

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
FIRST SPECIAL SESSION
LEGISLATIVE BILL 16

Introduced by Haar, 21.

Read first time November 06, 2009

Committee: Appropriations

A BILL

1 FOR AN ACT relating to economic development; to amend sections
2 2-5424, 81-12,105.01, and 81-12,128, Reissue Revised
3 Statutes of Nebraska; to prohibit the lapse of certain
4 funds; to prohibit reductions to General Funds; to repeal
5 the original sections; and to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-5424, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-5424 The Agricultural Opportunities and Value-Added
4 Partnerships Cash Fund is created. The fund shall be used by the
5 Department of Economic Development for grants awarded pursuant to
6 the Agricultural Opportunities and Value-Added Partnerships Act.
7 No funds appropriated for purposes of the act shall lapse to
8 the General Fund and there shall be no reduction to General
9 Fund appropriations to the program for fiscal years 2009-10 and
10 2010-11. Money credited to the fund shall include any monetary
11 gifts, grants, donations, proceeds from contracts for services,
12 and reimbursement of expenses. The department shall seek money
13 from sources such as, but not limited to, federal funds, commodity
14 checkoff funds, private donations, and private grants. All such
15 funds shall be credited to the Agricultural Opportunities and
16 Value-Added Partnerships Cash Fund. No funds shall be received
17 or accepted for the Agricultural Opportunities and Value-Added
18 Partnerships Cash Fund that are designated for the purpose or the
19 benefit of a single business, enterprise, or individual. Any money
20 in 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 Sec. 2. Section 81-12,105.01, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 81-12,105.01 (1) The Microenterprise Development Cash

1 Fund is created. The fund shall be administered by the Department
2 of Economic Development. Any money in the fund available for
3 investment shall be invested by the state investment officer
4 pursuant to the Nebraska Capital Expansion Act and the Nebraska
5 State Funds Investment Act.

6 (2) The State Treasurer shall credit to the fund money
7 as is (a) transferred to the fund by the Legislature, (b) paid
8 to the state as fees, deposits, payments, and repayments relating
9 to the fund, both principal and interest, (c) donated as gifts,
10 bequests, or other contributions to such fund from public or
11 private entities, and (d) made available by any department or
12 agency of the United States if so directed by such department or
13 agency.

14 (3) The fund shall be used by the Department of Economic
15 Development for the purpose of carrying out the Microenterprise
16 Development Act. No funds appropriated for purposes of the act
17 shall lapse to the General Fund and there shall be no reduction to
18 General Fund appropriations to the program for fiscal years 2009-10
19 and 2010-11.

20 Sec. 3. Section 81-12,128, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 81-12,128 (1) The Building Entrepreneurial Communities
23 Cash Fund is created. The fund shall be administered by the
24 Department of Economic Development. Any money in the fund available
25 for investment shall be invested by the state investment officer

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

3 (2) The State Treasurer shall credit to the fund such
4 money as is (a) transferred to the fund by the Legislature, (b)
5 paid to the state as fees, deposits, payments, and repayments
6 relating to the fund, both principal and interest, (c) donated as
7 gifts, bequests, or other contributions to such fund from public
8 or private entities, and (d) made available by any department or
9 agency of the United States if so directed by such department or
10 agency.

11 (3) The fund shall be expended by the Department of
12 Economic Development for the purpose of carrying out the Building
13 Entrepreneurial Communities Act. No funds appropriated for purposes
14 of the act shall lapse to the General Fund and there shall be no
15 reduction to General Fund appropriations to the program for fiscal
16 years 2009-10 and 2010-11.

17 Sec. 4. Original sections 2-5424, 81-12,105.01, and
18 81-12,128, Reissue Revised Statutes of Nebraska, are repealed.

19 Sec. 5. Since an emergency exists, this act takes effect
20 when passed and approved according to law.