

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1053A**

Final Reading

Introduced by Louden, 49.

Read first time March 22, 2012

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2011, LB374,  
2 sections 222 and 260, as amended by sections 61 and 65,  
3 respectively, Legislative Bill 968, One Hundred Second  
4 Legislature, Second Session, 2012; to appropriate funds  
5 to aid in carrying out the provisions of Legislative Bill  
6 1053, One Hundred Second Legislature, Second Session,  
7 2012; to change and eliminate provisions relating to  
8 appropriations; to provide an operative date; to repeal  
9 the original sections; and to declare an emergency.  
10 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Laws 2011, LB374, section 222, as amended by  
 2 section 61, Legislative Bill 968, One Hundred Second Legislature,  
 3 Second Session, 2012, is amended to read:

4                   Sec. 61. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC  
 5 DEVELOPMENT

6                   Program No. 618 - Tourism Promotion

	FY2011-12	FY2012-13
8 <del>GENERAL FUND</del>	250,000	250,000
9 <del>CASH FUND</del>	4,214,556	3,979,777
10 <del>FEDERAL FUND est.</del>	959,815	959,815
11 <del>PROGRAM TOTAL</del>	5,424,371	5,189,592
12 <del>SALARY LIMIT</del>	712,821	726,350
13 <u>GENERAL FUND</u>	<u>250,000</u>	<u>-0-</u>
14 <u>CASH FUND</u>	<u>4,214,556</u>	<u>-0-</u>
15 <u>FEDERAL FUND est.</u>	<u>959,815</u>	<u>-0-</u>
16 <u>PROGRAM TOTAL</u>	<u>5,424,371</u>	<u>-0-</u>
17 <u>SALARY LIMIT</u>	<u>712,821</u>	<u>-0-</u>

18                   The unexpended General Fund appropriation balance  
 19 existing on June 30, 2011, is hereby reappropriated. The unexpended  
 20 General, Cash, and Federal Fund appropriation balances existing on  
 21 June 30, 2012, are hereby reappropriated to Agency 91, Program 618.

22                   There is included in the appropriation to this program  
 23 for FY2011-12 \$102,600 Cash Funds for state aid, which shall only be

1 used for such purpose. There is included in the appropriation to this  
2 program for FY2012-13 ~~\$102,600~~ \$-0- Cash Funds for state aid, which  
3 shall only be used for such purpose.

4           There is included in the appropriation to this program  
5 for FY2011-12 \$250,000 General Funds, which shall be used by the  
6 Department of Economic Development for advertising, marketing, and  
7 promotional efforts for tourism activities and travel destinations.  
8 Such promotional activities shall be representative of the statewide  
9 tourism economy and targeted toward external markets in an effort to  
10 bring outside capital into the state. There is included in the  
11 appropriation to this program for FY2012-13 ~~\$150,000~~ \$-0- General  
12 Funds, which shall be used by the Department of Economic Development  
13 for advertising, marketing, and promotional efforts for tourism  
14 activities and travel destinations. Such promotional activities shall  
15 be representative of the statewide tourism economy and targeted  
16 toward external markets in an effort to bring outside capital into  
17 the state.

18           There is included in the appropriation to this program  
19 \$250,000 Cash Funds for FY2011-12 to provide funding for promotional  
20 and visitor development activities related to the hosting of an  
21 Olympic Team Trial event and a United States National Championship  
22 event by a city of the metropolitan class. ~~There is included in the~~  
23 ~~appropriation to this program \$100,000 General Funds for FY2012-13 to~~  
24 ~~provide funding for promotional and visitor development activities~~  
25 ~~related to the hosting of an Olympic Team Trial event and a United~~

1 ~~States National Championship event by a city of the metropolitan~~  
2 ~~class.~~

3           Sec. 2. Laws 2011, LB374, section 260, as amended by  
4 section 65, Legislative Bill 968, One Hundred Second Legislature,  
5 Second Session, 2012, is amended to read:

6           Sec. 65. CASH FUNDS.

7           The receipts for FY2011-12 and FY2012-13 inuring to the  
8 several Cash Funds, together with any amounts held in account by the  
9 State Treasurer on June 30, 2011, are hereby credited to each of the  
10 funds respectively.

11           Expenditure of Cash Funds appropriated in this act shall  
12 be limited to the amount shown by program except when specific  
13 exceptions are made. The amounts appropriated in this act include the  
14 following funds:

15           (1) Legislative Council: Nebraska Legislative Shared  
16 Information System Cash Fund, Donations/Contributions Cash Fund,  
17 Nebraska Health Care Cash Fund;

18           (2) Supreme Court: Supreme Court Reports Cash Fund,  
19 Probation Program Cash Fund, Probation Cash Fund, State Probation  
20 Contractual Services Cash Fund, Dispute Resolution Cash Fund, Counsel  
21 for Discipline Cash Fund, Supreme Court Education Fund, Supreme Court  
22 Automation Cash Fund, Parenting Act Fund;

23           (3) Governor: Governor's Policy Research Cash Fund;

24           (4) Secretary of State: Nebraska Collection Agency Fund,  
25 Records Management Cash Fund, Secretary of State Administration Cash

1 Fund, Uniform Commercial Code Cash Fund, Corporation Cash Fund,  
2 Election Administration Fund;

3 (5) Auditor of Public Accounts: Cooperative Audit Cash  
4 Fund;

5 (6) Attorney General: Motor Vehicle Fraud Cash Fund,  
6 Department of Justice Natural Resources Enforcement Fund, State  
7 Settlement Cash Fund, Nebraska Health Care Cash Fund, State DNA  
8 Sample and Data Base Fund, State Medicaid Fraud Control Unit Cash  
9 Fund;

10 (7) State Treasurer: State Treasurer Administrative Fund,  
11 Unclaimed Property Cash Fund, Mutual Finance Assistance Fund, College  
12 Savings Plan Administrative Fund, College Savings Plan Expense Fund,  
13 Convention Center Support Fund, State Disbursement Unit Cash Fund,  
14 Treasury Management Cash Fund, Sports Arena Facility Support Fund;

15 (8) State Department of Education: State Department of  
16 Education Cash Fund, Certification Fund, Professional Practices  
17 Commission Fund, Tax Equity and Educational Opportunities Fund,  
18 Education Innovation Fund, School Technology Fund, Tuition Recovery  
19 Cash Fund, Private Postsecondary Career Schools Cash Fund, Excellence  
20 in Teaching Cash Fund, School District Reorganization Fund;

21 (9) Public Service Commission: Nebraska Grain Warehouse  
22 Surveillance Cash Fund, Nebraska Telecommunications Relay System  
23 Fund, Public Service Commission Housing and Recreational Vehicle Cash  
24 Fund, Nebraska Telecommunications Universal Service Fund, Nebraska  
25 Internet Enhancement Fund, Nebraska Competitive Telephone Marketplace

1 Fund, Enhanced Wireless 911 Fund, Moisture Testing Examination Fund,  
2 Grain Warehouse Auditing Fund, Municipal Rate Negotiations Revolving  
3 Loan Fund, Public Service Commission Pipeline Regulation Fund;

4 (10) Department of Revenue: Department of Revenue  
5 Enforcement Fund, State Lottery Operation Cash Fund, Marijuana and  
6 Controlled Substances Tax Administration Cash Fund, Department of  
7 Revenue Contractor Enforcement Fund, Waste Reduction and Recycling  
8 Incentive Fees Collection Fund, Petroleum Release Remedial Action  
9 Collection Fund, Litter Fee Collection Fund, Severance Tax  
10 Administration Fund, Department of Revenue Miscellaneous Receipts  
11 Fund, Charitable Gaming Operations Fund, Tobacco Products  
12 Administration Cash Fund, Nebraska Incentives Fund, Motor Fuel Tax  
13 Enforcement and Collection Cash Fund, Nebraska Health Care Cash Fund,  
14 State Athletic Commissioner's Cash Fund, Department of Revenue  
15 Property Assessment Division Cash Fund, Property Tax Credit Cash  
16 Fund, Energy Conservation Improvement Fund, Nebraska Advantage  
17 Transformational Tourism and Redevelopment Act Cash Fund;

18 (11) Department of Aeronautics: Department of Aeronautics  
19 Cash Fund;

20 (12) Department of Agriculture: Fertilizers and Soil  
21 Conditioners Administrative Fund, Commercial Feed Administration Cash  
22 Fund, Pure Milk Cash Fund, Soil and Plant Analysis Laboratory Cash  
23 Fund, Livestock Auction Market Fund, Nebraska Potato Development  
24 Fund, Graded Egg Fund, Weights and Measures Administrative Fund,  
25 Nebraska Poultry and Egg Development, Utilization, and Marketing

1 Fund, Agricultural Products Marketing Information Cash Fund,  
2 Manufacturing Milk Cash Fund, Pure Food Cash Fund, Nebraska  
3 Agricultural Products Marketing Cash Fund, State Apiary Cash Fund,  
4 Pseudorabies Control Cash Fund, Weed Book Cash Fund, Pesticide  
5 Administrative Cash Fund, Nebraska Seed Administrative Cash Fund,  
6 Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash Fund,  
7 Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage  
8 Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive  
9 Fund, Winery and Grape Producers Promotional Fund, Commercial Dog and  
10 Cat Operator Inspection Program Cash Fund, Domesticated Cervine  
11 Animal Cash Fund, Anthrax Control Act Cash Fund;

12 (13) Department of Banking and Finance: Financial  
13 Institution Assessment Cash Fund, Securities Act Cash Fund, Banking  
14 Settlement Cash Fund;

15 (14) State Fire Marshal: Nebraska Natural Gas Pipeline  
16 Safety Cash Fund, State Fire Marshal Cash Fund, Underground Storage  
17 Tank Fund, Training Division Cash Fund, Reduced Cigarette Ignition  
18 Propensity Fund;

19 (15) Department of Insurance: Department of Insurance  
20 Cash Fund;

21 (16) Department of Labor: Employment Security Special  
22 Contingent Fund, Farm Labor Contractors Fund, Contractor Registration  
23 Cash Fund, Boiler Inspection Cash Fund, Mechanical Safety Inspection  
24 Fund, Professional Employer Organization Cash Fund;

25 (17) Department of Motor Vehicles: Motor Carrier Division

1 Cash Fund, Department of Motor Vehicles Cash Fund, License Plate Cash  
2 Fund, Motorcycle Safety Education Fund;

3 (18) Department of Health and Human Services: Health and  
4 Human Services Cash Fund, Veterans' Home Building Fund, Institution  
5 Cash Fund, Small Business Enterprises Cash Fund, School District  
6 Reimbursement Fund, Compulsive Gamblers Assistance Fund, Nebraska  
7 Child Abuse Prevention Fund, Nebraska Health Care Cash Fund,  
8 Children's Health Insurance Cash Fund, Childhood Care Cash Fund,  
9 University of Nebraska Medical Center Medical Education Revolving  
10 Fund, Behavioral Health Services Fund, Health and Human Services  
11 Reimbursement Fund, Professional and Occupational Credentialing Cash  
12 Fund, Rural Health Professional Incentive Fund, Organ and Tissue  
13 Donor Awareness and Education Fund, Tobacco Prevention and Control  
14 Cash Fund, Stem Cell Research Cash Fund;

15 (19) Department of Roads: Highway Cash Fund, Grade  
16 Crossing Protection Fund, State Recreation Road Fund, Roads  
17 Operations Cash Fund, Midwest Interstate Passenger Rail Compact Cash  
18 Fund, Light-Density Rail Line Assistance Cash Fund;

19 (20) Department of Veterans' Affairs: Veteran Cemetery  
20 Construction Fund, Nebraska Veteran Cemetery System Operation Fund;

21 (21) Department of Natural Resources: Water Resources  
22 Cash Fund, Republican River Basin Water Sustainability Task Force  
23 Cash Fund, Small Watersheds Flood Control Fund, Nebraska Resources  
24 Development Fund, Nebraska Soil and Water Conservation Fund, Natural  
25 Resources Water Quality Fund, Water Well Decommissioning Fund, Carbon



1 Sequestration Assessment Cash Fund, Water Resources Trust Fund,  
2 Department of Natural Resources Cash Fund;  
3           (22) State Electrical Board: Electrical Division Fund;  
4           (23) Military Department: Military Department Cash Fund,  
5 Governor's Emergency Cash Fund, Nebraska Emergency Management Agency  
6 Cash Fund, Nebraska Emergency Planning and Community Right to Know  
7 Cash Fund, Joint Operations Center Cash Fund;  
8           (24) Board of Educational Lands and Funds: Surveyors'  
9 Cash Fund, Board of Educational Lands and Funds Cash Fund, Survey  
10 Record Repository Fund;  
11           (25) Game and Parks Commission: State Game Fund, State  
12 Park Cash Revolving Fund, Nebraska Habitat Fund, Nebraska Aquatic  
13 Habitat Fund, Nebraska Snowmobile Trail Cash Fund, Nebraska Outdoor  
14 Recreation Development Cash Fund, Wildlife Conservation Fund,  
15 Nebraska Environmental Trust Fund, Cowboy Trail Fund, Game Law  
16 Investigation Cash Fund, Niobrara Council Fund, Nebraska  
17 Environmental Endowment Fund, Ferguson House Fund;  
18           (26) Nebraska Library Commission: Nebraska Library  
19 Commission Cash Fund;  
20           (27) Nebraska Liquor Control Commission: Nebraska Liquor  
21 Control Commission Rule and Regulation Cash Fund;  
22           (28) State Racing Commission: Racing Commission's Cash  
23 Fund, Track Distribution Fund;  
24           (29) Nebraska Workers' Compensation Court: Compensation  
25 Court Cash Fund;

1                   (30) Nebraska Brand Committee: Nebraska Brand Inspection  
2 and Theft Prevention Fund;

3                   (31) Nebraska Motor Vehicle Industry Licensing Board:  
4 Nebraska Motor Vehicle Industry Licensing Fund;

5                   (32) State Real Estate Commission: State Real Estate  
6 Commission's Fund;

7                   (33) Board of Barber Examiners: Board of Barber Examiners  
8 Fund;

9                   (34) Department of Correctional Services: Department of  
10 Correctional Services Facility Cash Fund, Parole Program Cash Fund,  
11 Reentry Cash Fund;

12                   (35) Nebraska Educational Telecommunications Commission:  
13 State Educational Telecommunications Fund, NEB\*SAT Cash Fund;

14                   (36) Coordinating Commission for Postsecondary Education:  
15 Coordinating Commission for Postsecondary Education Cash Fund,  
16 Nebraska Opportunity Grant Fund;

17                   (37) Nebraska State Colleges: Chadron Cash Fund, Peru  
18 Cash Fund, Wayne Cash Fund, Chadron State College Designated Cash  
19 Fund, Peru State College Designated Cash Fund, Wayne State College  
20 Designated Cash Fund, Board of Trustees Cash Fund;

21                   (38) University of Nebraska: University Cash Fund,  
22 Temporary University Fund, University of Nebraska at Omaha Cash Fund,  
23 University of Nebraska Medical Center Cash Fund, University of  
24 Nebraska at Kearney Cash Fund, University of Nebraska Central  
25 Administration Designated Cash Fund, University of Nebraska-Lincoln

1 Designated Cash Fund, University of Nebraska at Omaha Designated Cash  
2 Fund, University of Nebraska Medical Center Designated Cash Fund,  
3 University of Nebraska at Kearney Designated Cash Fund;

4 (39) Nebraska State Fair Board: Antique Farm Machinery  
5 and Equipment Fund;

6 (40) Real Property Appraiser Board: Real Property  
7 Appraiser Fund;

8 (41) Nebraska State Historical Society: Historical  
9 Society Fund, Historical Landmark Cash Fund;

10 (42) Nebraska Wheat Development, Utilization, and  
11 Marketing Board: Nebraska Wheat Development, Utilization, and  
12 Marketing Fund;

13 (43) Nebraska Oil and Gas Conservation Commission: Oil  
14 and Gas Conservation Fund;

15 (44) Board of Engineers and Architects: Engineers and  
16 Architects Regulation Fund;

17 (45) Board of Geologists: Geologists Regulation Fund;

18 (46) Nebraska Ethanol Board: Agricultural Alcohol Fuel  
19 Tax Fund, Ethanol Production Incentive Cash Fund;

20 (47) Nebraska Dairy Industry Development Board: Nebraska  
21 Dairy Industry Development Fund;

22 (48) State Board of Examiners for Land Surveyors: Land  
23 Surveyor Examiner's Fund;

24 (49) Nebraska State Board of Public Accountancy:  
25 Certified Public Accountants Fund;

1                   (50) Nebraska State Patrol: Nebraska State Patrol Cash  
2 Fund, Investigation Petty Cash Fund, Carrier Enforcement Cash Fund,  
3 Nebraska State Patrol Drug Control and Education Cash Fund, Public  
4 Safety Cash Fund, Nebraska State Patrol Vehicle Replacement Cash  
5 Fund, Nebraska Public Safety Communication System Cash Fund;

6                   (51) Department of Administrative Services: Building  
7 Renewal Allocation Fund, State Building Renewal Assessment Fund,  
8 University Building Renewal Assessment Fund, State College Building  
9 Renewal Assessment Fund, Capitol Restoration Cash Fund, Vacant  
10 Building and Excess Land Cash Fund, Resource Recovery Fund, Tort  
11 Claims Fund, Information Technology Infrastructure Fund, Health and  
12 Life Benefit Administration Cash Fund, City of the Primary Class  
13 Development Fund, City of the Metropolitan Class Development Fund,  
14 World Day on the Mall Cash Fund;

15                   (52) Abstracters Board of Examiners: Abstracters Board of  
16 Examiners Cash Fund;

17                   (53) Commission on Latino-Americans: Hispanic Awareness  
18 Cash Fund, Commission on Latino-Americans Cash Fund;

19                   (54) Nebraska Arts Council: Nebraska Arts Council Cash  
20 Fund, Nebraska Arts and Humanities Cash Fund;

21                   (55) State Foster Care Review Board: Foster Care Review  
22 Board Cash Fund;

23                   (56) Nebraska Energy Office: School Weatherization Fund,  
24 State Energy Office Cash Fund;

25                   (57) Department of Economic Development: Nebraska

1 Agricultural Products Research Fund, Aerospace Museum Cash Fund,  
2 ~~State Visitors Promotion Cash Fund,~~ Job Training Cash Fund,  
3 Administrative Cash Fund, ~~Tourist Promotion Fund,~~ Affordable Housing  
4 Trust Fund, Comprehensive Housing Strategy Cash Fund, Economic  
5 Development Cash Fund, Civic and Community Center Financing Fund;

6 (58) State Board of Landscape Architects: State Board of  
7 Landscape Architects Cash Fund;

8 (59) Nebraska Power Review Board: Nebraska Power Review  
9 Fund;

10 (60) Nebraska Investment Council: State Investment  
11 Officer's Cash Fund;

12 (61) Nebraska Commission on Law Enforcement and Criminal  
13 Justice: Nebraska Law Enforcement Training Center Cash Fund, Law  
14 Enforcement Improvement Fund, Victim's Compensation Fund, Community  
15 Corrections Uniform Data Analysis Cash Fund, Violence Prevention Cash  
16 Fund, Nebraska Crime Victim Fund;

17 (62) Commission for the Blind and Visually Impaired:  
18 Commission for the Blind and Visually Impaired Cash Fund;

19 (63) Commission for the Deaf and Hard of Hearing:  
20 Commission for the Deaf and Hard of Hearing Fund;

21 (64) Department of Environmental Quality: Integrated  
22 Solid Waste Management Cash Fund, Nebraska Litter Reduction and  
23 Recycling Fund, Department of Environmental Quality Cash Fund,  
24 Chemigation Costs Fund, Low-Level Radioactive Waste Cash Fund,  
25 Petroleum Products and Hazardous Substances Storage and Handling

1 Fund, Petroleum Release Remedial Action Cash Fund, Wastewater  
2 Treatment Operator Certification Cash Fund, Local Site Selection Cash  
3 Fund, Local Monitoring Committee Cash Fund, Waste Reduction and  
4 Recycling Incentive Fund, Wastewater Treatment Facilities  
5 Construction Loan Fund, Remedial Action Plan Monitoring Fund,  
6 Livestock Waste Management Cash Fund, Drinking Water Administration  
7 Fund, Clean Air Title V Cash Fund, Air Quality Permit Cash Fund,  
8 Superfund Cost Share Cash Fund, Private Onsite Wastewater Treatment  
9 System Certification and Registration Cash Fund, Solid Waste Landfill  
10 Closure Assistance Fund;

11 (65) Public Employees Retirement Board: School Expense  
12 Fund, Judges Expense Fund, State Patrol Expense Fund, Deferred  
13 Compensation Expense Fund, State Employees Retirement System Expense  
14 Fund, County Employees Retirement System Expense Fund, State Employer  
15 Retirement Expense Fund, County Employer Retirement Expense Fund,  
16 State Cash Balance Expense Fund, County Cash Balance Expense Fund;

17 (66) Dry Bean Commission: Dry Bean Development,  
18 Utilization, Promotion, and Education Fund;

19 (67) Nebraska Accountability and Disclosure Commission:  
20 Nebraska Accountability and Disclosure Commission Cash Fund, Campaign  
21 Finance Limitation Cash Fund;

22 (68) Corn Development, Utilization, and Marketing Board:  
23 Nebraska Corn Development, Utilization, and Marketing Fund;

24 (69) Community College Aid: Nebraska Community College  
25 Aid Cash Fund;

1                    (70) Nebraska Tourism Commission: State Visitors  
 2 Promotion Cash Fund;

3                    ~~(70)~~(71) Grain Sorghum Development, Utilization, and  
 4 Marketing Board: Grain Sorghum Development, Utilization, and  
 5 Marketing Fund;

6                    ~~(71)~~(72) Tax Equalization and Review Commission: Tax  
 7 Equalization and Review Commission Cash Fund;

8                    ~~(72)~~(73) Commission on Public Advocacy: Commission on  
 9 Public Advocacy Operations Cash Fund, Legal Aid and Services Fund,  
 10 Civil Legal Services Fund; and

11                    ~~(73)~~(74) Commission on Indian Affairs: Designated  
 12 Collection Fund.

13                    Sec. 3. AGENCY NO. 91 - NEBRASKA TOURISM COMMISSION

14                    Program No. 618 - Tourism Promotion

	<u>FY2011-12</u>	<u>FY2012-13</u>
16 <u>GENERAL FUND</u>	<u>-0-</u>	<u>250,000</u>
17 <u>CASH FUND</u>	<u>-0-</u>	<u>3,979,777</u>
18 <u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>959,815</u>
19 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>5,189,592</u>
20 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>826,350</u>

21                    There is included in the appropriation to this program  
 22 for FY2012-13 \$102,600 Cash Funds for state aid, which shall only be  
 23 used for such purpose.

24                    The limitation on expenditures for permanent and

1 temporary salaries and per diems for FY2012-13 in this program shall  
2 be increased by certified encumbrance amounts from FY2011-12 for  
3 permanent and temporary salaries and per diems from Agency No. 72 -  
4 Department of Economic Development, Program No. 618.

5 There is included in the appropriation to this program  
6 for FY2012-13 \$150,000 General Funds, which shall be used by the  
7 Nebraska Tourism Commission for advertising, marketing, and  
8 promotional efforts for tourism activities and travel destinations.  
9 Such promotional activities shall be representative of the statewide  
10 tourism economy and targeted toward external markets in an effort to  
11 bring outside capital into the state.

12 There is included in the appropriation to this program  
13 \$100,000 General Funds for FY2012-13 to provide funding for  
14 promotional and visitor development activities related to the hosting  
15 of an Olympic Team Trial event and a United States National  
16 Championship event by a city of the metropolitan class.

17 Sec. 4. This act becomes operative on July 1, 2012.

18 Sec. 5. Original Laws 2011, LB374, sections 222 and 260,  
19 as amended by sections 61 and 65, respectively, Legislative Bill 968,  
20 One Hundred Second Legislature, Second Session, 2012, are repealed.

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