the General Fund. Any money in the Department of Revenue
27 Property Assessment Division Cash Fund available for investment

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

4 Sec. 56. Section 77-4310.03, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 77-4310.03 There is hereby created the Marijuana and
7 Controlled Substances Tax Administration Cash Fund. Money in the
8 fund shall be used by the Tax Commissioner for the purposes of
9 administering, collecting, and enforcing the tax imposed by section
10 77-4303, except that transfers may be made from the fund to the
11 General Fund at the direction of the Legislature. Any money in
12 the ~~fund~~ Marijuana and Controlled Substances Tax Administration
13 Cash Fund available for investment shall be invested by the state
14 investment officer pursuant to the Nebraska Capital Expansion Act
15 and the Nebraska State Funds Investment Act.

16 Sec. 57. Section 77-5031, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 77-5031 The Tax Equalization and Review Commission Cash
19 Fund is hereby created. All money received by the commission
20 for appeals and services performed and billed to other agencies
21 or persons shall be credited to the fund. The commission shall
22 only bill for the actual amount expended in performing services.
23 The fund shall be used to carry out the provisions of the Tax
24 Equalization and Review Commission Act, except that transfers may
25 be made from the fund to the General Fund at the direction of
26 the Legislature. Expenditures from the ~~fund~~ Tax Equalization and
27 Review Commission Cash Fund shall be made only when such funds

1 are available. Any unexpended balance in the fund at the end of
2 each fiscal year shall not lapse to the General Fund. Any money
3 in the Tax Equalization and Review Commission Cash Fund available
4 for investment shall be invested by the state investment officer
5 pursuant to the Nebraska Capital Expansion Act and the Nebraska
6 State Funds Investment Act.

7 Sec. 58. Section 77-5601, Revised Statutes Cumulative
8 Supplement, 2008, is amended to read:

9 77-5601 (1) From August 1, 2004, through October 31,
10 2004, there shall be conducted a tax amnesty program with regard
11 to taxes due and owing that have not been reported to the
12 Department of Revenue. Any person applying for tax amnesty shall
13 pay all unreported taxes that were due on or before April 1,
14 2004. Any person that applies for tax amnesty and is accepted
15 by the Tax Commissioner shall have any penalties and interest
16 waived on unreported and delinquent taxes notwithstanding any other
17 provisions of law to the contrary.

18 (2) To be eligible for the tax amnesty provided by this
19 section, the person shall apply for amnesty within the amnesty
20 period, file a return for each taxable period for which the amnesty
21 is requested by December 31, 2004, if no return has been filed, and
22 pay in full all taxes for which amnesty is sought with the return
23 or within thirty days after the application if a return was filed
24 prior to the amnesty period. Tax amnesty shall not be available for
25 any person that is under civil or criminal audit, investigation, or
26 prosecution for unreported or delinquent taxes by this state or the
27 United States Government on or before April 16, 2004.

1 (3) The department shall not seek civil or criminal
2 prosecution against any person for any taxable period for which
3 amnesty has been granted. The Tax Commissioner shall develop forms
4 for applying for the tax amnesty program, develop procedures for
5 qualification for tax amnesty, and conduct a public awareness
6 campaign publicizing the program.

7 (4) If a person elects to participate in the amnesty
8 program, the election shall constitute an express and irrevocable
9 relinquishment of all administrative and judicial rights to
10 challenge the imposition of the tax or its amount. Nothing in this
11 section shall prohibit the department from adjusting a return as a
12 result of any state or federal audit.

13 (5)(a) Except for any local option sales tax collected
14 and returned to the appropriate municipality and any motor vehicle
15 fuel, diesel fuel, and compressed fuel taxes, which shall be
16 deposited in the Highway Trust Fund or Highway Allocation Fund
17 as provided by law, no less than eighty percent of all revenue
18 received pursuant to the tax amnesty program shall be deposited
19 in the General Fund; ten percent, not to exceed five hundred
20 thousand dollars, shall be deposited in the Department of Revenue
21 Enforcement Fund; and ten percent, not to exceed five hundred
22 thousand dollars, shall be deposited in the Department of Revenue
23 Enforcement Technology Fund. Any amount that would otherwise be
24 deposited in the Department of Revenue Enforcement Fund or the
25 Department of Revenue Enforcement Technology Fund that is in excess
26 of the five-hundred-thousand-dollar limitation shall be deposited
27 in the General Fund.

1 (b) For fiscal year 2005-06, all proceeds in the
2 Department of Revenue Enforcement Fund shall be appropriated to
3 the department for purposes of employing investigators, agents, and
4 auditors and otherwise increasing personnel for enforcement of the
5 Nebraska Revenue Act of 1967. For fiscal year 2005-06, all proceeds
6 in the Department of Revenue Enforcement Technology Fund shall be
7 appropriated to the department for the purposes of acquiring lists,
8 software, programming, computer equipment, and other technological
9 methods for enforcing the act.

10 (c) For fiscal years after fiscal year 2005-06, twenty
11 percent of all proceeds received during the previous calendar year
12 due to the efforts of auditors and investigators hired pursuant to
13 subdivision (5)(b) of this section, not to exceed seven hundred
14 fifty thousand dollars, shall be deposited in the Department of
15 Revenue Enforcement Fund for purposes of employing investigators
16 and auditors or continuing such employment for purposes of
17 increasing enforcement of the act.

18 (6) (a) The department shall prepare a report by April
19 1, 2005, and by February 1 of each year thereafter detailing the
20 results of the tax amnesty program and the subsequent enforcement
21 efforts. For the report due April 1, 2005, the report shall include
22 (i) the amount of revenue obtained as a result of the tax amnesty
23 program broken down by tax program, (ii) the amount obtained
24 from instate taxpayers and from out-of-state taxpayers, and (iii)
25 the amount obtained from individual taxpayers and from business
26 enterprises.

27 (b) For reports due in subsequent years, the report

1 shall include (i) the number of personnel hired for purposes
2 of subdivision (5)(b) of this section and their duties, (ii) a
3 description of lists, software, programming, computer equipment,
4 and other technological methods acquired pursuant to such
5 subdivision and the purposes of each, and (iii) the amount
6 of new revenue obtained as a result of the new personnel and
7 acquisitions during the prior calendar year, broken down into the
8 same categories as described in subdivision (6)(a) of this section.

9 (7) The Department of Revenue Enforcement Fund and the
10 Department of Revenue Enforcement Technology Fund are created.
11 Transfers may be made from the Department of Revenue Enforcement
12 Fund to the General Fund at the direction of the Legislature.
13 Any money in the funds Department of Revenue Enforcement Fund and
14 the Department of Revenue Enforcement Technology Fund available
15 for investment shall be invested by the state investment officer
16 pursuant to the Nebraska Capital Expansion Act and the Nebraska
17 State Funds Investment Act. The Department of Revenue Enforcement
18 Technology Fund shall terminate on July 1, 2006. Any unobligated
19 money in the fund at that time shall be deposited in the General
20 Fund.

21 (8) For purposes of this section, taxes mean any taxes
22 collected by the department, including, but not limited to state
23 and local sales and use taxes, individual and corporate income
24 taxes, financial institutions deposit taxes, motor vehicle fuel,
25 diesel fuel, and compressed fuel taxes, cigarette taxes, transfer
26 taxes, and charitable gaming taxes.

27 Sec. 59. Section 79-810, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 79-810 (1) Certificates and permits shall be issued by
3 the commissioner upon application on forms prescribed and provided
4 by him or her which shall include the applicant's social security
5 number.

6 (2) Each certificate or permit issued by the commissioner
7 shall indicate the area of authorization to teach, provide special
8 services, or administer and any areas of endorsement for which
9 the holder qualifies. During the term of any certificate or permit
10 issued by the commissioner, additional endorsements may be made on
11 the certificate or permit if the holder submits an application,
12 meets the requirements for issuance of the additional endorsements,
13 and pays a nonrefundable fee of forty dollars.

14 (3) The Certification Fund is created. Any fee received
15 by the department under sections 79-806 to 79-815 shall be remitted
16 to the State Treasurer for credit to the fund. The fund shall be
17 used by the department in paying the costs of certifying educators
18 pursuant to such sections and to carry out subsection (3) of
19 section 79-808. For issuance of a certificate or permit valid in
20 all schools, the nonrefundable fee shall be fifty-five dollars,
21 except that thirteen dollars of the fifty-five-dollar fee shall
22 be credited to the Professional Practices Commission Fund which is
23 created for use by the department to pay for the provisions of
24 sections 79-859 to 79-871, except that transfers may be made from
25 the fund to the General Fund at the direction of the Legislature.
26 For issuance of a certificate or permit valid only in nonpublic
27 schools, the nonrefundable fee shall be forty dollars. Any money

1 in the Certification Fund or the Professional Practices Commission
2 Fund available for investment shall be invested by the state
3 investment officer pursuant to the Nebraska Capital Expansion Act
4 and the Nebraska State Funds Investment Act.

5 Sec. 60. Section 79-1320, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 79-1320 The State Educational Telecommunications Fund
8 is created. The fund shall be used by the Nebraska Educational
9 Telecommunications Commission for the purposes of carrying out
10 the provisions of the Nebraska Educational Telecommunications Act,
11 except that transfers may be made from the fund to the General
12 Fund at the direction of the Legislature. ~~Such fund~~ The State
13 Educational Telecommunications Fund shall consist of such sums as
14 the Legislature may appropriate. Any money in the fund available
15 for investment shall be invested by the state investment officer
16 pursuant to the Nebraska Capital Expansion Act and the Nebraska
17 State Funds Investment Act.

18 Sec. 61. Section 81-188.01, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 81-188.01 (1) The State Building Renewal Assessment Fund
21 is created. The fund shall be under the control of the Governor for
22 allocation to building renewal projects of the various agencies
23 and shall be administered in a manner consistent with the
24 administration of the Building Renewal Allocation Fund pursuant
25 to the Deferred Building Renewal Act. No amounts accruing to the
26 State Building Renewal Assessment Fund shall be expended in any
27 manner for purposes other than as provided in this section or as

1 appropriated by the Legislature to meet the cost of administering
2 the act. Transfers may be made from the fund to the General Fund at
3 the direction of the Legislature.

4 (2) Revenue credited to the ~~fund~~ State Building Renewal
5 Assessment Fund shall include amounts derived from charges assessed
6 pursuant to subdivision (4) (b) of section 81-1108.17, depreciation
7 charges remitted pursuant to section 81-188.02, and such other
8 revenue as may be incident to the administration of the fund.

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

1 task force allocations from amounts accruing to the fund pursuant
2 to section 81-188.02 shall not exceed the total of such revenue
3 credited to the fund in the preceding fiscal year, except that if
4 no revenue from depreciation charge assessments was credited to the
5 fund in the preceding fiscal year, allocations shall not exceed
6 fifty percent of revenue credited to the fund in the last preceding
7 fiscal year in which depreciation charge assessments were credited
8 to the fund.

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

13 Sec. 62. Section 81-201.05, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 81-201.05 (1) The Weed Book Cash Fund is created. ~~Any~~
16 ~~money in the Weed and Insect Books Cash Fund on July 16, 2004,~~
17 ~~shall be transferred to the Weed Book Cash Fund. Upon such~~
18 ~~transfer, the following amounts shall be transferred from the Weed~~
19 ~~Book Cash Fund: (a) Twenty-five thousand dollars to the Noxious~~
20 ~~Weed Cash Fund; and (b) thirty-seven thousand eight hundred dollars~~
21 ~~to the Plant Protection and Plant Pest Cash Fund. On July 1, 2005,~~
22 ~~July 1, 2006, July 1, 2007, July 1, 2008, and July 1, 2009, if~~
23 ~~there are sufficient funds available, twenty-five thousand dollars~~
24 ~~shall be transferred from the Weed Book Cash Fund to the Noxious~~
25 ~~Weed Cash Fund. Transfers may be made from the Weed Book Cash~~
26 ~~Fund to the General Fund at the direction of the Legislature. Any~~
27 ~~money in the Weed Book Cash Fund available for investment shall be~~

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

3 (2) The sale price of each Weeds of the Great Plains book
4 sold by the Department of Agriculture shall be credited as follows:

5 (a) Seventy-five percent to the Weed Book Cash Fund
6 to aid in defraying the cost of publishing, preparing, and
7 distributing such books and any supplemental inserts to such
8 books; and

9 (b) Twenty-five percent to the Noxious Weed Cash Fund.

10 Sec. 63. Section 81-2,147.11, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 81-2,147.11 There is hereby created a fund to be known
13 as the Nebraska Seed Administrative Cash Fund. All money received
14 pursuant to the Nebraska Seed Law shall be remitted to the State
15 Treasurer for credit to such fund. All money credited to the fund
16 shall be used by the Department of Agriculture to aid in defraying
17 the cost of administering such law, except that transfers may be
18 made from the fund to the General Fund at the direction of the
19 Legislature. Any money in the ~~fund~~ Nebraska Seed Administrative
20 Cash Fund available for investment shall be invested by the state
21 investment officer pursuant to the Nebraska Capital Expansion Act
22 and the Nebraska State Funds Investment Act.

23 Sec. 64. Section 81-2,291, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 81-2,291 All fees paid to the department in accordance
26 with the Nebraska Pure Food Act shall be remitted to the State
27 Treasurer. The State Treasurer shall credit the fees to the Pure

1 Food Cash Fund, which fund is hereby created. All money credited
2 to such fund shall be appropriated to the uses of the department
3 to aid in defraying the expenses of administering the act, except
4 that transfers may be made from the fund to the General Fund at the
5 direction of the Legislature.

6 Any money in the ~~fund~~ Pure Food Cash Fund available
7 for investment shall be invested by the state investment officer
8 pursuant to the Nebraska Capital Expansion Act and the Nebraska
9 State Funds Investment Act.

10 Sec. 65. Section 81-528, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 81-528 (1) The State Fire Marshal Cash Fund is created.
13 Money collected pursuant to subsections (2) and (3) of this section
14 shall be remitted to the State Treasurer for credit to the fund.
15 The fund shall be used to pay for costs incurred in the general
16 operations program of the State Fire Marshal's office, except that
17 transfers may be made from the fund to the General Fund at the
18 direction of the Legislature. The ~~fund~~ State Fire Marshal Cash
19 Fund shall be administered by the State Fire Marshal. Any money in
20 the fund available for investment shall be invested by the state
21 investment officer pursuant to the Nebraska Capital Expansion Act
22 and the Nebraska State Funds Investment Act.

23 (2) All money received from inspection contracts,
24 penalties, fees, or forfeitures, except fines collected under
25 sections 81-501.01 to 81-531 and 81-5,151 to 81-5,157, shall be
26 remitted to the State Treasurer for credit to the fund.

27 (3) All fees assessed pursuant to section 81-505.01 for

1 services performed by the State Fire Marshal's office shall be
2 remitted to the State Treasurer for credit to the fund.

3 Sec. 66. Section 81-550, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 81-550 (1) The Nebraska Natural Gas Pipeline Safety Cash
6 Fund is created. The fund shall consist of money received from
7 assessments pursuant to this section which shall be remitted to the
8 State Treasurer for credit to the fund. Transfers may be made from
9 the fund to the General Fund at the direction of the Legislature
10 through June 30, 2010. The fund Nebraska Natural Gas Pipeline
11 Safety Cash Fund shall only be used for purposes of administering
12 the Nebraska Natural Gas Pipeline Safety Act of 1969. The fund
13 shall be administered by the State Fire Marshal. Any money in
14 the fund available for investment shall be invested by the state
15 investment officer pursuant to the Nebraska Capital Expansion Act
16 and the Nebraska State Funds Investment Act.

17 (2) To defray the cost of administering the Nebraska
18 Natural Gas Pipeline Safety Act of 1969, the State Fire Marshal
19 shall on March 1 of each year make an assessment against persons
20 having pipeline facilities in this state subject to the act, which
21 assessment shall be paid within thirty days thereafter.

22 (3) The assessment against each such person shall be
23 based on the number of meters such person has in service for the
24 retail sale of gas in this state at the end of the calendar year
25 next preceding such assessment. The amount of such assessment shall
26 be set by the State Fire Marshal in an amount not to exceed twenty
27 cents multiplied by the number of such meters for each such person.

1 (4) It shall be the duty of the State Fire Marshal to
2 make timely application each year to the United States Government
3 for the maximum funds to which this state may be entitled from the
4 United States Government for the administration of the act.

5 Sec. 67. Section 81-5,153, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 81-5,153 The Training Division Cash Fund is created.
8 Money collected pursuant to section 81-5,152 shall be remitted to
9 the State Treasurer for credit to the fund. The fund shall be used
10 for the purpose of administering the training program established
11 pursuant to sections 81-5,151 to 81-5,157, except that transfers
12 may be made from the fund to the General Fund at the direction
13 of the Legislature. The ~~fund~~ Training Division Cash Fund shall
14 be administered by the State Fire Marshal. Any money in the fund
15 available for investment shall be invested by the state investment
16 officer pursuant to the Nebraska Capital Expansion Act and the
17 Nebraska State Funds Investment Act.

18 Sec. 68. Section 81-885.15, Revised Statutes Supplement,
19 2009, is amended to read:

20 81-885.15 All fees collected under the Nebraska Real
21 Estate License Act shall be deposited in the state treasury in
22 a fund to be known as the State Real Estate Commission's Fund.
23 The commission may use such part of the money in this fund as is
24 necessary to be used by it in the administration and enforcement
25 of the act. Transfers may be made from the fund to the General
26 Fund at the direction of the Legislature through June 30, 2011. The
27 ~~fund~~ State Real Estate Commission's Fund shall be paid out only

1 upon proper vouchers and upon warrants issued by the Director of
2 Administrative Services and countersigned by the State Treasurer,
3 as provided by law. The expenses of conducting the office must
4 always be kept within the income collected and deposited with the
5 State Treasurer by such commission and such office, and the expense
6 thereof shall not be supported or paid from any other state fund.
7 Any money in the State Real Estate Commission's Fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 69. Section 81-8,110.07, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-8,110.07 The secretary of the examining board shall
14 receive and account for all money derived from the operation of
15 sections 81-8,108 to 81-8,127 and shall remit it to the State
16 Treasurer for credit to the Land Surveyor Examiner's Fund, which
17 fund is hereby created. This fund shall be continued from year
18 to year. When appropriated by the Legislature, this fund shall be
19 expended only for the purposes of sections 81-8,108 to 81-8,127.
20 When not reappropriated for the succeeding biennium, the money in
21 this fund shall not revert to the General Fund. The fund shall be
22 paid out only upon vouchers approved by the examining board and
23 upon warrants issued by the Director of Administrative Services
24 and countersigned by the State Treasurer. The expenditures of the
25 examining board shall be kept within the income collected and
26 remitted to the State Treasurer by the examining board. Transfers
27 may be made from the fund to the General Fund at the direction

1 of the Legislature. Any money in the fund Land Surveyor Examiner's
2 Fund available for investment shall be invested by the state
3 investment officer pursuant to the Nebraska Capital Expansion Act
4 and the Nebraska State Funds Investment Act.

5 Sec. 70. Section 81-8,194, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 81-8,194 (1) The board shall establish fees of not
8 less than one hundred nor more than three hundred dollars
9 for applications for registration, examinations, certificates of
10 registration, reciprocal registrations, and renewals based on the
11 administration costs incurred by the board. The board shall collect
12 and account for such fees and pay the same into the state treasury
13 and which, by the State Treasurer, shall be credited to the State
14 Board of Landscape Architects Cash Fund which is hereby created.

15 (2) Transfers may be made from the State Board of
16 Landscape Architects Cash Fund to the General Fund at the direction
17 of the Legislature. Any money in the State Board of Landscape
18 Architects Cash Fund available for investment shall be invested
19 by the state investment officer pursuant to the Nebraska Capital
20 Expansion Act and the Nebraska State Funds Investment Act.

21 Sec. 71. Section 81-1120.23, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 81-1120.23 There is hereby established a cash fund to
24 be known as the Communications Cash Fund. Appropriations made to
25 the division of communications of the office of Chief Information
26 Officer for the purposes of sections 81-1120.01 to 81-1120.28 shall
27 be credited to the fund. All funds received under such sections

1 and all funds received for communications services provided to
2 any agency, department, or other user shall be credited to the
3 fund. The division shall, under policies and procedures established
4 by the director, expend funds from time to time credited to the
5 fund for the communications purposes enumerated in such sections.
6 Transfers may be made from the fund to the General Fund at the
7 direction of the Legislature. Any money in the ~~fund~~ Communications
8 Cash Fund available for investment shall be invested by the state
9 investment officer pursuant to the Nebraska Capital Expansion Act
10 and the Nebraska State Funds Investment Act.

11 Sec. 72. Section 81-1201.21, Revised Statutes Supplement,
12 2009, is amended to read:

13 81-1201.21 (1) There is hereby created the Job Training
14 Cash Fund. The fund shall be under the direction of the Department
15 of Economic Development. Money may be transferred to the fund
16 pursuant to subdivision (1)(b)(iv) of section 48-621 and from
17 the Cash Reserve Fund at the direction of the Legislature. The
18 department shall establish a subaccount for all money transferred
19 from the Cash Reserve Fund to the Job Training Cash Fund on or
20 after July 1, 2005. Any unexpended or unobligated balance remaining
21 within such subaccount on July 1, 2014, shall be transferred by the
22 State Treasurer to the Cash Reserve Fund no later than July 10,
23 2014. Any obligated amount not transferred from the subaccount that
24 remains unexpended on July 1, 2013, shall be transferred by the
25 State Treasurer to the Cash Reserve Fund no later than December 31,
26 2015. Transfers may be made from the Job Training Cash Fund to the
27 General Fund at the direction of the Legislature.

1 (2) The department shall use the Job Training Cash Fund
2 to provide reimbursements for job training activities, including
3 employee assessment, preemployment training, on-the-job training,
4 training equipment costs, and other reasonable costs related to
5 helping industry and business locate or expand in Nebraska, or
6 to provide upgrade skills training of the existing labor force
7 necessary to adapt to new technology or the introduction of new
8 product lines.

9 (3) The department shall establish a subaccount within
10 the fund to provide job training grants targeted to small
11 employers, rural employers, and poverty area employers meeting
12 one of the following criteria: (a) Employ twenty-five or fewer
13 employees, (b) located in rural areas of Nebraska, or (c) located
14 in areas of high concentration of poverty within the corporate
15 limits of a city or village consisting of one or more contiguous
16 census tracts, as determined by the most recent federal decennial
17 census, which contain a percentage of persons below the poverty
18 line of greater than thirty percent, and all census tracts
19 contiguous to such tract or tracts, as determined by the most
20 recent federal decennial census. The department shall calculate the
21 amount of prior year investment income earnings accruing to the
22 fund and allocate such amount to the subaccount for small, rural,
23 or poverty area employer grants.

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

1 Sec. 73. Section 81-1201.22, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-1201.22 (1) There is hereby created the Administrative
4 Cash Fund to be administered by the department. Revenue from the
5 following sources shall be remitted to the State Treasurer for
6 credit to the fund:

7 (a) Fees charged for the sale of department publications
8 or subscription to publications;

9 (b) Fees charged for the sale of Nebraska items promoting
10 economic development of the state, including travel and tourism;

11 (c) Deposits charged for the temporary use of Nebraska
12 items promoting economic development of the state, including travel
13 and tourism;

14 (d) Fees charged for attendance and participation in
15 department-sponsored conferences, training sessions, and other
16 special events;

17 (e) Money collected from nondepartment sources in
18 connection with cooperative funding of advertising, marketing,
19 promotional, or consulting activities; and

20 (f) Money received by the department in the form of
21 gifts, grants, reimbursements, or appropriations from any source
22 intended to be used by the department for carrying out the
23 provisions of Chapter 81, article 12.

24 (2) Revenue from the fund may be expended for the
25 following purposes:

26 (a) Production and distribution costs of department
27 publications;

1 (b) Purchase of items promoting economic development of
2 the state, including travel and tourism, intended for sale;

3 (c) Reimbursement of deposits collected for the temporary
4 use of promotional items;

5 (d) Payment of costs in connection with
6 department-sponsored conferences, training sessions, and other
7 special events;

8 (e) Payment of costs of advertising, marketing,
9 promotional, or consulting activities in cooperative funding
10 partnerships with nondepartment organizations; and

11 (f) Payment of costs for which fund revenue has been
12 received and which are related to department activities in Chapter
13 81, article 12.

14 (3) Transfers may be made from the fund to the General
15 Fund at the direction of the Legislature. Any money in the fund
16 Administrative Cash Fund available for investment shall be invested
17 by the state investment officer pursuant to the Nebraska Capital
18 Expansion Act and the Nebraska State Funds Investment Act.

19 Sec. 74. Section 81-1278, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 81-1278 There is hereby created for the use of the
22 Department of Economic Development a fund, to be known as the
23 Nebraska Agricultural Products Research Fund, to consist of any
24 funds appropriated by the Legislature and any funds received by
25 gift or from the federal government to be used for the purpose
26 provided in section 81-1279. Transfers may be made from the fund
27 to the General Fund at the direction of the Legislature. Any money

1 in the ~~fund~~ Nebraska Agricultural Products Research Fund available
2 for investment shall be invested by the state investment officer
3 pursuant to the Nebraska Capital Expansion Act and the Nebraska
4 State Funds Investment Act.

5 Sec. 75. Section 81-1413.01, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 81-1413.01 There is hereby created the Nebraska Law
8 Enforcement Training Center Cash Fund. All receipts for tuition and
9 fees paid to the Nebraska Law Enforcement Training Center shall be
10 paid into the state treasury and by the State Treasurer credited
11 to the Nebraska Law Enforcement Training Center Cash Fund. Such
12 fund shall be used to defray the expenses of the training center,
13 except that transfers may be made from the fund to the General
14 Fund at the direction of the Legislature. Any money in the Nebraska
15 Law Enforcement Training Center Cash Fund available for investment
16 shall be invested by the state investment officer pursuant to
17 the Nebraska Capital Expansion Act and the Nebraska State Funds
18 Investment Act.

19 Sec. 76. Section 81-1428, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 81-1428 The Law Enforcement Improvement Fund is created
22 and shall be maintained by the State Treasurer as a cash fund.
23 The fund shall consist of revenue credited pursuant to section
24 81-1429 and investment income. The fund shall be used for payment
25 of administrative and operations expenses of the Nebraska Law
26 Enforcement Training Center and such other expenses as budgeted by
27 the Legislature for the improvement of law enforcement, except that

1 transfers may be made from the fund to the General Fund at the
2 direction of the Legislature. The ~~fund~~ Law Enforcement Improvement
3 Fund shall be administered by the director. Any money in the fund
4 available for investment shall be invested by the state investment
5 officer pursuant to the Nebraska Capital Expansion Act and the
6 Nebraska State Funds Investment Act.

7 Sec. 77. Section 81-15,121, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 81-15,121 (1) A person shall not (a) maintain or use any
10 tank for the storage of regulated substances, (b) install any new
11 tank, or (c) permanently close a tank without first securing a
12 permit from the State Fire Marshal.

13 (2) A fee shall not be charged for a permit under
14 subdivision (1)(a) or (c) of this section. The fee for a permit for
15 installation shall be fifty dollars. The State Fire Marshal shall
16 remit the fee to the State Treasurer for credit to the Underground
17 Storage Tank Fund.

18 (3) All owners of operating tanks, except those provided
19 for in subsection (4) of this section, shall annually register each
20 tank. All registration permits shall expire on December 31 of the
21 year for which the permit was issued. The registration fee shall
22 be thirty dollars per tank. The State Fire Marshal shall remit the
23 fee to the State Treasurer for credit to the Underground Storage
24 Tank Fund. Such permits shall contain the information specified in
25 subsection (5) of this section.

26 (4) In the case of tanks permanently abandoned on or
27 after January 1, 1974, an annual permit shall not be required and

1 an initial registration permit shall be sufficient.

2 (5) The application for a registration permit shall be
3 provided by and filed with the State Fire Marshal's office and
4 shall require, but not be limited to, the following information:

5 (a) The date the tank was placed in or taken out of
6 operation;

7 (b) The age of the tank;

8 (c) The size, type, and location of the tank; and

9 (d) The type of substances stored in the tank and the
10 quantity of such substances remaining in the tank if the tank has
11 been permanently closed.

12 (6) The registration permit fee collected pursuant to
13 this section shall be deposited in the Underground Storage Tank
14 Fund which is hereby created as a cash fund. The fund shall also
15 consist of any money appropriated to the fund by the state. The
16 fund shall be administered by the State Fire Marshal to carry out
17 the purposes of the Petroleum Products and Hazardous Substances
18 Storage and Handling Act. Transfers may be made from the fund
19 to the General Fund at the direction of the Legislature. Any
20 money in such fund the Underground Storage Tank Fund available
21 for investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 78. Section 81-15,160, Revised Statutes Supplement,
25 2009, is amended to read:

26 81-15,160 (1) The Waste Reduction and Recycling Incentive
27 Fund is created. The department shall deduct from the fund amounts

1 sufficient to reimburse itself for its costs of administration
2 of the fund. The fund shall be administered by the Department
3 of Environmental Quality. The fund shall consist of proceeds from
4 the fees imposed pursuant to the Waste Reduction and Recycling
5 Incentive Act.

6 (2) The fund may be used for purposes which include, but
7 are not limited to:

8 (a) Technical and financial assistance to political
9 subdivisions for creation of recycling systems and for modification
10 of present recycling systems;

11 (b) Recycling and waste reduction projects, including
12 public education, planning, and technical assistance;

13 (c) Market development for recyclable materials separated
14 by generators, including public education, planning, and technical
15 assistance;

16 (d) Capital assistance for establishing private and
17 public intermediate processing facilities for recyclable materials
18 and facilities using recyclable materials in new products;

19 (e) Programs which develop and implement composting of
20 yard waste and composting with sewage sludge;

21 (f) Technical assistance for waste reduction and waste
22 exchange for waste generators;

23 (g) Programs to assist communities and counties to
24 develop and implement household hazardous waste management
25 programs;

26 (h) Capital assistance for establishing private and
27 public facilities to manufacture combustible waste products and

1 to incinerate combustible waste to generate and recover energy
2 resources, except that no disbursements shall be made under this
3 section for scrap tire processing related to tire-derived fuel; and

4 (i) Grants for reimbursement of costs to cities of the
5 second class, villages, and counties of five thousand or fewer
6 population for the deconstruction of abandoned buildings. Eligible
7 deconstruction costs will be related to the recovery and processing
8 of recyclable or reusable material from the abandoned buildings.

9 (3) Grants up to one million dollars annually shall be
10 available until June 30, 2014, for new scrap tire projects only, if
11 acceptable scrap tire project applications are received. Eligible
12 categories of disbursement under section 81-15,161 may include, but
13 are not limited to:

14 (a) Reimbursement for the purchase of crumb rubber
15 generated and used in Nebraska, with disbursements not to exceed
16 fifty percent of the cost of the crumb rubber;

17 (b) Reimbursement for the purchase of tire-derived
18 product which utilizes a minimum of twenty-five percent recycled
19 tire content, with disbursements not to exceed twenty-five percent
20 of the product's retail cost, except that persons who applied for
21 a grant between June 1, 1999, and May 31, 2001, for the purchase
22 of tire-derived product which utilizes a minimum of twenty-five
23 percent recycled tire content may apply for reimbursement on or
24 before July 1, 2002. Reimbursement shall not exceed twenty-five
25 percent of the product's retail cost and may be funded in fiscal
26 years 2001-02 and 2002-03;

27 (c) Participation in the capital costs of building,

1 equipment, and other capital improvement needs or startup costs
2 for scrap tire processing or manufacturing of tire-derived product,
3 with disbursements not to exceed fifty percent of such costs or
4 five hundred thousand dollars, whichever is less;

5 (d) Participation in the capital costs of building,
6 equipment, or other startup costs needed to establish collection
7 sites or to collect and transport scrap tires, with disbursements
8 not to exceed fifty percent of such costs;

9 (e) Cost-sharing for the manufacturing of tire-derived
10 product, with disbursements not to exceed twenty dollars per ton
11 or two hundred fifty thousand dollars, whichever is less, to any
12 person annually;

13 (f) Cost-sharing for the processing of scrap tires, with
14 disbursements not to exceed twenty dollars per ton or two hundred
15 fifty thousand dollars, whichever is less, to any person annually;

16 (g) Cost-sharing for the use of scrap tires for civil
17 engineering applications for specified projects, with disbursements
18 not to exceed twenty dollars per ton or two hundred fifty thousand
19 dollars, whichever is less, to any person annually; and

20 (h) Disbursement to a political subdivision up to one
21 hundred percent of costs incurred in cleaning up scrap tire
22 collection and disposal sites.

23 The director shall give preference to projects which
24 utilize scrap tires generated and used in Nebraska.

25 (4) Priority for grants made under section 81-15,161
26 shall be given to grant proposals demonstrating a formal
27 public/private partnership except for grants awarded from fees

1 collected under subsection (6) of section 13-2042.

2 (5) Grants awarded from fees collected under subsection
3 (6) of section 13-2042 may be renewed for up to a five-year
4 grant period. Such applications shall include an updated integrated
5 solid waste management plan pursuant to section 13-2032. Annual
6 disbursements are subject to available funds and the grantee
7 meeting established grant conditions. Priority for such grants
8 shall be given to grant proposals showing regional participation
9 and programs which address the first integrated solid waste
10 management hierarchy as stated in section 13-2018 which shall
11 include toxicity reduction. Disbursements for any one year shall
12 not exceed fifty percent of the total fees collected after rebates
13 under subsection (6) of section 13-2042 during that year.

14 (6) Any person who stores waste tires in violation
15 of section 13-2033, which storage is the subject of abatement
16 or cleanup, shall be liable to the State of Nebraska for the
17 reimbursement of expenses of such abatement or cleanup paid by the
18 Department of Environmental Quality.

19 (7) The Department of Environmental Quality may receive
20 gifts, bequests, and any other contributions for deposit in the
21 Waste Reduction and Recycling Incentive Fund. Transfers may be
22 made from the fund to the General Fund at the direction of the
23 Legislature. Any money in the fund Waste Reduction and Recycling
24 Incentive Fund available for investment shall be invested by the
25 state investment officer pursuant to the Nebraska Capital Expansion
26 Act and the Nebraska State Funds Investment Act.

27 Sec. 79. Section 81-15,165, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 81-15,165 The Tax Commissioner shall deduct and withhold
3 from the fees collected pursuant to sections 81-15,159 to 81-15,165
4 a fee sufficient to reimburse himself or herself for the actual
5 cost of collecting and administering such fees and shall credit
6 such collection fee to the Waste Reduction and Recycling Incentive
7 Fees Collection Fund which is hereby created. The Legislature shall
8 appropriate money from the fund to the Department of Revenue to
9 cover the actual costs of the department in administering the Waste
10 Reduction and Recycling Incentive Act. Transfers may be made from
11 the fund to the General Fund at the direction of the Legislature.
12 Any money in the ~~fund~~ Waste Reduction and Recycling Incentive Fees
13 Collection Fund available for investment shall be invested by the
14 state investment officer pursuant to the Nebraska Capital Expansion
15 Act and the Nebraska State Funds Investment Act.

16 Sec. 80. Section 81-15,180, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 81-15,180 The Superfund Cost Share Cash Fund is created.
19 The Department of Environmental Quality shall remit grants and
20 gifts received by the department for purposes of providing cost
21 share for remediation of superfund sites to the State Treasurer for
22 credit to the fund. The department shall administer the Superfund
23 Cost Share Cash Fund to pay for nonfederal costs, including costs
24 for in-kind services, required as cost share for remediation of
25 superfund sites. Transfers may be made from the fund to the General
26 Fund at the direction of the Legislature. Any money in the ~~fund~~
27 Superfund Cost Share Cash Fund available for investment shall be

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

3 The State Treasurer shall transfer the balance of
4 the Department of Environmental Quality Superfund Cash Fund,
5 administratively created pursuant to section 81-1111.04, to the
6 Superfund Cost Share Cash Fund.

7 Sec. 81. Section 81-1607.01, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 81-1607.01 The State Energy Office Cash Fund is hereby
10 created. The fund shall consist of funds received pursuant to
11 section 57-705. The fund shall be used for the administration of
12 sections 81-1601 to 81-1607, for energy conservation activities,
13 and for providing technical assistance to communities in the
14 area of natural gas other than assistance regarding ownership of
15 regulated utilities, except that transfers may be made from the
16 fund to the General Fund at the direction of the Legislature.

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

21 Sec. 82. Section 81-1634, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 81-1634 Funds received in repayment for energy efficiency
24 loans from the School Weatherization Fund shall be credited to
25 the General Fund. For each fiscal year in which there are any
26 outstanding loans, the Legislature shall designate a portion of
27 the funds received in repayment for energy efficiency loans for

1 use by the State Energy Office to cover the actual cost of
2 administering outstanding loans. Transfers may be made from the
3 School Weatherization Fund to the General Fund at the direction of
4 the Legislature.

5 Sec. 83. Section 81-2004.01, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 81-2004.01 (1) The Carrier Enforcement Cash Fund is
8 created. The fund shall be established within the Nebraska State
9 Patrol and administered by the Superintendent of Law Enforcement
10 and Public Safety. The fund shall consist of fund transfers made
11 each fiscal year from the Roads Operations Cash Fund as authorized
12 by the Legislature through the budget process.

13 (2) The Carrier Enforcement Cash Fund shall only be used
14 to pay the costs associated with the operation of the carrier
15 enforcement division of the patrol, except that (a) the Legislature
16 may authorize fund transfers each fiscal year through the budget
17 process from the Carrier Enforcement Cash Fund to the Nebraska
18 Public Safety Communication System Cash Fund to pay the carrier
19 enforcement division's share of operations costs of the Nebraska
20 Public Safety Communication System and (b) transfers may be made
21 from the fund to the General Fund at the direction of the
22 Legislature.

23 (3) Any money in the Carrier Enforcement Cash Fund
24 available for investment shall be invested by the state investment
25 officer pursuant to the Nebraska Capital Expansion Act and the
26 Nebraska State Funds Investment Act.

27 Sec. 84. Section 81-2105, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 81-2105 There is hereby created the Electrical Division
3 Fund. All money received under the State Electrical Act shall be
4 remitted to the State Treasurer for credit to the fund. Each member
5 of the board shall be reimbursed for the actual and necessary
6 expenses incurred in the performance of his or her duties pursuant
7 to sections 81-1174 to 81-1177 to be paid out of the fund.
8 Transfers may be made from the fund to the General Fund at the
9 direction of the Legislature.

10 Sec. 85. Section 81-3119, Revised Statutes Supplement,
11 2009, is amended to read:

12 81-3119 The Health and Human Services Cash Fund is
13 created and shall consist of funds from contracts, grants, gifts,
14 or fees. ~~On or before July 15, 2008, one million dollars shall~~
15 ~~be transferred from the Health and Human Services Cash Fund to~~
16 ~~the Rural Health Professional Incentive Fund. On July 9, 2009,~~
17 ~~two hundred fifteen thousand dollars shall be transferred from the~~
18 ~~Health and Human Services Cash Fund to the State Medicaid Fraud~~
19 ~~Control Unit Cash Fund. Transfers may be made from the fund to~~
20 ~~the General Fund at the direction of the Legislature. Any money in~~
21 the Health and Human Services Cash Fund available for investment
22 shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act.

25 Sec. 86. Section 81-3432, Revised Statutes Supplement,
26 2009, is amended to read:

27 81-3432 The Engineers and Architects Regulation Fund is

1 created. The secretary of the board shall receive and account
2 for all money derived from the operation of the Engineers
3 and Architects Regulation Act and shall remit the money to
4 the State Treasurer for credit to the Engineers and Architects
5 Regulation Fund. All expenses certified by the board as properly
6 and necessarily incurred in the discharge of duties, including
7 compensation and administrative staff, and any expense incident to
8 the administration of the act relating to other states shall be
9 paid out of the fund. Loan repayments payable pursuant to section
10 81-3432.01 shall be paid out of the fund. Warrants for the payment
11 of expenses shall be issued by the Director of Administrative
12 Services and paid by the State Treasurer upon presentation of
13 vouchers regularly drawn by the chairperson and secretary of the
14 board and approved by the board. At no time shall the total
15 amount of warrants exceed the total amount of the fees collected
16 under the act and to the credit of the fund. Transfers may be
17 made from the fund to the General Fund at the direction of the
18 Legislature through June 30, 2011. Any money in the fund Engineers
19 and Architects Regulation Fund available for investment shall be
20 invested by the state investment officer pursuant to the Nebraska
21 Capital Expansion Act and the Nebraska State Funds Investment Act.

22 Sec. 87. Section 81-3524, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 81-3524 The Geologists Regulation Fund is created. The
25 secretary of the board shall receive and account for all money
26 derived from the operation of the Geologists Regulation Act. The
27 board shall remit the money to the State Treasurer for credit to

1 the Geologists Regulation Fund, which shall be continued from year
2 to year and shall be drawn against only as provided for in this
3 section and, when reappropriated for the succeeding biennium, shall
4 not revert to the General Fund. All expenses certified by the board
5 as properly and necessarily incurred in the discharge of duties,
6 including compensation and administrative staff, and any expense
7 incident to the administration of the act relating to other states,
8 shall be paid out of the fund. Warrants for the payment of expenses
9 shall be issued by the Director of Administrative Services and
10 paid by the State Treasurer upon presentation of vouchers regularly
11 drawn by the chairperson and secretary of the board and approved
12 by the board. At no time shall the total amount of warrants exceed
13 the total amount of the fees collected under the act and to the
14 credit of the fund. Transfers may be made from the fund to the
15 General Fund at the direction of the Legislature. Any money in the
16 ~~fund~~ Geologists Regulation Fund available for investment shall be
17 invested by the state investment officer pursuant to the Nebraska
18 Capital Expansion Act and the Nebraska State Funds Investment Act.

19 Sec. 88. Section 82-108.02, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 82-108.02 All funds received by the Nebraska State
22 Historical Society for services rendered shall be remitted to
23 the State Treasurer for credit to the Historical Society Fund which
24 is hereby established. Funds to the credit of the fund shall only
25 be expended, as and when appropriated by the Legislature, by the
26 Nebraska State Historical Society for the general purposes of such
27 society, except that transfers may be made from the fund to the

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

5 Sec. 89. Section 83-913.01, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 83-913.01 (1) There is hereby created the Department of
8 Correctional Services Facility Cash Fund.

9 Except as otherwise provided, all money derived from any
10 source in any facility under the supervision of the Department
11 of Correctional Services shall be remitted to the State Treasurer
12 in accordance with the policies and procedures established by
13 the Director of Correctional Services for credit to the fund.

14 Transfers may be made from the fund to the General Fund at the
15 direction of the Legislature. Any money in the ~~fund~~ Department of
16 Correctional Services Facility Cash Fund available for investment
17 may be invested pursuant to the Nebraska Capital Expansion Act and
18 the Nebraska State Funds Investment Act.

19 (2) All disbursements from the fund shall be made by the
20 Director of Administrative Services by warrants drawn on the fund
21 only upon certification of expenses by the chief executive officer
22 of the appropriate facility within the Department of Correctional
23 Services and upon presentation of proper vouchers for such expenses
24 by the Director of Correctional Services or his or her authorized
25 agent.

26 Sec. 90. Section 84-409, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 84-409 There shall be paid to the State Treasurer, for
2 each day the State Surveyor is engaged in making any survey or in
3 settling and disposing of disputes and disagreements, as provided
4 in section 84-410, a per diem rate of compensation as determined by
5 the Board of Educational Lands and Funds for his or her services
6 and the necessary expenses incurred in making the same. All fees
7 received for the services and expenses of the State Surveyor or
8 deputy surveyors shall be paid into the state treasury and by the
9 State Treasurer placed in a fund to be known as Surveyors' Cash
10 Fund, which fund shall be used in paying the salaries and expenses
11 of deputy surveyors, except as provided in section 84-407.01, in
12 making surveys and for making refunds on deposits. All fees and
13 expenses placed in the Surveyors' Cash Fund for the services and
14 expenses of the State Surveyor, after the payments from the cash
15 fund are made as hereinbefore provided, shall be transferred to
16 the General Fund. Transfers may be made from the Surveyors' Cash
17 Fund to the General Fund at the direction of the Legislature. Any
18 money in the Surveyors' Cash Fund available for investment shall be
19 invested by the state investment officer pursuant to the Nebraska
20 Capital Expansion Act and the Nebraska State Funds Investment Act.

21 Sec. 91. Section 84-414, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 84-414 The State Surveyor, under the direction of the
24 Board of Educational Lands and Funds, shall receive and account
25 for all money derived from the operation of the survey record
26 repository pursuant to sections 84-412 and 84-413, and shall
27 pay such money to the State Treasurer, who shall credit it to

1 the Survey Record Repository Fund which is hereby created. When
2 appropriated by the Legislature, this fund shall be expended
3 only for the purposes of sections 84-412 and 84-413, except that
4 transfers may be made from the fund to the General Fund at the
5 direction of the Legislature. All money in the ~~fund~~ Survey Record
6 Repository Fund available for investment shall be invested by the
7 state investment officer pursuant to the Nebraska Capital Expansion
8 Act and the Nebraska State Funds Investment Act.

9 Sec. 92. Section 84-510, Revised Statutes Supplement,
10 2009, is amended to read:

11 84-510 The Corporation Cash Fund is created. Transfers
12 from the fund to the Election Administration Fund or the General
13 Fund may be made at the direction of the Legislature. ~~The State~~
14 ~~Treasurer shall transfer five hundred thousand dollars from the~~
15 ~~Corporation Cash Fund to the General Fund on or before July~~
16 ~~5, 2009.~~ Any money in the Corporation Cash Fund available for
17 investment shall be invested by the state investment officer
18 pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 Sec. 93. Section 84-1227, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 84-1227 There is hereby established in the state treasury
23 a special fund to be known as the Records Management Cash Fund
24 which, when appropriated by the Legislature, shall be expended
25 by the Secretary of State for the purposes of providing records
26 management services and assistance to political subdivisions, for
27 development and maintenance of a gateway or electronic network for

1 accessing public records, and for grants to political subdivisions
2 as provided in subdivision (1)(j) of section 84-1204. All fees
3 and charges for the purpose of records management services and
4 analysis received by the Secretary of State from the political
5 subdivisions shall be remitted to the State Treasurer for credit to
6 such fund. Transfers may be made from the fund to the General Fund
7 at the direction of the Legislature. Any money in the ~~fund~~ Records
8 Management Cash Fund available for investment shall be invested
9 by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 94. Section 85-1419, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 85-1419 There is hereby created the Coordinating
14 Commission for Postsecondary Education Cash Fund. The fund shall
15 contain money received from application fees from out-of-state
16 institutions of higher and postsecondary education seeking
17 authorization to offer courses and programs in the State
18 of Nebraska and from private colleges seeking provisional
19 accreditation and money received by the commission for services
20 rendered incident to the administration of its statutory or
21 contractual functions. The fund shall be expended for the
22 administrative costs of reviewing applications, publishing and
23 duplicating reports, coordinating studies, conducting conferences,
24 and other related activities as may be authorized by the
25 Legislature or by contract, except that transfers may be made from
26 the fund to the General Fund at the direction of the Legislature.
27 All such money received by the commission shall be remitted to the

1 State Treasurer for credit to the ~~fund~~. Coordinating Commission
2 for Postsecondary Education Cash Fund. A report on the receipts
3 and expenditures from the fund shall be included as a part of
4 the operating budget request submitted to the Legislature and the
5 Governor. Any money in the fund available for investment shall be
6 invested by the state investment officer pursuant to the Nebraska
7 Capital Expansion Act and the Nebraska State Funds Investment Act.

8 Sec. 95. Section 85-1803, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 85-1803 The Nebraska educational savings plan trust shall
11 be operated with no General Fund appropriations. Money from the
12 trust transferred from the program fund or endowment fund to the
13 administrative fund in an amount authorized by an appropriation
14 from the Legislature shall be utilized to pay for the costs
15 of administering, operating, and maintaining the trust, to the
16 extent permitted by section 529 of the Internal Revenue Code. The
17 administrative fund shall not be credited with any money other than
18 money transferred from the program fund or endowment fund in an
19 amount authorized by an appropriation by the Legislature or any
20 interest income earned on the balances held in the administrative
21 fund. Transfers may be made from the administrative fund to the
22 General Fund at the direction of the Legislature.

23 Sec. 96. Section 86-127, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 86-127 (1) One of the goals of the federal
26 Telecommunications Act of 1996, as such act existed on January
27 1, 2002, is to foster competition among telephone companies.

1 Section 271 of the federal act (a) establishes specific incentives,
2 procedures, and requirements for regional Bell operating companies
3 to offer inter-LATA interexchange service and (b) requires the
4 Public Service Commission to monitor the competitive performance of
5 a regional Bell operating company and to consult with the Federal
6 Communications Commission regarding such activities.

7 (2) The Nebraska Competitive Telephone Marketplace Fund
8 is created. The Public Service Commission may accept, and the fund
9 shall consist of, any voluntary performance payments received from
10 a regional Bell operating company. The fund shall be used by the
11 commission for expenses related to the monitoring of compliance
12 with section 271 of the federal act. If money in the fund exceeds
13 thirty thousand dollars, the commission shall remit such excess
14 money to the State Treasurer for credit to the Nebraska Internet
15 Enhancement Fund, except that transfers may be made from the
16 Nebraska Competitive Telephone Marketplace Fund to the General Fund
17 at the direction of the Legislature. Any money in the Nebraska
18 Competitive Telephone Marketplace Fund available for investment
19 shall be invested by the state investment officer pursuant to
20 the Nebraska Capital Expansion Act and the Nebraska State Funds
21 Investment Act.

22 Sec. 97. Section 86-312, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 86-312 (1) The Nebraska Telecommunications Relay System
25 Fund is created. The fund shall be used to provide a statewide
26 telecommunications relay system and to administer a statewide
27 voucher program to provide specialized telecommunications equipment

1 to qualified deaf, hard of hearing, and speech-impaired persons in
2 Nebraska, except that transfers may be made from the fund to the
3 General Fund at the direction of the Legislature.

4 (2) Based upon the price of the equipment, vouchers shall
5 be issued by the program administrator to pay private vendors
6 for all or part of the cost of the equipment. After purchase,
7 the recipient is the owner of the equipment and responsible for
8 enforcement of any warranties and repairs.

9 (3) Any money in the ~~fund~~ Nebraska Telecommunications
10 Relay System Fund available for investment shall be invested by the
11 state investment officer pursuant to the Nebraska Capital Expansion
12 Act and the Nebraska State Funds Investment Act.

13 Sec. 98. Section 86-463, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 86-463 The Enhanced Wireless 911 Fund is created. The
16 fund shall consist of the surcharges credited to the fund,
17 any money appropriated by the Legislature, any federal funds
18 received for wireless emergency communication, and any other funds
19 designated for credit to the fund. Money in the fund shall be
20 used for the costs of administering the fund and the purposes
21 specified in section 86-465 unless otherwise directed by federal
22 law with respect to any federal funds. The costs of administering
23 the fund shall be kept to a minimum. The money in the fund shall
24 not be subject to any fiscal-year limitation or lapse provision
25 of unexpended balance at the end of any fiscal year or biennium.
26 Transfers may be made from the fund to the General Fund at the
27 direction of the Legislature. Any money in the ~~fund~~ Enhanced

1 Wireless 911 Fund available for investment shall be invested by the
2 state investment officer pursuant to the Nebraska Capital Expansion
3 Act and the Nebraska State Funds Investment Act.

4 Sec. 99. Section 88-545.01, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 88-545.01 (1) The commission may enter into contracts
7 with public or private entities which provide a benefit for both
8 parties for purposes of performing audit or examination work.
9 The commission shall conduct the work as time permits and shall
10 not allow the work to conflict with the commission's primary
11 responsibility of performing grain warehouse examinations within
12 the prescribed statutory time.

13 (2) Fees from audit or examination contracts shall be
14 remitted by the commission to the State Treasurer for credit
15 to the Grain Warehouse Auditing Fund which is created. The fund
16 shall be available to the commission to buy material and equipment
17 for performing audits and examinations or to offset the cost of
18 performing audits and examinations. Transfers may be made from the
19 fund to the General Fund at the direction of the Legislature.

20 Any money in the ~~fund~~ Grain Warehouse Auditing Fund available
21 for investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 100. Section 88-552, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 88-552 There is hereby created in the state treasury a
27 fund to be known as the Nebraska Grain Warehouse Surveillance Cash

1 Fund. Such fund shall be used solely for disbursing funds and
2 receiving reimbursement for services performed by the commission in
3 the suspension or termination of a warehouse operation, except that
4 transfers may be made from the fund to the General Fund at the
5 direction of the Legislature. All money received by the commission
6 for such services shall be remitted to the State Treasurer for
7 credit to ~~such fund~~, the Nebraska Grain Warehouse Surveillance Cash
8 Fund. Any money in the fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 101. Section 89-1,100, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 89-1,100 The director shall collect registration, permit,
14 laboratory, test, and inspection fees, penalties, and money
15 required to be reimbursed as provided for in the Weights and
16 Measures Act and shall remit such funds to the State Treasurer.
17 The State Treasurer shall credit such funds to the Weights and
18 Measures Administrative Fund, which fund is hereby created. All
19 fees, penalties, and reimbursements collected pursuant to the act
20 and credited to the fund shall be appropriated to the uses of the
21 department to aid in defraying the expenses of administering the
22 act, except that transfers may be made from the fund to the General
23 Fund at the direction of the Legislature. Any unexpended balance
24 in ~~such fund~~ the Weights and Measures Administrative Fund at the
25 close of any biennium shall, when reappropriated, be available for
26 the uses and purposes of the fund for the succeeding biennium. Any
27 money in the fund available for investment shall be invested by the

1 state investment officer pursuant to the Nebraska Capital Expansion
2 Act and the Nebraska State Funds Investment Act. The registration,
3 permit, laboratory, test, and inspection fees, penalties, and money
4 required to be reimbursed as provided for in the Weights and
5 Measures Act shall constitute a lien on the weighing and measuring
6 devices or standards required to be registered or approved for
7 use in this state until such fees, penalties, and reimbursements
8 are paid. The director may sue for such fees, penalties, and
9 reimbursements and may seek to foreclose on any lien in the name of
10 the state. The county attorney of the county in which the device is
11 located or the Attorney General's office shall, upon the request of
12 the director, take appropriate action to establish and foreclose
13 on any such lien.

14 Sec. 102. Original sections 2-1503.01, 2-1577, 2-1587,
15 2-15,122, 3-126, 13-2704, 24-205, 24-227.01, 24-229, 25-2921,
16 28-429, 29-2259.02, 29-2262.07, 29-3921, 33-102, 37-351, 38-157,
17 39-1390, 46-1121, 46-1403, 50-437, 57-919, 60-1409, 66-739,
18 70-1020, 71-222.02, 71-4732, 72-2009, 76-549, 77-3,110, 77-4310.03,
19 77-5031, 79-810, 79-1320, 81-188.01, 81-201.05, 81-2,147.11,
20 81-2,291, 81-528, 81-550, 81-5,153, 81-8,110.07, 81-8,194,
21 81-1120.23, 81-1201.22, 81-1278, 81-1413.01, 81-1428, 81-15,121,
22 81-15,165, 81-15,180, 81-1607.01, 81-1634, 81-2004.01, 81-2105,
23 81-3524, 82-108.02, 83-913.01, 84-409, 84-414, 84-1227, 85-1419,
24 85-1803, 86-127, 86-312, 86-463, 88-545.01, 88-552, and 89-1,100,
25 Reissue Revised Statutes of Nebraska, sections 48-1,116, 49-14,140,
26 50-114.05, 53-117.06, 54-857, 54-2428, 55-131, 59-1608.04,
27 60-3,218, 61-210, 61-218, 71-5661, 71-5714, 71-8612, 72-2211,

1 72-2501, 76-2226, and 77-5601, Revised Statutes Cumulative
2 Supplement, 2008, and sections 1-111, 2-5106, 47-632, 57-705,
3 60-2132, 66-1521, 66-1839, 77-1342, 81-885.15, 81-1201.21,
4 81-15,160, 81-3119, 81-3432, and 84-510, Revised Statutes
5 Supplement, 2009, are repealed.

6 Sec. 103. Since an emergency exists, this act takes
7 effect when passed and approved according to law.