

AMENDMENTS TO LB 378

Introduced by Appropriations

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

3 Section 1. The State Treasurer shall transfer \$234,954
4 from the Uniform Commercial Code Cash Fund to the Election
5 Administration Fund on or before July 5, 2011.

6 Sec. 2. The State Treasurer shall transfer \$234,954
7 from the Uniform Commercial Code Cash Fund to the Election
8 Administration Fund on or before July 5, 2012.

9 Sec. 3. The State Treasurer shall transfer \$110,000,000
10 from the General Fund to the Property Tax Credit Cash Fund on
11 or before December 15, 2011, on such date as directed by the
12 budget administrator of the budget division of the Department of
13 Administrative Services.

14 Sec. 4. The State Treasurer shall transfer \$110,000,000
15 from the General Fund to the Property Tax Credit Cash Fund on
16 or before December 15, 2012, on such date as directed by the
17 budget administrator of the budget division of the Department of
18 Administrative Services.

19 Sec. 5. The State Treasurer shall transfer \$42,900 from
20 the Local Civic, Cultural, and Convention Center Financing Fund to
21 the Department of Revenue Enforcement Fund on July 1, 2011, or as
22 soon thereafter as administratively possible, pursuant to section
23 77-5601.

1 Sec. 6. The State Treasurer shall transfer \$43,900 from
2 the Local Civic, Cultural, and Convention Center Financing Fund to
3 the Department of Revenue Enforcement Fund on July 1, 2012, or as
4 soon thereafter as administratively possible, pursuant to section
5 77-5601.

6 Sec. 7. The State Treasurer shall transfer \$50,000
7 from the Stem Cell Research Cash Fund to the Health and Human
8 Services Cash Fund on or before June 30, 2012, as directed by the
9 budget administrator of the budget division of the Department of
10 Administrative Services.

11 Sec. 8. The State Treasurer shall transfer \$50,000
12 from the Stem Cell Research Cash Fund to the Health and Human
13 Services Cash Fund on or before June 30, 2013, as directed by the
14 budget administrator of the budget division of the Department of
15 Administrative Services.

16 Sec. 9. The State Treasurer shall transfer \$485,700 from
17 the Tobacco Prevention and Control Cash Fund to the Health and
18 Human Services Cash Fund on or before June 30, 2012, as directed by
19 the budget administrator of the budget division of the Department
20 of Administrative Services.

21 Sec. 10. The State Treasurer shall transfer \$485,700 from
22 the Tobacco Prevention and Control Cash Fund to the Health and
23 Human Services Cash Fund on or before June 30, 2013, as directed by
24 the budget administrator of the budget division of the Department
25 of Administrative Services.

26 Sec. 11. The State Treasurer shall transfer \$2,700,000
27 from the General Fund to the Water Resources Cash Fund on

1 or before June 30, 2012, on such date as directed by the
2 budget administrator of the budget division of the Department
3 of Administrative Services, pursuant to section 61-218.

4 Sec. 12. The State Treasurer shall transfer \$2,700,000
5 from the General Fund to the Water Resources Cash Fund on
6 or before June 30, 2013, on such date as directed by the
7 budget administrator of the budget division of the Department
8 of Administrative Services, pursuant to section 61-218.

9 Sec. 13. The State Treasurer shall transfer \$2,500,000
10 from the General Fund to the Ethanol Production Incentive Cash
11 Fund on or before June 30, 2012, on such date as directed by the
12 budget administrator of the budget division of the Department of
13 Administrative Services, pursuant to subdivision (2)(g) of section
14 66-1345.04.

15 Sec. 14. The State Treasurer shall transfer \$3,800,000
16 from the General Fund to the Ethanol Production Incentive Cash Fund
17 on or before June 30, 2012, on such date as directed by the state
18 budget administrator of the budget division of the Department of
19 Administrative Services, pursuant to subdivision (2)(l) of section
20 66-1345.04.

21 Sec. 15. The State Treasurer shall transfer \$25,000,000
22 from the General Fund to the Nebraska Capital Construction Fund
23 on or before June 30, 2012, on such date as directed by the
24 budget administrator of the budget division of the Department of
25 Administrative Services.

26 Sec. 16. Section 24-205, Revised Statutes Cumulative
27 Supplement, 2010, is amended to read:

1 24-205 The Supreme Court Education Fund is created. The
2 State Court Administrator shall administer the fund. The fund shall
3 consist of money remitted pursuant to section 33-154. Except as
4 otherwise directed by the Supreme Court during the period from
5 November 21, 2009, until June 30, ~~2011~~, 2013, the fund shall only
6 be used to aid in supporting the mandatory training and education
7 program for judges and employees of the Supreme Court, Court of
8 Appeals, district courts, separate juvenile courts, county courts,
9 and Nebraska Probation System as enacted by rule of the Supreme
10 Court. Any money in the 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. 17. Section 24-227.01, Revised Statutes Cumulative
14 Supplement, 2010, is amended to read:

15 24-227.01 The Supreme Court Automation Cash Fund is
16 created. The State Court Administrator shall administer the fund.
17 Except as otherwise directed by the Supreme Court during the
18 period from November 21, 2009, until June 30, ~~2011~~, 2013, the fund
19 shall only be used to support automation expenses of the Supreme
20 Court, Court of Appeals, district courts, separate juvenile courts,
21 county courts, and Nebraska Probation System from the computer
22 automation budget program, except that the State Treasurer shall,
23 on or before June 30, 2011, on such date as directed by the
24 budget administrator of the budget division of the Department of
25 Administrative Services, transfer the amount set forth in Laws
26 2009, LB1, One Hundred First Legislature, First Special Session.
27 Any money in the Supreme Court Automation Cash Fund available

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

4 Sec. 18. Section 25-2921, Revised Statutes Cumulative
5 Supplement, 2010, is amended to read:

6 25-2921 The Dispute Resolution Cash Fund is created.
7 The State Court Administrator shall administer the fund. The fund
8 shall consist of proceeds received pursuant to subdivision (10) of
9 section 25-2908 and section 33-155. Except as otherwise directed
10 by the Supreme Court during the period from November 21, 2009,
11 until June 30, ~~2011~~, 2013, the fund shall be used to supplement
12 the administration of the office and the support of the approved
13 centers. It is the intent of the Legislature that any General Fund
14 money supplanted by the Dispute Resolution Cash Fund may be used
15 for the support and maintenance of the State Library. Any money in
16 the fund available for investment shall be invested by the state
17 investment officer pursuant to the Nebraska Capital Expansion Act
18 and the Nebraska State Funds Investment Act.

19 Sec. 19. Section 29-2259.02, Revised Statutes Cumulative
20 Supplement, 2010, is amended to read:

21 29-2259.02 The State Probation Contractual Services Cash
22 Fund is created. The fund shall consist only of payments received
23 by the state pursuant to contractual agreements with local
24 political subdivisions for probation services provided by the
25 Office of Probation Administration. Except as otherwise directed
26 by the Supreme Court during the period from November 21, 2009,
27 until June 30, ~~2011~~, 2013, the fund shall only be used to

1 pay for probation services provided by the Office of Probation
2 Administration to local political subdivisions which enter into
3 contractual agreements with the Office of Probation Administration.
4 The fund shall be administered by the probation administrator. Any
5 money in the fund available for investment shall be invested by the
6 state investment officer pursuant to the Nebraska Capital Expansion
7 Act and the Nebraska State Funds Investment Act.

8 Sec. 20. Section 29-2262.07, Revised Statutes Cumulative
9 Supplement, 2010, is amended to read:

10 29-2262.07 The Probation Program Cash Fund is created.
11 All funds collected pursuant to section 29-2262.06 shall be
12 remitted to the State Treasurer for credit to the fund. Except
13 as otherwise directed by the Supreme Court during the period from
14 November 21, 2009, until June 30, ~~2011~~, 2013, the fund shall be
15 utilized by the administrator, in consultation with the Community
16 Corrections Council, for the purposes stated in subdivision (14)
17 of section 29-2252, except that the State Treasurer shall, on
18 or before June 30, 2011, on such date as directed by the
19 budget administrator of the budget division of the Department
20 of Administrative Services, transfer the amount set forth in Laws
21 2009, LB1, One Hundred First Legislature, First Special Session.
22 Any money in the fund available for investment shall be invested
23 by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act.

25 On July 15, 2010, the State Treasurer shall transfer
26 three hundred fifty thousand dollars from the Probation Program
27 Cash Fund to the Violence Prevention Cash Fund. The Office

1 of Violence Prevention shall distribute such funds as soon as
2 practicable after July 15, 2010, to organizations or governmental
3 entities that have submitted violence prevention plans and that
4 best meet the intent of reducing street and gang violence and
5 reducing homicides and injuries caused by firearms.

6 Sec. 21. Section 47-632, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 47-632 (1) The Community Corrections Uniform Data
9 Analysis Cash Fund is created. Except as provided in ~~subsection~~
10 subsections (2) and (3) of this section, the fund shall be
11 established for administrative purposes only within the Nebraska
12 Commission on Law Enforcement and Criminal Justice, shall be
13 administered by the executive director of the Community Corrections
14 Council, and shall only be used to support operations costs
15 and analysis relating to the implementation and coordination of
16 the uniform analysis of crime data pursuant to the Community
17 Corrections Act, including associated information technology
18 projects, as specifically approved by the executive director of
19 the Community Corrections Council. The fund shall consist of money
20 collected pursuant to section 47-633.

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

23 (3) The State Treasurer shall transfer the following
24 amounts from the Community Corrections Uniform Data Analysis Cash
25 Fund to the Violence Prevention Cash Fund:

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

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

3 ~~(3)~~ (4) Any money in the Community Corrections Uniform
4 Data Analysis Cash Fund available for investment shall be invested
5 by the state investment officer pursuant to the Nebraska Capital
6 Expansion Act and the Nebraska State Funds Investment Act.

7 Sec. 22. Section 48-1,103, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 48-1,103 There is hereby established in the state
10 treasury a Workers' Compensation Claims Revolving Fund, to
11 be administered by the Risk Manager, from which all workers'
12 compensation costs, including prevention and administration,
13 shall be paid. The fund may also be used to pay the costs of
14 administering the Risk Management Program. The fund shall receive
15 deposits from assessments against state agencies charged by the
16 Risk Manager to pay for workers' compensation costs. When the
17 amount of money in the Workers' Compensation Claims Revolving Fund
18 is not sufficient to pay any awards or judgments under sections
19 48-192 to 48-1,109, the Risk Manager shall immediately advise the
20 Legislature and request an emergency appropriation to satisfy such
21 awards and judgments. Any money in the Workers' Compensation Claims
22 Revolving Fund available for investment shall be invested by the
23 state investment officer pursuant to the Nebraska Capital Expansion
24 Act and the Nebraska State Funds Investment Act.

25 Sec. 23. Section 48-622.01, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 48-622.01 (1) There is hereby created in the state

1 treasury a special fund to be known as the State Unemployment
2 Insurance Trust Fund. All state unemployment insurance tax
3 collected under sections 48-648 to 48-661, less refunds, shall be
4 paid into the fund. Such money shall be held in trust for ~~the sole~~
5 ~~and exclusive use of~~ payment of unemployment insurance benefits.
6 Any money in the fund available for investment shall be invested
7 by the state investment officer pursuant to the Nebraska Capital
8 Expansion Act and the Nebraska State Funds Investment Act, except
9 that interest earned on money in the fund shall be credited to
10 the Nebraska Training and Support Trust Fund at the end of each
11 calendar quarter.

12 (2) The commissioner shall have authority to determine
13 when and in what amounts withdrawals from the State Unemployment
14 Insurance Trust Fund for payment of benefits are necessary. Amounts
15 withdrawn for payment of benefits shall be immediately forwarded
16 to the Secretary of the Treasury of the United States of America
17 to the credit of the state's account in the Unemployment Trust
18 Fund, provisions of law in this state relating to the deposit,
19 administration, release, or disbursement of money in the possession
20 or custody of this state to the contrary notwithstanding.

21 (3) If and when the state unemployment insurance tax
22 ceases to exist as determined by the Governor, all money then in
23 the State Unemployment Insurance Trust Fund less accrued interest
24 shall be immediately transferred to the credit of the state's
25 account in the Unemployment Trust Fund, provisions of law in
26 this state relating to the deposit, administration, release, or
27 disbursement of money in the possession or custody of this state

1 to the contrary notwithstanding. The determination to eliminate the
2 state unemployment insurance tax shall be based on the solvency of
3 the state's account in the Unemployment Trust Fund and the need
4 for training of Nebraska workers. Accrued interest in the State
5 Unemployment Insurance Trust Fund shall be credited to the Nebraska
6 Training and Support Trust Fund.

7 (4) Upon certification from the commissioner that
8 disallowed costs by the United States Department of Labor for
9 FY2007-08, FY2008-09, and FY2009-10, or any one of them, have
10 been reduced to an amount certain by way of settlement or final
11 judgment, the State Treasurer shall transfer the amount of such
12 settlement or final judgment from the State Unemployment Insurance
13 Trust Fund to the Employment Security Special Contingent Fund. The
14 total amount of such transfers shall not exceed \$2,816,345. The
15 amount of the reappropriation of Federal Funds appropriated in
16 FY2004-05 under section 903(d) of the federal Social Security Act
17 shall be reduced by the amount transferred.

18 Sec. 24. Section 66-1345.04, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 66-1345.04 (1) The State Treasurer shall transfer from
21 the General Fund to the Ethanol Production Incentive Cash Fund,
22 on or before the end of each of fiscal years 1995-96 and 1996-97,
23 \$8,000,000 per fiscal year.

24 (2) It is the intent of the Legislature that the
25 following General Fund amounts be appropriated to the Ethanol
26 Production Incentive Cash Fund in each of the following years:

27 (a) For each of fiscal years 1997-98 and 1998-99,

1 \$7,000,000 per fiscal year;

2 (b) For fiscal year 1999-2000, \$6,000,000;

3 (c) For fiscal year 2000-01, \$5,000,000;

4 (d) For fiscal year 2001-02 and for each of fiscal years
5 2003-04 through 2006-07, \$1,500,000;

6 (e) For each of fiscal years 2005-06 and 2006-07,
7 \$2,500,000 in addition to the amount in subdivision (2)(d) of
8 this section;

9 (f) For fiscal year 2007-08, \$5,500,000;

10 (g) For each of fiscal years 2008-09 through 2011-12,
11 \$2,500,000;

12 (h) For each of fiscal years 2005-06 and 2006-07,
13 \$5,000,000 in addition to the other amounts in this section;

14 (i) For fiscal year 2007-08, \$15,500,000 in addition to
15 the other amounts in this section;

16 (j) For fiscal year 2009-10, \$8,250,000 in addition to
17 the other amounts in this section; and

18 (k) For fiscal year 2010-11, \$3,000,000 in addition to
19 the other amounts in this section; and-

20 (l) For fiscal year 2011-12, \$3,800,000 in addition to
21 the other amounts in this section.

22 Sec. 25. Section 81-8,239.02, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 81-8,239.02 The following separate permanent revolving
25 funds are established in the state treasury for use under the Risk
26 Management Program according to the purposes for which each fund is
27 established:

1 (1) The State Insurance Fund is hereby created for
2 the purpose of purchasing insurance to cover property, fidelity,
3 and liability risks of the state and workers' compensation
4 claims against the state and other risks to which the state
5 or its agencies, officials, or employees are exposed and for
6 paying related expenses, including the costs of administering
7 the Risk Management Program. The fund may receive deposits from
8 assessments against state agencies to provide insurance coverage
9 as directed by the Risk Manager. The Risk Manager may retain in
10 the fund sufficient money to pay for any deductibles, self-insured
11 retentions, or copayments as may be required by such insurance
12 policies and Risk Management Program expenses;

13 (2) The State Self-Insured Property Fund is hereby
14 created for the purpose of replacing, repairing, or rebuilding
15 state property which has incurred damage or is suffering other loss
16 not fully covered by insurance and for paying related expenses. The
17 fund may receive deposits from assessments against state agencies
18 to provide property coverage as directed by the Risk Manager. The
19 Risk Manager may assess state agencies to provide self-insured
20 property coverage;

21 (3) The State Self-Insured Indemnification Fund is hereby
22 created for the purpose of paying indemnification claims under
23 section 81-8,239.05. Indemnification claims shall include payments
24 for awards, settlements, and associated costs, including appeal
25 bonds and reasonable costs associated with a required appearance
26 before any tribunal. The fund may receive deposits from assessments
27 against state agencies to pay for the costs associated with

1 providing and supporting indemnification claims. The creation of
2 this fund shall not be interpreted as expanding the liability
3 exposure of the state or its agencies, officials, or employees; and

4 (4) The State Self-Insured Liability Fund is hereby
5 created for the purpose of paying compensable liability and
6 fidelity claims against the state or its agencies, officials,
7 or employees which are not fully covered by insurance and for which
8 there is insufficient agency funding and for which a legislative
9 appropriation is made under the provisions of section 81-8,239.11.
10 The creation of this fund shall not be interpreted as expanding
11 the liability exposure of the state or its agencies, officials, or
12 employees. The Risk Manager shall report all claims and judgments
13 paid from the State Self-Insured Liability Fund to the Clerk of
14 the Legislature annually. The report shall include the name of the
15 claimant, the amount claimed and paid, and a brief description of
16 the claim, including any agency, program, and activity under which
17 the claim arose. Any member of the Legislature may receive a copy
18 of the report by making a request to the Risk Manager.

19 Sec. 26. Section 81-1120.02, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 81-1120.02 As used in sections 81-1120.01 to 81-1120.28
22 and section 29 of this act, unless the context otherwise requires:

23 (1) Director means the Director of Communications;

24 (2) Division means the division of communications of the
25 office of Chief Information Officer;

26 (3) Communications system means the total communications
27 facilities and equipment owned, leased, or used by all departments,

1 agencies, and subdivisions of state government; and

2 (4) Communications means any transmission, emission, or
3 reception of signs, signals, writing, images, and sounds or
4 intelligence of any nature by wire, radio, optical, or other
5 electromagnetic systems.

6 Sec. 27. Section 81-1120.22, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 81-1120.22 The Director of Communications shall develop
9 a system of equitable billings and charges for communications
10 services provided in any consolidated or joint-use system of
11 communications. Such system of charges shall reflect, as nearly
12 as may be practical, the actual share of costs incurred on
13 behalf of or for services to each department, agency, or
14 political subdivision provided communications services. ~~from the~~
15 ~~communications system.~~ Using agencies shall pay for such services
16 out of appropriated or available funds. All Prior to July 1, 2011,
17 all payments shall be credited to the Communications Cash Fund.
18 Beginning July 1, 2011, all payments shall be credited to the
19 Communications Revolving Fund. ~~Prior to July 1, 2011, all 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.~~ All collections for
23 payment of telephone expenses shall be credited to the Telephone
24 Expense Revolving Fund which is hereby created. ~~Expenditures shall~~
25 ~~be made from the Telephone Expense Revolving Fund for the payment~~
26 ~~of telephone expenses subject to appropriations by the Legislature.~~
27 ~~Such payment shall be made by the Director of Communications.~~

1 Beginning July 1, 2011, all collections for payment of telephone
2 expenses shall be credited to the Communications Revolving Fund.
3 On July 1, 2011, or as soon thereafter as is administratively
4 possible, the State Treasurer shall transfer any money in the
5 Telephone Expense Revolving Fund to the Communications Revolving
6 Fund. On July 31, 2011, the Telephone Expense Revolving Fund shall
7 terminate.

8 Sec. 28. Section 81-1120.23, Revised Statutes Cumulative
9 Supplement, 2010, is amended to read:

10 81-1120.23 There is hereby established a cash fund to
11 be known as the Communications Cash Fund. Appropriations made to
12 the division of communications of the office of Chief Information
13 Officer for the purposes of sections 81-1120.01 to 81-1120.28 shall
14 be credited to the fund. All funds received under such sections
15 and all funds received for communications services provided to
16 any agency, department, or other user shall be credited to the
17 fund. The division shall, under policies and procedures established
18 by the director, expend funds from time to time credited to the
19 fund for the communications purposes enumerated in such sections.
20 Transfers may be made from the fund to the General Fund at the
21 direction of the Legislature. Any money in the Communications
22 Cash Fund available for investment shall be invested by the state
23 investment officer pursuant to the Nebraska Capital Expansion Act
24 and the Nebraska State Funds Investment Act. On July 1, 2011,
25 or as soon thereafter as is administratively possible, the State
26 Treasurer shall transfer any money in the Communications Cash
27 Fund to the Communications Revolving Fund. On July 31, 2011, the

1 Communications Cash Fund shall terminate.

2 Sec. 29. There is hereby established a revolving fund to
3 be known as the Communications Revolving Fund. Beginning July 1,
4 2011, appropriations made to the division of communications of the
5 office of Chief Information Officer for the purposes of sections
6 81-1120.01 to 81-1120.28 shall be credited to the fund. Beginning
7 July 1, 2011, all funds received under such sections and all
8 funds received for communications services provided to any agency,
9 department, political subdivision, or other user shall be credited
10 to the fund. The division shall, under policies and procedures
11 established by the director, expend funds from time to time
12 credited to the fund for the communications purposes enumerated
13 in such sections. Any money in the Communications Revolving Fund
14 available for investment shall be invested by the state investment
15 officer pursuant to the Nebraska Capital Expansion Act and the
16 Nebraska State Funds Investment Act.

17 Sec. 30. Section 82-331, Revised Statutes Cumulative
18 Supplement, 2010, is amended to read:

19 82-331 (1) There is hereby established in the state
20 treasury a trust fund to be known as the Nebraska Cultural
21 Preservation Endowment Fund. The fund shall consist of funds
22 appropriated or transferred by the Legislature, and only the
23 earnings of the fund may be used as provided in this section.

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

27 (3) Except as provided in subsection (4) of this section,

1 it is the intent of the Legislature that the State Treasurer
2 shall transfer (a) an amount not to exceed five hundred thousand
3 dollars from the General Fund to the Nebraska Cultural Preservation
4 Endowment Fund on December 31 of 2009 and 2010 and (b) an amount
5 not to exceed five hundred thousand dollars from the General Fund
6 to the Nebraska Cultural Preservation Endowment Fund on December 31
7 of ~~2011, 2012,~~ 2013, 2014, 2015, ~~and 2016, 2017, and 2018.~~

8 (4) Prior to the transfer of funds from any state
9 account into the Nebraska Cultural Preservation Endowment Fund,
10 the Nebraska Arts Council shall provide documentation to the
11 budget division of the Department of Administrative Services that
12 qualified endowments have generated a dollar-for-dollar match
13 of new money, up to the amount of state funds authorized
14 by the Legislature to be transferred to the Nebraska Cultural
15 Preservation Endowment Fund. The budget division of the Department
16 of Administrative Services shall notify the State Treasurer to
17 execute a transfer of state funds up to the amount specified by the
18 Legislature, but only to the extent that the Nebraska Arts Council
19 has provided documentation of a dollar-for-dollar match. Funds not
20 transferred shall be carried forward to the succeeding year and be
21 added to the funds authorized for a dollar-for-dollar match during
22 that year.

23 (5) The Legislature shall not appropriate or transfer
24 money from the Nebraska Cultural Preservation Endowment Fund for
25 any purpose other than the purposes stated in sections 82-330 to
26 82-333, except that the Legislature may appropriate or transfer
27 money from the fund upon a finding that the purposes of such

1 sections are not being accomplished by the fund.

2 (6) Any money in the Nebraska Cultural Preservation
3 Endowment Fund available for investment shall be invested by the
4 state investment officer pursuant to the Nebraska Capital Expansion
5 Act and the Nebraska State Funds Investment Act.

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

9 Sec. 31. Section 85-122, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 85-122 The several funds for the support of the
12 university shall be constituted and designated as follows: (1) The
13 Permanent Endowment Fund; (2) the Temporary University Fund; (3)
14 the University Cash Fund; (4) the United States Morrill Fund; (5)
15 the United States Experiment Station Fund; (6) the University Trust
16 Fund; (7) the United States Agricultural Extension Fund; (8) the
17 Veterinary School Fund; (9) the University of Nebraska at Omaha
18 Cash Fund; (10) the University of Nebraska at Omaha Trust Fund;
19 (11) the University of Nebraska at Kearney Cash Fund; (12) the
20 University of Nebraska at Kearney Trust Fund; (13) the Agricultural
21 Field Laboratory Fund; (14) the Animal Research and Diagnosis
22 Revolving Fund; (15) the University Buildings Renovation and Land
23 Acquisition Fund; (16) the University Facility Improvement Fund;
24 (17) the University of Nebraska Eppley Science Hall Construction
25 Fund; and (18) the University Facilities Fund. No portion of the
26 funds designated above derived from taxation shall be disbursed
27 for mileage or other traveling expenses except as authorized by

1 sections 81-1174 to 81-1177. No expenditures shall be made for or
2 on behalf of the School of Veterinary Medicine and Surgery except
3 from money appropriated to the Veterinary School Fund. Any money
4 in the funds designated in this section available for investment
5 shall be invested by the state investment officer pursuant to
6 the Nebraska Capital Expansion Act and the Nebraska State Funds
7 Investment Act except as provided in sections 85-125, 85-192, and
8 85-1,123.

9 Sec. 32. Section 85-125, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 85-125 The University Cash Fund shall consist of the
12 matriculation and diploma fees, registration fees, laboratory fees,
13 tuition fees, summer session or school fees, all other money or
14 fees collected from students by the authority of the Board of
15 Regents for university purposes, and receipts from all university
16 activities collected by the board in connection with the operation
17 of the university. A record shall be kept by the board separating
18 such money into appropriate and convenient accounts. All money and
19 funds accruing to the University Cash Fund shall ~~become~~ available
20 ~~when appropriated by the Legislature for the use~~ be used for the
21 maintenance and operation of the university and its activities
22 and shall at all times be subject to the orders of the Board
23 of Regents accordingly. The fund shall be in the custody of the
24 State Treasurer, and 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, except that there may be retained by the Board of

1 Regents a sum not to exceed two percent of the fund, which shall be
2 available to make settlement and equitable adjustments to students
3 entitled thereto, to carry on university activities contributing
4 to the fund, and to provide for contingencies. No warrant shall
5 be issued against such fund unless there is money in the hands of
6 the State Treasurer sufficient to pay the same. The board shall
7 cause all money belonging to this fund, which is received by its
8 authority at the university, to be paid over from time to time,
9 as the same is received, to the State Treasurer, to be placed to
10 the credit of this fund, except that the board may retain in its
11 possession a sum, not to exceed four hundred seventy-five thousand
12 dollars, out of which money at least fifty thousand dollars shall
13 be available during the first two weeks of each term to make
14 advances to students who have financial aid in excess of tuition
15 and fees, and the remainder of which money shall be available to
16 make settlement and equitable adjustments with students entitled
17 thereto, to carry on university activities contributing to this
18 fund, and to provide for contingencies. The board may require its
19 secretary, in addition to his or her other duties, to perform all
20 acts necessary to carry into effect the provisions of this section.

21 Sec. 33. Section 85-192, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 85-192 There is hereby created a University of Nebraska
24 at Omaha Cash Fund which shall consist of all fees and other
25 money collected from students at the University of Nebraska at
26 Omaha by authority of the Board of Regents of the University of
27 Nebraska for university purposes, all receipts from all university

1 activities at the University of Nebraska at Omaha collected in
2 connection with the operation of such university, and the money
3 and funds received at the time the University of Nebraska at Omaha
4 was established. A record shall be kept separating such money and
5 funds into appropriate and convenient accounts. All money and funds
6 accruing to the cash fund ~~when appropriated by the Legislature~~
7 shall be used for the maintenance and operation of the University
8 of Nebraska at Omaha and shall at all times be subject to the
9 orders of the Board of Regents. The fund shall be in the custody
10 of the State Treasurer, and any money in such 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, except that there may be retained
14 at the University of Nebraska at Omaha a sum not to exceed two
15 percent of the fund, which shall be available to make settlement
16 and equitable adjustments to students entitled thereto, to carry on
17 university activities contributing to the fund, and to provide for
18 contingencies. No warrant shall be issued against such fund unless
19 there is money sufficient to pay the same. There may be retained at
20 the University of Nebraska at Omaha a sum not to exceed one hundred
21 seventy-five thousand dollars out of such money to make settlement
22 and equitable adjustments to students entitled thereto, to carry
23 on university activities contributing to the fund, and to provide
24 for contingencies. The fund shall be in the custody of the State
25 Treasurer. Any money in such fund available for investment shall be
26 invested by the state investment officer pursuant to the Nebraska
27 Capital Expansion Act and the Nebraska State Funds Investment Act.

1 There is hereby created a University of Nebraska at Omaha
2 Trust Fund which shall consist of all property, real or personal,
3 now or hereafter acquired by or for the municipal University of
4 Omaha by donation or bequest to it, which property shall be held
5 and applied in the manner and according with the provisions of
6 the will, deed, or instrument making such donation or bequest. All
7 future donations or bequests to or for the University of Nebraska
8 at Omaha shall be a part of such trust fund. Such trust fund
9 shall be held and managed in such manner as the Board of Regents
10 shall determine. Such holdings and management shall be in strict
11 accordance with all terms of the donation or bequest, but in the
12 absence of any investment instructions the funds may be invested by
13 or at the direction of the Board of Regents in such investments as
14 are authorized for trustees, guardians, personal representatives,
15 or administrators under the laws of Nebraska. Any money in such
16 fund available for investment shall be invested by the state
17 investment officer pursuant to the Nebraska Capital Expansion Act
18 and the Nebraska State Funds Investment Act.

19 Sec. 34. Section 85-1,123, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 85-1,123 (1) There is hereby created the University of
22 Nebraska at Kearney Cash Fund. The fund shall consist of all
23 fees and other money collected from students at the University of
24 Nebraska at Kearney by authority of the Board of Regents of the
25 University of Nebraska for university purposes, all receipts from
26 all university activities at the University of Nebraska at Kearney
27 collected in connection with the operation of such university, and

1 the money and funds received at the time the University of Nebraska
2 at Kearney was established. A record shall be kept separating the
3 money and funds into appropriate and convenient accounts. All money
4 and funds accruing to the fund ~~when appropriated by the Legislature~~
5 shall be used for the maintenance and operation of the University
6 of Nebraska at Kearney and shall at all times be subject to the
7 orders of the Board of Regents. The fund shall be in the custody
8 of the State Treasurer, and any money in such fund available
9 for investment shall be invested by the state investment officer
10 pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act, except that there may be retained at
12 the University of Nebraska at Kearney a sum not to exceed two
13 percent of the fund, which shall be available to make settlement
14 and equitable adjustments to students entitled thereto, to carry on
15 university activities contributing to the fund, and to provide for
16 contingencies. No warrant shall be issued against the fund unless
17 there is money sufficient to pay the same. ~~There may be retained~~
18 ~~at the University of Nebraska at Kearney a sum not to exceed~~
19 ~~one hundred seventy-five thousand dollars out of the fund to make~~
20 ~~settlement and equitable adjustments to students entitled thereto,~~
21 ~~to carry on university activities contributing to the fund, and to~~
22 ~~provide for contingencies. The University of Nebraska at Kearney~~
23 ~~Cash Fund shall be in the custody of the State Treasurer.~~

24 (2) There is hereby created the University of Nebraska at
25 Kearney Trust Fund, which fund shall consist of all property, real
26 or personal, acquired as of July 1, 1991, or at any time thereafter
27 by or for Kearney State College by donation or bequest to it, which

1 property shall be held and applied in the manner and according
2 with the provisions of the will, deed, or instrument making such
3 donation or bequest. All future donations or bequests to the
4 University of Nebraska at Kearney shall be a part of such fund.
5 The fund shall be held and managed in such manner as the Board of
6 Regents shall determine. The holdings and management shall be in
7 strict accordance with all terms of the donation or bequest, except
8 that in the absence of any investment instructions, the funds may
9 be invested by or at the direction of the Board of Regents in such
10 investments as are authorized for trustees, guardians, personal
11 representatives, or administrators under the laws of Nebraska.

12 Sec. 35. Section 9-531, Uniform Commercial Code, Revised
13 Statutes Cumulative Supplement, 2010, is amended to read:

14 9-531 Uniform Commercial Code Cash Fund; created; use;
15 Secretary of State; duties; fees.

16 (a) There is created the Uniform Commercial Code Cash
17 Fund. Except as otherwise specifically provided, all funds received
18 pursuant to this part and sections 52-1312, 52-1313, 52-1316, and
19 52-1602, Reissue Revised Statutes of Nebraska, shall be placed in
20 the fund and used by the Secretary of State to carry out this
21 part, sections 52-1301 to 52-1322, Reissue Revised Statutes of
22 Nebraska, and sections 52-1601 to 52-1605, Reissue Revised Statutes
23 of Nebraska, except that transfers from the Uniform Commercial Code
24 Cash Fund to the General Fund, the Election Administration Fund,
25 and the Records Management Cash Fund may be made at the direction
26 of the Legislature.

27 (b) (1) The Secretary of State shall furnish each county

1 clerk with computer terminal hardware, including a printer,
2 compatible with the centralized computer system implemented and
3 maintained pursuant to section 9-529, for inquiries and searches
4 of information in such centralized computer system. The terminals
5 shall be readily and reasonably available and accessible to members
6 of the public for such inquiries and searches.

7 (2) The fees charged by county clerks for inquiries and
8 other services regarding information in the centralized computer
9 system shall be the same as set forth for filing offices in this
10 part.

11 Sec. 36. Original sections 47-632, 48-1,103, 48-622.01,
12 66-1345.04, 81-8,239.02, 81-1120.02, 81-1120.22, 85-122, 85-125,
13 85-192, and 85-1,123, Reissue Revised Statutes of Nebraska,
14 sections 24-205, 24-227.01, 25-2921, 29-2259.02, 29-2262.07,
15 81-1120.23, and 82-331, Revised Statutes Cumulative Supplement,
16 2010, and section 9-531, Uniform Commercial Code, Revised Statutes
17 Cumulative Supplement, 2010, are repealed.

18 Sec. 37. The following sections are outright repealed:
19 Section 81-3606, Reissue Revised Statutes of Nebraska, and section
20 77-3,111, Revised Statutes Cumulative Supplement, 2010.

21 Sec. 38. Since an emergency exists, this act takes effect
22 when passed and approved according to law.