

AMENDMENTS TO LB906

Introduced by Appropriations

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

2           Section 1. The State Treasurer shall transfer six million  
3 eight hundred thousand dollars from the Health and Human Services  
4 Cash Fund to the General Fund on or before July 15, 2014, on such  
5 date as directed by the budget administrator of the budget division  
6 of the Department of Administrative Services.

7           Sec. 2. The Vehicle Title Registration System Replacement  
8 and Maintenance Cash Fund is hereby created. The fund shall  
9 be administered by the Department of Motor Vehicles. The fund  
10 shall be used by the department to pay for costs associated with  
11 the acquisition, implementation, maintenance, support, upgrades,  
12 and replacement of the vehicle titling and registration computer  
13 system. Any money in the fund available for investment shall be  
14 invested by the state investment officer pursuant to the Nebraska  
15 Capital Expansion Act and the Nebraska State Funds Investment Act.

16           Sec. 3. The State Treasurer shall transfer twelve million  
17 five hundred thousand dollars from the Department of Motor Vehicles  
18 Cash Fund to the Vehicle Title Registration System Replacement and  
19 Maintenance Cash Fund on July 1, 2014, or as soon thereafter as  
20 administratively possible.

21           Sec. 4. The Game and Parks State Park Improvement and  
22 Maintenance Fund is created. The fund shall consist of transfers  
23 made by the Legislature and any gifts, grants, bequests, or

1 donations to the fund. Money in the fund shall be used to build,  
2 repair, renovate, rehabilitate, restore, modify, or improve any  
3 infrastructure in the state park system. 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. 5. The State Treasurer, at the direction of the  
8 budget administrator of the budget division of the Department of  
9 Administrative Services, shall transfer fifteen million dollars  
10 from the General Fund to the Game and Parks State Park Improvement  
11 and Maintenance Fund on or before July 31, 2014.

12           Sec. 6. The State Treasurer, at the direction of the  
13 budget administrator of the budget division of the Department of  
14 Administrative Services, shall transfer two million five hundred  
15 thousand dollars from the State Recreation Road Fund to the Game  
16 and Parks State Park Improvement and Maintenance Fund on or before  
17 July 31, 2014.

18           Sec. 7. The Water Sustainability Fund is created in  
19 the Department of Natural Resources. The fund shall be used in  
20 accordance with the provisions established in Legislative Bill  
21 1098, One Hundred Third Legislature, Second Session, 2014, and for  
22 costs directly related to the administration of the fund.

23           The fund shall consist of money transferred to the fund  
24 by the Legislature, other funds as appropriated by the Legislature,  
25 and money donated as gifts, bequests, or other contributions from  
26 public or private entities. Funds made available by any department  
27 or agency of the United States may also be credited to the fund

1 if so directed by such department or agency. Any money in the  
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. Investment earnings  
5 from investment of money in the fund shall be credited to the fund.

6 It is the intent of the Legislature that twenty-one  
7 million dollars be transferred from the General Fund to the  
8 Water Sustainability Fund in fiscal year 2014-15 and that eleven  
9 million dollars be transferred from the General Fund to the Water  
10 Sustainability Fund each fiscal year beginning in fiscal year  
11 2015-16.

12 Sec. 8. The State Treasurer shall transfer twenty-one  
13 million dollars from the General Fund to the Water Sustainability  
14 Fund no later than July 15, 2014, on such date as directed by the  
15 budget administrator of the budget division of the Department of  
16 Administrative Services.

17 Sec. 9. Section 2-1588, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 2-1588 (1) Any money in the Nebraska Resources  
20 Development Fund may be allocated by the commission in accordance  
21 with sections 2-1586 to 2-1595 for utilization by the department,  
22 by any state office, agency, board, or commission, or by any  
23 political subdivision of the state which has the authority to  
24 develop the state's water and related land resources. Such money No  
25 money in the Nebraska Resources Development Fund may be reallocated  
26 by the commission in accordance with sections 2-1586 to 2-1595 for  
27 utilization by the department, by any state office, agency, board,

1 or commission, or by any political subdivision of the state which  
2 has the authority to develop the state's water and related land  
3 resources after the effective date of this act. The commission may  
4 commit appropriated funds to projects approved as of the effective  
5 date of this act, not to exceed amounts specifically allocated to  
6 such projects prior to the effective date of this act. Prior to the  
7 effective date of this act, the fund may be allocated in the form  
8 of grants or loans or for acquiring state interests in water and  
9 related land resources programs and projects undertaken within the  
10 state. The allocation of funds to a program or project in one form  
11 shall not of itself preclude additional allocations in the same or  
12 any other form to the same program or project. Funds may also be  
13 allocated to assist natural resources districts in the preparation  
14 of management plans as provided in section 46-709. Funds so  
15 allocated shall not be subject to sections 2-1589 to 2-1595.

16 (2) No project, including all related phases, segments,  
17 parts, or divisions, shall receive more than ten million dollars  
18 from the fund. On July 1 of each year after 1993, the director  
19 shall adjust the project cost and payment limitation of this  
20 subsection by an amount equal to the average percentage change in  
21 a readily available construction cost index for the prior three  
22 years.

23 (3) Prior to September 1 of each even-numbered year, a  
24 biennial report shall be made to the Governor and the Clerk of  
25 the Legislature describing the work accomplished by the use of  
26 such development fund during the immediately preceding two-year  
27 period. The report submitted to the Clerk of the Legislature shall

1 be submitted electronically. The report shall include a complete  
2 financial statement. Each member of the Legislature shall receive  
3 an electronic copy of such report upon making a request to the  
4 director.

5 Sec. 10. Section 2-1592, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 2-1592 (1) Any organization qualified to apply for and  
8 receive funds from the Nebraska Resources Development Fund may file  
9 an application with the department for a grant or loan from such  
10 fund. Applications for grants to the department itself shall be  
11 filed by the department. Each application shall be filed in such  
12 manner and form and be accompanied by such information as may  
13 be prescribed by the director and the commission. No applications  
14 may be made to receive funds by grant or loan from the Nebraska  
15 Resources Development Fund after the effective date of this act.

16 (2) Any such application shall:

17 (a) Describe the nature and purpose of the proposed  
18 program or project;

19 (b) Set forth or be accompanied by a plan for development  
20 of the proposed program or project, together with engineering,  
21 economic, and financial feasibility data and information, and  
22 such estimated costs of construction or implementation as may be  
23 required by the director and the commission;

24 (c) State whether money other than that for which the  
25 application is made will be used to help in meeting program or  
26 project costs and whether such money is available or has been  
27 sought for this purpose;

1           (d) When appropriate, state that the applicant holds or  
2 can acquire title to all lands or has the necessary easements and  
3 rights-of-way for the project and related lands and has or may  
4 acquire all water rights necessary for the proposed project;

5           (e) Show that the applicant possesses all necessary  
6 authority to undertake or participate in the proposed program or  
7 project; and

8           (f) Demonstrate the probable environmental and ecological  
9 consequences that may result from such proposed program or project.

10          (3) Upon receipt of an application, the director shall  
11 evaluate and investigate all aspects of the proposed program or  
12 project and the proposed schedule for development and completion of  
13 such program or project, determine the eligibility of the program  
14 or project for funding, and make appropriate recommendations to  
15 the commission pursuant to sections 2-1586 to 2-1595. As a part of  
16 his or her investigation, the director shall consider whether the  
17 plan for development of the program or project is satisfactory. If  
18 the director determines that the plan is unsatisfactory or that  
19 the application does not contain adequate information upon which to  
20 make determinations, the director shall return the application to  
21 the applicant and may make such recommendations to the applicant  
22 as are considered necessary to make the plan or the application  
23 satisfactory.

24          (4) Requests for utilization of the Nebraska Resources  
25 Development Fund for state participation in any water and related  
26 land-water resources projects through acquisition of a state  
27 interest therein shall also be filed with the department for

1 the director's evaluation, investigation, and recommendations. Such  
2 requests shall be filed in the manner and form and be accompanied  
3 by such information as shall be prescribed by the department and  
4 the commission.

5 Sec. 11. Section 2-3225, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 2-3225 (1) (a) Each district shall have the power and  
8 authority to levy a tax of not to exceed four and one-half cents  
9 on each one hundred dollars of taxable valuation annually on all of  
10 the taxable property within such district unless a higher levy is  
11 authorized pursuant to section 77-3444.

12 (b) Each district shall also have the power and authority  
13 to levy a tax equal to the dollar amount by which its restricted  
14 funds budgeted to administer and implement ground water management  
15 activities and integrated management activities under the Nebraska  
16 Ground Water Management and Protection Act exceed its restricted  
17 funds budgeted to administer and implement ground water management  
18 activities and integrated management activities for FY2003-04, not  
19 to exceed one cent on each one hundred dollars of taxable valuation  
20 annually on all of the taxable property within the district.

21 (c) In addition to the power and authority granted in  
22 subdivisions (1) (a) and (b) of this section, each district located  
23 in a river basin, subbasin, or reach that has been determined  
24 to be fully appropriated pursuant to section 46-714 or designated  
25 overappropriated pursuant to section 46-713 by the Department of  
26 Natural Resources shall also have the power and authority to  
27 levy a tax equal to the dollar amount by which its restricted

1 funds budgeted to administer and implement ground water management  
2 activities and integrated management activities under the Nebraska  
3 Ground Water Management and Protection Act exceed its restricted  
4 funds budgeted to administer and implement ground water management  
5 activities and integrated management activities for FY2005-06, not  
6 to exceed three cents on each one hundred dollars of taxable  
7 valuation on all of the taxable property within the district for  
8 fiscal year 2006-07 and each fiscal year thereafter through fiscal  
9 year 2017-18.

10 (d) In addition to the power and authority granted in  
11 subdivisions (a) through (c) of this subsection, a district with  
12 jurisdiction that includes a river subject to an interstate compact  
13 among three or more states and that also includes one or more  
14 irrigation districts within the compact river basin may annually  
15 levy a tax not to exceed ten cents per one hundred dollars of  
16 taxable valuation of all taxable property in the district. The  
17 proceeds of such tax may be used for the payment of principal  
18 and interest on bonds and refunding bonds issued pursuant to  
19 section 2-3226.01, ~~or for the repayment of financial assistance~~  
20 ~~received by the district pursuant to section 2-3226.07.~~ Such levy  
21 is not includable in the computation of other limitations upon the  
22 district's tax levy.

23 (2) The proceeds of the tax levies authorized in  
24 subdivisions (1)(a) through (c) of this section shall be used,  
25 together with any other funds which the district may receive from  
26 any source, for the operation of the district. When adopted by the  
27 board, the tax levies authorized in subdivisions (1)(a) through (d)



1 of this section shall be certified by the secretary to the county  
2 clerk of each county which in whole or in part is included within  
3 the district. Such levy shall be handled by the counties in the  
4 same manner as other levies, and proceeds shall be remitted to the  
5 district treasurer. Such levy shall not be considered a part of the  
6 general county levy and shall not be considered in connection with  
7 any limitation on levies of such counties.

8           Sec. 12. Section 2-3226.05, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           2-3226.05 (1) A district with an integrated management  
11 plan as described in subsection (1) of section 2-3226.01 may levy  
12 an occupation tax upon the activity of irrigation of agricultural  
13 lands within such district on an annual basis, not to exceed ten  
14 dollars per irrigated acre, the proceeds of which may be used  
15 for (a) repaying principal and interest on any bonds or refunding  
16 bonds issued pursuant to section 2-3226.01 for one or more projects  
17 under section 2-3226.04, ~~(b) the repayment of financial assistance~~  
18 ~~received by the district pursuant to section 2-3226.07, or (c) or~~  
19 (b) payment of all or any part of the costs and expenses of one  
20 or more qualified projects described in section 2-3226.04. If such  
21 district has more than one river basin as described in section  
22 2-1504 within its jurisdiction, such district shall confine such  
23 occupation tax authorized in this section to the geographic area  
24 affected by an integrated management plan adopted in accordance  
25 with section 46-715.

26           (2)(a) Acres classified by the county assessor as  
27 irrigated shall be subject to such district's occupation tax unless

1 on or before March 1 in each year the record owner certifies to the  
2 district the nonirrigation status of such acres.

3 (b) A district may exempt from the occupation tax acres  
4 that are enrolled in local, state, or federal temporary irrigation  
5 retirement programs that prohibit the application of irrigation  
6 water in the year for which the tax is levied.

7 (c) Except as provided in subdivisions (2)(a) and (b) of  
8 this section, a district is prohibited from providing an exemption  
9 from, or allowing a request for a local refund of, an occupation  
10 tax on irrigated acres regardless of the irrigation source while  
11 the record owner maintains irrigated status on such acres in the  
12 year for which the tax is levied.

13 (d) Notwithstanding subdivisions (2)(b) and (c) of this  
14 section, the record owner may present evidence of the nonirrigation  
15 status of the acres subject to the tax within twelve months after  
16 the date the tax was levied and the district may refund amounts  
17 collected upon such acres if an occupation tax was not levied by  
18 the district the previous year and the district had not adopted  
19 an integrated management plan as described in subsection (1) of  
20 section 2-3226.01 by March 1 in the current year. Subdivision  
21 (2)(d) of this section terminates on October 1, 2012.

22 (3) Any such occupation tax shall remain in effect so  
23 long as the natural resources district has bonds outstanding which  
24 have been issued stating such occupation tax as an available source  
25 for payment and for the purpose of paying all or any part of the  
26 costs and expenses of one or more projects authorized pursuant to  
27 section 2-3226.04.

1           (4) Such occupation taxes shall be certified to,  
2 collected by, and accounted for by the county treasurer at the  
3 same time and in the same manner as general real estate taxes,  
4 and such occupation taxes shall be and remain a perpetual lien  
5 against such real estate until paid. Such occupation taxes shall  
6 become delinquent at the same time and in the same manner as  
7 general real property taxes. The county treasurer shall publish and  
8 post a list of delinquent occupation taxes with the list of real  
9 property subject to sale for delinquent property taxes provided  
10 for in section 77-1804. In addition, the list shall be provided to  
11 natural resources districts which levied the delinquent occupation  
12 taxes. The list shall include the record owner's name, the parcel  
13 identification number, and the amount of delinquent occupation tax.  
14 For services rendered in the collection of the occupation tax, the  
15 county treasurer shall receive the fee provided for collection of  
16 general natural resources district money under section 33-114.

17           (5) Such lien shall be inferior only to general taxes  
18 levied by political subdivisions of the state. When such occupation  
19 taxes have become delinquent and the real property on which the  
20 irrigation took place has not been offered at any tax sale, the  
21 district may proceed in district court in the county in which the  
22 real estate is situated to foreclose in its own name the lien  
23 in the same manner and with like effect as a foreclosure of a  
24 real estate mortgage, except that sections 77-1903 to 77-1917 shall  
25 govern when applicable.

26           Sec. 13. Section 24-205, Revised Statutes Cumulative  
27 Supplement, 2012, 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, 2013, the~~ 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.

11           On July 1, 2014, or as soon thereafter as  
12 administratively possible, the State Treasurer shall transfer one  
13 hundred nine thousand three hundred eighty-three dollars to the  
14 Nebraska Retirement Fund for Judges as an offset to the increase in  
15 the state's contribution to the Nebraska Judges Retirement System.

16           Any money in the 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. 14. Section 24-227.01, Revised Statutes Cumulative  
20 Supplement, 2012, is amended to read:

21           24-227.01 The Supreme Court Automation Cash Fund is  
22 created. The State Court Administrator shall administer the fund.  
23 ~~Except as otherwise directed by the Supreme Court during the~~  
24 ~~period from November 21, 2009, until June 30, 2013, the~~ The fund  
25 shall only be used to support automation expenses of the Supreme  
26 Court, Court of Appeals, district courts, separate juvenile courts,  
27 county courts, and Nebraska Probation System from the computer

1 automation budget program, ~~except that the State Treasurer shall,~~  
2 ~~on or before June 30, 2011, on such date as directed by the~~  
3 ~~budget administrator of the budget division of the Department of~~  
4 ~~Administrative Services, transfer the amount set forth in Laws~~  
5 ~~2009, LB1, One Hundred First Legislature, First Special Session.~~

6 On July 1, 2014, or as soon thereafter as  
7 administratively possible, the State Treasurer shall transfer six  
8 hundred thousand dollars to the Nebraska Retirement Fund for Judges  
9 as an offset to the increase in the state's contribution to the  
10 Nebraska Judges Retirement System.

11 Any money in the Supreme Court Automation Cash 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. 15. Section 39-1390, Revised Statutes Cumulative  
16 Supplement, 2012, is amended to read:

17 39-1390 The State Recreation Road Fund is created. The  
18 money in the fund shall be transferred by the State Treasurer, on  
19 the first day of each month, to the Department of Roads and shall  
20 be expended by the Director-State Engineer with the approval of  
21 the Governor for construction and maintenance of dustless-surface  
22 roads to be designated as state recreation roads as provided  
23 in this section, except that transfers may be made from the  
24 fund to the General Fund Game and Parks State Park Improvement  
25 and Maintenance Fund at the direction of the Legislature through  
26 ~~June 30, 2011.~~ July 31, 2014. Except as to roads under contract  
27 as of March 15, 1972, those roads, excluding state highways,

1 giving direct and immediate access to or located within state  
2 parks, state recreation areas, or other recreational or historical  
3 areas, shall be eligible for designation as state recreation  
4 roads. Such eligibility shall be determined by the Game and Parks  
5 Commission and certified to the Director-State Engineer, who shall,  
6 after receiving such certification, be authorized to commence  
7 construction on such recreation roads as funds are available. In  
8 addition, those roads, excluding state highways, giving direct and  
9 immediate access to a state veteran cemetery are state recreation  
10 roads. After construction of such roads they shall be shown on  
11 the map provided by section 39-1311. Preference in construction  
12 shall be based on existing or potential traffic use by other  
13 than local residents. Unless the State Highway Commission otherwise  
14 recommends, such roads upon completion of construction shall be  
15 incorporated into the state highway system. If such a road is  
16 not incorporated into the state highway system, the Department of  
17 Roads and the county within which such road is located shall enter  
18 into a maintenance agreement establishing the responsibility for  
19 maintenance of the road, the maintenance standards to be met, and  
20 the responsibility for maintenance costs. Any money in the State  
21 Recreation Road Fund available for investment shall be invested  
22 by the state investment officer pursuant to the Nebraska Capital  
23 Expansion Act and the Nebraska State Funds Investment Act.

24           Sec. 16. Section 48-622.01, Revised Statutes Cumulative  
25 Supplement, 2012, is amended to read:

26           48-622.01 (1) There is hereby created in the state  
27 treasury a special fund to be known as the State Unemployment

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

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

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

1 the state's account in the Unemployment Trust Fund and the need  
2 for training of Nebraska workers. Accrued interest in the State  
3 Unemployment Insurance Trust Fund shall be credited to the Nebraska  
4 Training and Support Trust Fund.

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

16 (5) Upon certification from the commissioner that the  
17 amount needed to settle pending class action litigation and  
18 terminate the contributory retirement system established pursuant  
19 to section 48-609 has been reduced to an amount certain, the State  
20 Treasurer shall transfer the amount certified by the commissioner  
21 as needed to effectuate the settlement from the State Unemployment  
22 Insurance Trust Fund to the Employment Security Special Contingent  
23 Fund. The amount transferred pursuant to this subsection shall not  
24 exceed two million seven hundred seventy-three thousand dollars.

25 Sec. 17. Section 58-708, Revised Statutes Cumulative  
26 Supplement, 2012, is amended to read:

27 58-708 (1) During each calendar year in which funds are



1 available from the Affordable Housing Trust Fund for use by the  
2 Department of Economic Development, the department shall allocate a  
3 specific amount of funds, not less than ~~twenty-five~~ thirty percent,  
4 to each congressional district. ~~Entitlement area funds allocated~~  
5 ~~under this section that are not awarded to an eligible project from~~  
6 ~~within the entitlement area within one year shall be made available~~  
7 ~~for distribution to eligible projects elsewhere in the state.~~  
8 The department shall announce a grant and loan application period  
9 of at least ninety days duration for all ~~nonentitlement areas.~~  
10 projects. In selecting projects to receive trust fund assistance,  
11 the department shall develop a qualified allocation plan and give  
12 first priority to financially viable projects that serve the lowest  
13 income occupants for the longest period of time. The qualified  
14 allocation plan shall:

15 (a) Set forth selection criteria to be used to determine  
16 housing priorities of the housing trust fund which are appropriate  
17 to local conditions, including the community's immediate need  
18 for affordable housing, proposed increases in home ownership,  
19 private dollars leveraged, level of local government support and  
20 participation, and repayment, in part or in whole, of financial  
21 assistance awarded by the fund; and

22 (b) Give first priority in allocating trust fund  
23 assistance among selected projects to those projects which serve  
24 the lowest income occupant and are obligated to serve qualified  
25 occupants for the longest period of time.

26 (2) The department shall fund in order of priority as  
27 many applications as will utilize available funds less actual

1 administrative costs of the department in administering the  
2 program. In administering the program the department may contract  
3 for services or directly provide funds to other governmental  
4 entities or instrumentalities.

5 (3) The department may recapture any funds which were  
6 allocated to a qualified recipient for an eligible project through  
7 an award agreement if such funds were not utilized for eligible  
8 costs within the time of performance under the agreement and  
9 are therefor no longer obligated to the project. The recaptured  
10 funds shall be credited to the Industrial Recovery Fund except as  
11 provided in section 81-1213.

12 Sec. 18. Section 71-7611, Revised Statutes Supplement,  
13 2013, is amended to read:

14 71-7611 (1) The Nebraska Health Care Cash Fund is  
15 created. The State Treasurer shall transfer (a) fifty-six million  
16 one hundred thousand dollars no later than July 15, 2009, and (b)  
17 fifty-nine million one hundred thousand dollars on or before July  
18 15, 2010, July 15, 2011, ~~and~~ July 15, 2012, and July 15, 2013,  
19 and (c) sixty million one hundred thousand dollars on or before  
20 July 15, 2014, and on or before every July 15 thereafter from  
21 the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska  
22 Tobacco Settlement Trust Fund to the Nebraska Health Care Cash  
23 Fund, except that such amount shall be reduced by the amount of  
24 the unobligated balance in the Nebraska Health Care Cash Fund at  
25 the time the transfer is made. The state investment officer upon  
26 consultation with the Nebraska Investment Council shall advise the  
27 State Treasurer on the amounts to be transferred from the Nebraska

1 Medicaid Intergovernmental Trust Fund and from the Nebraska Tobacco  
2 Settlement Trust Fund under this section in order to sustain such  
3 transfers in perpetuity. The state investment officer shall report  
4 electronically to the Legislature on or before October 1 of every  
5 even-numbered year on the sustainability of such transfers. Except  
6 as otherwise provided by law, no more than the amount specified  
7 in this subsection may be appropriated or transferred from the  
8 Nebraska Health Care Cash Fund in any fiscal year.

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

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

23           Sec. 19. Section 81-1204, Reissue Revised Statutes of  
24 Nebraska, is amended to read:

25           81-1204 (1) Except as otherwise provided in subsection  
26 (2) of this section, the Department of Economic Development shall  
27 not approve a job training grant (a) which exceeds an average

1 expenditure of five thousand dollars per job created if the  
2 proposed wage levels do not exceed thirty thousand dollars per  
3 year, (b) or which exceeds an average expenditure of ten thousand  
4 dollars per job if the proposed wage levels exceed thirty thousand  
5 dollars per year but do not exceed fifty thousand dollars per  
6 year, or (c) which exceeds an average expenditure of twenty  
7 thousand dollars per job if the proposed wage levels exceed fifty  
8 thousand dollars per year or if the jobs created are located in a  
9 high-poverty area as defined in section 81-1203.

10           The (2) If the application is approved with provisions  
11 described in subsection (3) of section 81-1203, the Department of  
12 Economic Development may approve a job training grant (a) up to ten  
13 thousand dollars per job created if the proposed wage levels do  
14 not exceed thirty thousand dollars per year, (b) or a job training  
15 grant up to fifteen thousand dollars per job if the proposed wage  
16 levels exceed thirty thousand dollars per year, if the application  
17 is approved with provisions described in subsection (3) of section  
18 81-1203, but do not exceed fifty thousand dollars per year, or  
19 (c) up to twenty-five thousand dollars per job if the proposed  
20 wage levels exceed fifty thousand dollars per year or if the jobs  
21 created are located in a high-poverty area as defined in section  
22 81-1203.

23           Sec. 20. Section 81-1205, Revised Statutes Cumulative  
24 Supplement, 2012, is amended to read:

25           81-1205 A business which is awarded a job training grant  
26 or a training grant shall provide annual performance reports to the  
27 Department of Economic Development and a final performance report

1 upon the completion of the project. The department shall ~~include~~  
2 ~~information relating to such grants in the department's annual~~  
3 ~~status report under section 81-1201.11.~~ provide a status report  
4 to the Appropriations Committee of the Legislature on July 1 of  
5 each year. The status report shall include information on each  
6 active grant, including specific information regarding the number  
7 of positions to be trained, whether new or existing employees  
8 are to be trained, the length of time that the project has  
9 been active, the amount of funding committed to the project, the  
10 amount of funding paid out to date, and the projected completion  
11 date. The status report shall also provide information on grants  
12 closed during the reporting year, including the total number  
13 of employees trained, whether new or existing employees were  
14 trained, total project expenditures, and the duration time of  
15 the project. The status report shall also provide information  
16 summarizing the use of community college areas to provide training  
17 services and list specific projects where a community college area  
18 is providing all or a component of the training services. If  
19 private or inhouse training services are used, the status report  
20 shall provide information regarding the name of the private or  
21 inhouse training service and the qualifications of the training  
22 service. The report submitted to the Appropriations Committee shall  
23 be submitted electronically.

24           Sec. 21. Section 81-2516, Revised Statutes Supplement,  
25 2013, is amended to read:

26           81-2516 The Commission on Indian Affairs Cash Fund is  
27 created. The fund shall be administered by the Commission on Indian

1 Affairs. The fund shall consist of money ~~received by the state in~~  
2 ~~the form of~~ from contracts, fees, grants, or gifts from nonfederal  
3 sources received by the state and any investment income earned  
4 on the fund. The fund may be used to support the commission's  
5 operations pursuant to sections 81-2501 to 81-2508. The Department  
6 of Administrative Services may for accounting purposes create  
7 subfunds of the fund to segregate awards or allocations received.  
8 Any money in the 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. 22. Original sections 2-1588, 2-1592, 2-3225,  
12 2-3226.05, and 81-1204, Reissue Revised Statutes of Nebraska,  
13 sections 24-205, 24-227.01, 39-1390, 48-622.01, 58-708, and  
14 81-1205, Revised Statutes Cumulative Supplement, 2012, and sections  
15 71-7611 and 81-2516, Revised Statutes Supplement, 2013, are  
16 repealed.

17           Sec. 23. The following sections are outright repealed:  
18 Sections 2-3226.06, 2-3226.07, 2-3226.08, and 2-3226.09, Reissue  
19 Revised Statutes of Nebraska.

20           Sec. 24. Since an emergency exists, this act takes effect  
21 when passed and approved according to law.