

AMENDMENTS TO LB945

Introduced by Appropriations.

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

2           Section 1. The State Treasurer shall transfer \$170,325 from the  
3 Underground Storage Tank Fund to the General Fund on or before June 30,  
4 2019, on such dates and in such amounts as directed by the budget  
5 administrator of the budget division of the Department of Administrative  
6 Services.

7           Sec. 2. The State Treasurer shall transfer \$1,300,000 from the  
8 Health and Human Services Cash Fund to the General Fund on or before June  
9 30, 2019, on such dates and in such amounts as directed by the budget  
10 administrator of the budget division of the Department of Administrative  
11 Services. It is the intent of the Legislature that the transfer to the  
12 General Fund in this section be from funds credited to the X-Ray Cash  
13 Fund, a subfund of the Health and Human Services Cash Fund.

14          Sec. 3. The State Treasurer shall transfer \$520,000 from the Health  
15 and Human Services Cash Fund to the General Fund on or before June 30,  
16 2019, on such dates and in such amounts as directed by the budget  
17 administrator of the budget division of the Department of Administrative  
18 Services. It is the intent of the Legislature that the transfer to the  
19 General Fund in this section be from funds credited to the Emergency  
20 Preparedness Cash Fund, a subfund of the Health and Human Services Cash  
21 Fund.

22          Sec. 4. The State Treasurer shall transfer \$750,000 from the Health  
23 and Human Services Cash Fund to the General Fund on or before June 30,  
24 2019, on such dates and in such amounts as directed by the budget  
25 administrator of the budget division of the Department of Administrative  
26 Services. It is the intent of the Legislature that the transfer to the  
27 General Fund in this section be from funds credited to the Radioactive

1 Materials Cash Fund, a subfund of the Health and Human Services Cash  
2 Fund.

3 Sec. 5. The State Treasurer shall transfer the unobligated balance  
4 on September 30, 2017, of the Nebraska Progress Loan Fund to the Intern  
5 Nebraska Cash Fund on or before July 15, 2018, on such date as directed  
6 by the budget administrator of the budget division of the Department of  
7 Administrative Services.

8 Sec. 6. The State Treasurer shall transfer \$50,000 from the  
9 Nebraska Accountability and Disclosure Commission Cash Fund to the  
10 General Fund on or before June 30, 2019, on such dates and in such  
11 amounts as directed by the budget administrator of the budget division of  
12 the Department of Administrative Services.

13 Sec. 7. The State Treasurer shall transfer \$200,000 from the  
14 Affordable Housing Trust Fund to the Lead-Based Paint Hazard Control Cash  
15 Fund no later than July 15, 2018, on such dates and in such amounts as  
16 directed by the budget administrator of the budget division of the  
17 Department of Administrative Services.

18 Sec. 8. The Nebraska Film Office Fund is created. The fund shall be  
19 administered by the Department of Economic Development. The fund shall  
20 consist of funds appropriated by the Legislature, gifts, grants, and  
21 bequests. Any money in the fund available for investment shall be  
22 invested by the state investment officer pursuant to the Nebraska Capital  
23 Expansion Act and the Nebraska State Funds Investment Act.

24 Sec. 9. Section 37-327.02, Revised Statutes Supplement, 2017, is  
25 amended to read:

26 37-327.02 The Game and Parks Commission Capital Maintenance Fund is  
27 created. The fund shall consist of money credited to the fund pursuant to  
28 section 77-27,132, transfers authorized by the Legislature, and any  
29 gifts, grants, bequests, or donations to the fund. The fund shall be  
30 administered by the commission and shall be used to build, repair,  
31 renovate, rehabilitate, restore, modify, or improve any infrastructure

1 within the statutory authority and administration of the commission. Any  
2 money in the fund available for investment shall be invested by the state  
3 investment officer pursuant to the Nebraska Capital Expansion Act and the  
4 Nebraska State Funds Investment Act.

5 Transfers may be made from the Game and Parks Commission Capital  
6 Maintenance Fund to the General Fund at the direction of the Legislature  
7 through June 30, 2019. The State Treasurer shall transfer four million  
8 five hundred thousand dollars from the Game and Parks Commission Capital  
9 Maintenance Fund to the General Fund between June 1, 2018, and June 30,  
10 2018, on such date as directed by the budget administrator of the budget  
11 division of the Department of Administrative Services. The State  
12 Treasurer shall transfer eight ~~four~~ million five hundred thousand dollars  
13 from the Game and Parks Commission Capital Maintenance Fund to the  
14 General Fund between June 1, 2019, and June 30, 2019, on such date as  
15 directed by the budget administrator of the budget division of the  
16 Department of Administrative Services.

17 Sec. 10. Section 48-1,116, Revised Statutes Supplement, 2017, is  
18 amended to read:

19 48-1,116 The Compensation Court Cash Fund is hereby created. The  
20 fund shall be used to aid in providing for the expense of administering  
21 the Nebraska Workers' Compensation Act and the payment of the salaries  
22 and expenses of the personnel of the Nebraska Workers' Compensation  
23 Court.

24 The State Treasurer shall transfer one million five hundred thousand  
25 dollars from the Compensation Court Cash Fund to the General Fund after  
26 June 15, 2019 ~~2018~~, and before June 30, 2019 ~~2018~~, on such dates as  
27 directed by the budget administrator of the budget division of the  
28 Department of Administrative Services.

29 All fees received pursuant to sections 48-120, 48-120.02, 48-138,  
30 48-139, 48-145.04, and 48-165 shall be remitted to the State Treasurer  
31 for credit to the Compensation Court Cash Fund. The fund shall also

1 consist of amounts credited to the fund pursuant to sections 48-1,113,  
2 48-1,114, and 77-912. The State Treasurer may receive and credit to the  
3 fund any money which may at any time be contributed to the state or the  
4 fund by the federal government or any agency thereof to which the state  
5 may be or become entitled under any act of Congress or otherwise by  
6 reason of any payment made from the fund.

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

10 Sec. 11. Section 49-14,140, Revised Statutes Cumulative Supplement,  
11 2016, is amended to read:

12 49-14,140 The Nebraska Accountability and Disclosure Commission Cash  
13 Fund is hereby created. The fund shall consist of funds received by the  
14 commission pursuant to sections 49-1449.01, 49-1470, 49-1480.01, 49-1482,  
15 49-14,123, and 49-14,123.01 and subdivision (4) of section 49-14,126. The  
16 fund shall be used by the commission in administering the Nebraska  
17 Political Accountability and Disclosure Act. Any money in the Nebraska  
18 Accountability and Disclosure Commission Cash Fund available for  
19 investment shall be invested by the state investment officer pursuant to  
20 the Nebraska Capital Expansion Act and the Nebraska State Funds  
21 Investment Act. Transfers may be made from the fund to the General Fund  
22 at the direction of the Legislature.

23 On April 25, 2013, the State Treasurer shall transfer \$630,870 from  
24 the Campaign Finance Limitation Cash Fund to the Nebraska Accountability  
25 and Disclosure Commission Cash Fund to be used for development,  
26 implementation, and maintenance of an electronic filing system for  
27 campaign statements and other reports under the Nebraska Political  
28 Accountability and Disclosure Act and for making such statements and  
29 reports available to the public on the web site of the commission. The  
30 State Treasurer shall transfer the balance of the Campaign Finance  
31 Limitation Cash Fund to the Election Administration Fund on or before

1 July 5, 2013, or as soon thereafter as administratively possible.

2 Sec. 12. Section 58-703, Revised Statutes Supplement, 2017, is  
3 amended to read:

4 58-703 The Affordable Housing Trust Fund is created. The fund shall  
5 receive money pursuant to section 76-903 and may include revenue from  
6 sources recommended by the housing advisory committee established in  
7 section 58-704, appropriations from the Legislature, transfers authorized  
8 by the Legislature, grants, private contributions, repayment of loans,  
9 and all other sources. The Department of Economic Development as part of  
10 its comprehensive housing affordability strategy shall administer the  
11 Affordable Housing Trust Fund.

12 Transfers may be made from the Affordable Housing Trust Fund to the  
13 General Fund, the Behavioral Health Services Fund, the Lead-Based Paint  
14 Hazard Control Cash Fund, the Rural Workforce Housing Investment Fund,  
15 and the Site and Building Development Fund at the direction of the  
16 Legislature.

17 Sec. 13. Section 59-1608.04, Revised Statutes Supplement, 2017, is  
18 amended to read:

19 59-1608.04 (1) The State Settlement Cash Fund is created. The fund  
20 shall be maintained by the Department of Justice and administered by the  
21 Attorney General. Except as otherwise provided by law, the fund shall  
22 consist of all recoveries received pursuant to the Consumer Protection  
23 Act, including any money, funds, securities, or other things of value in  
24 the nature of civil damages or other payment, except criminal penalties,  
25 whether such recovery is by way of verdict, judgment, compromise, or  
26 settlement in or out of court, or other final disposition of any case or  
27 controversy, or any other payments received on behalf of the state by the  
28 Department of Justice and administered by the Attorney General for the  
29 benefit of the state or the general welfare of its citizens, but  
30 excluding all funds held in a trust capacity where specific benefits  
31 accrue to specific individuals, organizations, or governments. The fund

1 may be expended for any allowable legal purposes as determined by the  
2 Attorney General. Transfers from the State Settlement Cash Fund may be  
3 made at the direction of the Legislature to the Nebraska Capital  
4 Construction Fund, the Legal Education for Public Service and Rural  
5 Practice Loan Repayment Assistance Fund, and the General Fund. To provide  
6 necessary financial accountability and management oversight, revenue from  
7 individual settlement agreements or other separate sources credited to  
8 the State Settlement Cash Fund may be tracked and accounted for within  
9 the state accounting system through the use of separate and distinct  
10 funds, subfunds, or any other available accounting mechanism specifically  
11 approved by the Accounting Administrator for use by the Department of  
12 Justice. Any money in the fund available for investment shall be invested  
13 by the state investment officer pursuant to the Nebraska Capital  
14 Expansion Act and the Nebraska State Funds Investment Act.

15 (2) The State Treasurer shall transfer two million five hundred  
16 thousand dollars from the State Settlement Cash Fund to the Nebraska  
17 Capital Construction Fund on July 1, 2013, or as soon thereafter as  
18 administratively possible.

19 (3) The State Treasurer shall transfer eight seven hundred seventy-  
20 six fifty thousand nine hundred ninety-eight dollars from the State  
21 Settlement Cash Fund to the General Fund on or before June 30, 2018, on  
22 such dates and in such amounts as directed by the budget administrator of  
23 the budget division of the Department of Administrative Services.

24 (4) The State Treasurer shall transfer one million seven hundred  
25 fifty-six fifty thousand six hundred thirty-nine dollars from the State  
26 Settlement Cash Fund to the General Fund on or before June 30, 2019, on  
27 such dates and in such amounts as directed by the budget administrator of  
28 the budget division of the Department of Administrative Services.

29 (5) The State Treasurer shall transfer one hundred twenty-five  
30 thousand dollars from the State Settlement Cash Fund to the Legal  
31 Education for Public Service and Rural Practice Loan Repayment Assistance

1 Fund on or before April 30, 2018, on such dates and in such amounts as  
2 directed by the budget administrator of the budget division of the  
3 Department of Administrative Services.

4 (6) The State Treasurer shall transfer one hundred fifty thousand  
5 dollars from the State Settlement Cash Fund to the Legal Education for  
6 Public Service and Rural Practice Loan Repayment Assistance Fund on or  
7 before July 9, 2018, on such dates and in such amounts as directed by the  
8 budget administrator of the budget division of the Department of  
9 Administrative Services.

10 Sec. 14. Section 61-218, Revised Statutes Supplement, 2017, is  
11 amended to read:

12 61-218 (1) The Water Resources Cash Fund is created. The fund shall  
13 be administered by the Department of Natural Resources. Any money in the  
14 fund available for investment shall be invested by the state investment  
15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
16 State Funds Investment Act.

17 (2) The State Treasurer shall credit to the fund such money as is  
18 (a) transferred to the fund by the Legislature, (b) paid to the state as  
19 fees, deposits, payments, and repayments relating to the fund, both  
20 principal and interest, (c) donated as gifts, bequests, or other  
21 contributions to such fund from public or private entities, (d) made  
22 available by any department or agency of the United States if so directed  
23 by such department or agency, ~~and~~ (e) allocated pursuant to section  
24 81-15,175, and (f) received by the state for settlement of claims  
25 regarding Colorado's past use of water under the Republican River  
26 Compact.

27 (3) The fund shall be expended by the department (a) to aid  
28 management actions taken to reduce consumptive uses of water or to  
29 enhance streamflows or ground water recharge in river basins, subbasins,  
30 or reaches which are deemed by the department overappropriated pursuant  
31 to section 46-713 or fully appropriated pursuant to section 46-714 or are

1 bound by an interstate compact or decree or a formal state contract or  
2 agreement, (b) for purposes of projects or proposals described in the  
3 grant application as set forth in subdivision (2)(h) of section  
4 81-15,175, and (c) to the extent funds are not expended pursuant to  
5 subdivisions (a) and (b) of this subsection, the department may conduct a  
6 statewide assessment of short-term and long-term water management  
7 activities and funding needs to meet statutory requirements in sections  
8 46-713 to 46-718 and 46-739 and any requirements of an interstate compact  
9 or decree or formal state contract or agreement. The fund shall not be  
10 used to pay for administrative expenses or any salaries for the  
11 department or any political subdivision.

12 (4) It is the intent of the Legislature that three million three  
13 hundred thousand dollars be transferred each fiscal year from the General  
14 Fund to the Water Resources Cash Fund for FY2011-12 through FY2018-19,  
15 except that for FY2012-13 it is the intent of the Legislature that four  
16 million seven hundred thousand dollars be transferred from the General  
17 Fund to the Water Resources Cash Fund. It is the intent of the  
18 Legislature that the State Treasurer credit any money received from any  
19 Republican River Compact settlement to the Water Resources Cash Fund in  
20 the fiscal year in which it is received.

21 (5)(a) Expenditures from the Water Resources Cash Fund may be made  
22 to natural resources districts eligible under subsection (3) of this  
23 section for activities to either achieve a sustainable balance of  
24 consumptive water uses or assure compliance with an interstate compact or  
25 decree or a formal state contract or agreement and shall require a match  
26 of local funding in an amount equal to or greater than forty percent of  
27 the total cost of carrying out the eligible activity. The department  
28 shall, no later than August 1 of each year, beginning in 2007, determine  
29 the amount of funding that will be made available to natural resources  
30 districts from the Water Resources Cash Fund and notify natural resources  
31 districts of this determination. The department shall adopt and



1 promulgate rules and regulations governing application for and use of the  
2 Water Resources Cash Fund by natural resources districts. Such rules and  
3 regulations shall, at a minimum, include the following components:

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

9 (ii) A schedule of implementation of the activity or its components,  
10 including the local match as set forth in subdivision (5)(a) of this  
11 section.

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

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

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

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

26 (7)(a) Prior to the application deadline for fiscal year 2011-12,  
27 the Department of Natural Resources shall apply for a grant of nine  
28 million nine hundred thousand dollars from the Nebraska Environmental  
29 Trust Fund, to be paid out in three annual installments of three million  
30 three hundred thousand dollars. The purposes listed in the grant  
31 application shall be consistent with the uses of the Water Resources Cash

1 Fund provided in this section and shall be used to aid management actions  
2 taken to reduce consumptive uses of water, to enhance streamflows, to  
3 recharge ground water, or to support wildlife habitat in any river basin  
4 determined to be fully appropriated pursuant to section 46-714 or  
5 designated as overappropriated pursuant to section 46-713.

6 (b) If the application is granted, funds received from such grant  
7 shall be remitted to the State Treasurer for credit to the Water  
8 Resources Cash Fund for the purpose of supporting the projects set forth  
9 in the grant application. The department shall include in its grant  
10 application documentation that the Legislature has authorized a transfer  
11 of three million three hundred thousand dollars from the General Fund  
12 into the Water Resources Cash Fund for each of fiscal years 2011-12 and  
13 2012-13 and has stated its intent to transfer three million three hundred  
14 thousand dollars to the Water Resources Cash Fund for fiscal year  
15 2013-14.

16 (c) It is the intent of the Legislature that the department apply  
17 for an additional three-year grant that would begin in fiscal year  
18 2014-15 and an additional three-year grant from the Nebraska  
19 Environmental Trust Fund that would begin in fiscal year 2017-18 if the  
20 criteria established in subsection (4) of section 81-15,175 are achieved.

21 (8) The department shall establish a subaccount within the Water  
22 Resources Cash Fund for the accounting of all money received as a grant  
23 from the Nebraska Environmental Trust Fund as the result of an  
24 application made pursuant to subsection (7) of this section. At the end  
25 of each calendar month, the department shall calculate the amount of  
26 interest earnings accruing to the subaccount and shall notify the State  
27 Treasurer who shall then transfer a like amount from the Water Resources  
28 Cash Fund to the Nebraska Environmental Trust Fund.

29 Sec. 15. Section 61-224, Revised Statutes Cumulative Supplement,  
30 2016, is amended to read:

31 61-224 There is hereby created the Critical Infrastructure

1 Facilities Cash Fund in the Department of Natural Resources. The fund  
2 shall consist of funds appropriated or transferred by the Legislature.  
3 The fund shall be used by the Department of Natural Resources to provide  
4 a grant to a natural resources district to offset costs related to soil  
5 and water improvements intended to protect critical infrastructure  
6 facilities within the district which includes military installations,  
7 transportation routes, and wastewater treatment facilities. Transfers may  
8 be made from the fund to the General Fund at the direction of the  
9 Legislature. The State Treasurer shall transfer three hundred eighty-four  
10 thousand two hundred twenty-two dollars plus any accrued interest through  
11 the effective date of this act, from the Critical Infrastructure  
12 Facilities Cash Fund to the General Fund on or before June 30, 2019, on  
13 such dates and in such amounts as directed by the budget administrator of  
14 the budget division of the Department of Administrative Services. Any  
15 money in the Critical Infrastructure Facilities Cash Fund fund available  
16 for investment shall be invested by the state investment officer pursuant  
17 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
18 Investment Act, and any interest earned by the fund shall be credited to  
19 the General Fund.

20 Sec. 16. Section 71-7611, Revised Statutes Supplement, 2017, is  
21 amended to read:

22 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State  
23 Treasurer shall transfer (a) sixty million three hundred thousand dollars  
24 on or before July 15, 2014, (b) sixty million three hundred fifty  
25 thousand dollars on or before July 15, 2015, (c) sixty million three  
26 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty  
27 million seven hundred thousand dollars on or before July 15, 2017, (e)  
28 five hundred thousand dollars on or before May 15, 2018, (f) sixty  
29 million seven hundred thousand dollars on or before July 15, 2018, and  
30 (g) ~~(f)~~ sixty million four hundred fifty thousand dollars on or before  
31 every July 15 thereafter from the Nebraska Medicaid Intergovernmental

1 Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska  
2 Health Care Cash Fund, except that such amount shall be reduced by the  
3 amount of the unobligated balance in the Nebraska Health Care Cash Fund  
4 at the time the transfer is made. The state investment officer shall  
5 advise the State Treasurer on the amounts to be transferred first from  
6 the Nebraska Medicaid Intergovernmental Trust Fund until the fund balance  
7 is depleted and from the Nebraska Tobacco Settlement Trust Fund  
8 thereafter in order to sustain such transfers in perpetuity. The state  
9 investment officer shall report electronically to the Legislature on or  
10 before October 1 of every even-numbered year on the sustainability of  
11 such transfers. The Nebraska Health Care Cash Fund shall also include  
12 money received pursuant to section 77-2602. Except as otherwise provided  
13 by law, no more than the amounts specified in this subsection may be  
14 appropriated or transferred from the Nebraska Health Care Cash Fund in  
15 any fiscal year.

16 The State Treasurer shall transfer ten million dollars from the  
17 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on  
18 June 28, 2018, and June 28, 2019.

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

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

27 (3) The University of Nebraska and postsecondary educational  
28 institutions having colleges of medicine in Nebraska and their affiliated  
29 research hospitals in Nebraska, as a condition of receiving any funds  
30 appropriated or transferred from the Nebraska Health Care Cash Fund,  
31 shall not discriminate against any person on the basis of sexual

1 orientation.

2 (4) The State Treasurer shall transfer fifty thousand dollars on or  
3 before July 15, 2016, from the Nebraska Health Care Cash Fund to the  
4 Board of Regents of the University of Nebraska for the University of  
5 Nebraska Medical Center. It is the intent of the Legislature that these  
6 funds be used by the College of Public Health for workforce training.

7 Sec. 17. Section 81-2,162.27, Revised Statutes Cumulative  
8 Supplement, 2016, is amended to read:

9 81-2,162.27 (1) All money received under the Nebraska Commercial  
10 Fertilizer and Soil Conditioner Act and the Agricultural Liming Materials  
11 Act shall be remitted to the State Treasurer for credit to the  
12 Fertilizers and Soil Conditioners Administrative Fund, which fund is  
13 hereby created. All money so received shall be used by the department for  
14 defraying the expenses of administering the Nebraska Commercial  
15 Fertilizer and Soil Conditioner Act and the Agricultural Liming Materials  
16 Act. Transfers may be made from the fund to the General Fund at the  
17 direction of the Legislature. The State Treasurer shall transfer two  
18 hundred seventy-five thousand dollars from the Fertilizers and Soil  
19 Conditioners Administrative Fund to the General Fund on or before June  
20 30, 2019, on such dates and in such amounts as directed by the budget  
21 administrator of the budget division of the Department of Administrative  
22 Services.

23 (2) Any unexpended balance in the Fertilizers and Soil Conditioners  
24 Administrative Fund at the close of any biennium shall, when  
25 reappropriated, be available for the uses and purposes of the fund for  
26 the succeeding biennium. Any money in the fund available for investment  
27 shall be invested by the state investment officer pursuant to the  
28 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
29 Act.

30 Sec. 18. Section 81-1121, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           81-1121 (1)(a) The Director of Administrative Services shall have  
2 power to develop and implement a system of warrant preparation and  
3 issuance in accordance with acceptable accounting and internal control  
4 safeguards and by use of such mechanical means as may be most economical.

5           (b) Warrant or state warrant shall include an order drawn by the  
6 director upon the State Treasurer, directing the latter to pay a  
7 specified amount to a specified payee by the use of a dual signature  
8 negotiable instrument as provided for in subsections (2) and (3) of this  
9 section, electronic funds transfer system, telephonic funds transfer  
10 system, electric funds transfer system, funds transfers as provided for  
11 in article 4A, Uniform Commercial Code, mechanical funds transfer system,  
12 or other funds transfer system established by the director and the State  
13 Treasurer. The warrant, when it is an order drawn by the director upon  
14 the State Treasurer directing the latter to pay a specified amount to a  
15 specified payee by the use of a dual signature negotiable instrument as  
16 provided for in subsections (2) and (3) of this section, shall affect the  
17 state's cash balance in the bank when redeemed by the State Treasurer,  
18 not when cashed by a financial institution.

19           (2) The director shall sign each warrant or shall cause each warrant  
20 to be signed in his or her behalf either personally, by delegation of  
21 authority, or by facsimile signature as will assure the most economical,  
22 timely, and practical means for making payments from the state treasury  
23 and which means provides the most acceptable safeguarding of public  
24 funds. The signature of the director shall signify that the payment  
25 intended by a warrant bearing such signature is proper under the  
26 appropriate laws of the state.

27           (3) The State Treasurer shall countersign all warrants issued by the  
28 director.

29           (4) The State Treasurer shall make such arrangements for facsimile  
30 signature of warrants as will assure the most economical, timely, and  
31 practical means for making payments from the state treasury.

1           (5) The director and the State Treasurer may establish and operate  
2 an electronic funds transfer system, telephonic funds transfer system,  
3 electric funds transfer system, funds transfers as provided for in  
4 article 4A, Uniform Commercial Code, mechanical funds transfer system, or  
5 other funds transfer system established by the director and the State  
6 Treasurer for the payment of funds from and the deposit of receipts into  
7 the state treasury. Any state agency that wishes to establish and operate  
8 such a system shall jointly establish the procedures necessary to  
9 implement such a system with the cooperation of the director and the  
10 State Treasurer. The system shall be designed to be compatible with state  
11 accounting procedures. Such a system as established by the director shall  
12 employ internal control safeguards and after meeting such safeguards  
13 shall be deemed to satisfy any signature requirements. The use of an  
14 electronic funds transfer system, telephonic funds transfer system,  
15 electric funds transfer system, funds transfers as provided for in  
16 article 4A, Uniform Commercial Code, mechanical funds transfer system, or  
17 other funds transfer system established by the director and the State  
18 Treasurer or any state agency shall not create any rights that would not  
19 have been created had an order, drawn by the director upon the State  
20 Treasurer directing the latter to pay a specified amount to a specified  
21 payee by the use of a dual signature negotiable instrument as provided  
22 for in subsections (2) and (3) of this section, been used as the payment  
23 medium.

24           (6) Whenever it is ascertained that by mistake or otherwise any  
25 county treasurer or other person has paid into the state treasury any sum  
26 not due the state, the director shall refund to such county treasurer or  
27 other person the amount so paid. Such refund shall be carried on the  
28 books of the state as an adjustment to income and not as an expenditure  
29 or disbursement.

30           (7) Whenever it is ascertained that by mistake or otherwise the  
31 State of Nebraska or any of its departments, agencies, or officers shall

1 have caused to be made a disbursement which for any reason is refunded to  
2 the state, the amount so disbursed and refunded to the state shall be  
3 credited to the fund and account from which the disbursement was made as  
4 an adjustment of expenditures and disbursements and not as a receipt.  
5 Such credited refund shall be considered part of the original  
6 appropriation to the department or agency and to the appropriate program  
7 and may be expended therefrom without further or additional  
8 appropriation. When a refund to the state or any of its departments or  
9 agencies is related to a transaction which occurred during a prior fiscal  
10 period, the refund shall be credited to the unappropriated surplus  
11 account of the fund from which the disbursement was originally made,  
12 except that (a) medicaid refunds or rebates for (i) (a) pharmaceuticals,  
13 (ii) (b) third-party liability recoveries, and (iii) (c) surveillance and  
14 utilization reviews which have occurred during a prior fiscal period  
15 shall be treated as an adjustment to expenditures in the year in which  
16 the refund or rebate is received and (b) reimbursement to the State of  
17 Nebraska from other member states operating in accordance with the  
18 Emergency Management Assistance Compact shall be credited as receipts to  
19 the Governor's Emergency Cash Fund.

20 Sec. 19. Section 81-1201.21, Revised Statutes Cumulative Supplement,  
21 2016, is amended to read:

22 81-1201.21 (1) There is hereby created the Job Training Cash Fund.  
23 The fund shall be under the direction of the Department of Economic  
24 Development. Money may be transferred to the fund pursuant to subdivision  
25 (1)(b)(iii) of section 48-621 and from the Cash Reserve Fund at the  
26 direction of the Legislature. The department shall establish a subaccount  
27 for all money transferred from the Cash Reserve Fund to the Job Training  
28 Cash Fund on or after July 1, 2005.

29 (2) The money in the Job Training Cash Fund or the subaccount  
30 established in subsection (1) of this section shall be used (a) to  
31 provide reimbursements for job training activities, including employee



1 assessment, preemployment training, on-the-job training, training  
2 equipment costs, and other reasonable costs related to helping industry  
3 and business locate or expand in Nebraska, (b) to provide upgrade skills  
4 training of the existing labor force necessary to adapt to new technology  
5 or the introduction of new product lines, (c) ~~to provide grants pursuant~~  
6 ~~to section 81-1210.02,~~ (d) as provided in section 79-2308, or (d) (e) as  
7 provided in section 48-3405. The department shall give a preference to  
8 job training activities carried out in whole or in part within an  
9 enterprise zone designated pursuant to the Enterprise Zone Act.

10 (3) The department shall establish a subaccount within the fund to  
11 provide training grants for training employees and potential employees of  
12 businesses that (a) employ twenty-five or fewer employees on the  
13 application date, (b) employ, or train for potential employment,  
14 residents of rural areas of Nebraska, or (c) are located in or employ, or  
15 train for potential employment, residents of high-poverty areas as  
16 defined in section 81-1203. The department shall calculate the amount of  
17 prior year investment income earnings accruing to the fund and allocate  
18 such amount to the subaccount for training grants under this subsection.  
19 The subaccount shall also be used as provided in the Teleworker Job  
20 Creation Act ~~and as provided in section 81-1210.02.~~ The department shall  
21 give a preference to training grants for businesses located in whole or  
22 in part within an enterprise zone designated pursuant to the Enterprise  
23 Zone Act.

24 (4) On the effective date of this act, any funds that were dedicated  
25 to carrying out sections 81-1210.01 to 81-1210.03 but were not yet  
26 expended shall be transferred to the Intern Nebraska Cash Fund. The State  
27 Treasurer shall transfer:

28 (a) ~~Two hundred fifty thousand dollars from the Job Training Cash~~  
29 ~~Fund to the General Fund no later than July 15 of 2015 and 2016; and~~

30 (b) ~~Two hundred fifty thousand dollars from the Job Training Cash~~  
31 ~~Fund to the Sector Partnership Program Fund on or before July 15, 2016.~~

1 (5) Any money in the Job Training Cash Fund available for investment  
2 shall be invested by the state investment officer pursuant to the  
3 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
4 Act.

5 Sec. 20. The Intern Nebraska Cash Fund is created. The fund shall  
6 be used to carry out sections 81-1210.01 to 81-1210.03. The fund shall  
7 consist of money transferred to the fund by the Legislature, other funds  
8 as appropriated by the Legislature, and money donated as gifts, bequests,  
9 or other contributions from public or private entities. Any money in the  
10 fund available for investment shall be invested by the state investment  
11 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
12 State Funds Investment Act.

13 Sec. 21. Section 81-1211, Revised Statutes Cumulative Supplement,  
14 2016, is amended to read:

15 81-1211 The Lead-Based Paint Hazard Control Cash Fund is created in  
16 the Department of Economic Development. The fund shall receive transfers  
17 from the Affordable Housing Trust Fund as authorized by the Legislature.  
18 The department shall use the entirety of the fund to award a grant to a  
19 city of the metropolitan class to carry out lead-based paint hazard  
20 control on owner-occupied properties, contingent upon formal notification  
21 by the United States Department of Housing and Urban Development that it  
22 intends to award a grant to a city of the metropolitan class to carry out  
23 the federal Residential Lead-Based Paint Hazard Reduction Act of 1992, 42  
24 U.S.C. 4852, as such section existed on January 1, 2015. No more than  
25 fifteen percent of the grant proceeds may be used for administrative  
26 expenses. It is the intent of the Legislature that any grant awarded from  
27 the Lead-Based Paint Hazard Control Cash Fund shall be applied to the  
28 congressional district grant allocations as established under section  
29 58-708. Any money in the fund available for investment shall be invested  
30 by the state investment officer pursuant to the Nebraska Capital  
31 Expansion Act and the Nebraska State Funds Investment Act.—~~The fund~~

1 ~~terminates on July 1, 2016.~~

2       Sec. 22. Section 81-3701, Revised Statutes Supplement, 2017, is  
3 amended to read:

4       81-3701 Sections 81-3701 to 81-3726 and sections 23 and 24 of this  
5 act shall be known and may be cited as the Nebraska Visitors Development  
6 Act.

7       Sec. 23. Vendors under contract with the commission to develop,  
8 print, and distribute publications and promotional materials on behalf of  
9 the commission shall, on a monthly basis, submit to the commission all  
10 revenue received from the sale of advertising space in such publications.  
11 Monthly submissions shall include an itemization of the sources of  
12 revenue in a format as designated by the commission. Revenue shall be  
13 remitted to the State Treasurer for credit to the Nebraska Tourism  
14 Commission Promotional Cash Fund.

15       Sec. 24. The Nebraska Tourism Commission Promotional Cash Fund is  
16 hereby created. The fund shall consist of revenue submitted by vendors as  
17 designated under section 23 of this act. The balance of any account  
18 established after July 1, 2017, to receive revenue from the sale of  
19 advertising shall be transferred to the Nebraska Tourism Commission  
20 Promotional Cash Fund. The commission shall use the fund to carry out its  
21 purposes under the Nebraska Visitors Development Act. Any money in the  
22 Nebraska Tourism Commission Promotional Cash Fund available for  
23 investment shall be invested by the state investment officer pursuant to  
24 the Nebraska Capital Expansion Act and the Nebraska State Funds  
25 Investment Act.

26       Sec. 25. Section 81-3714, Revised Statutes Supplement, 2017, is  
27 amended to read:

28       81-3714 The State Visitors Promotion Cash Fund is created. The fund  
29 shall be administered by the commission. The fund shall consist of  
30 revenue deposited into the fund pursuant to section 81-3715 and money  
31 donated as gifts, bequests, or other contributions from public or private

1 entities. Funds made available by any department or agency of the United  
2 States may also be credited to the fund if so directed by such department  
3 or agency. The commission shall use the proceeds of the fund to generally  
4 promote, encourage, and attract visitors to and within the State of  
5 Nebraska, to erect and replace highway tourism markers, to enhance the  
6 use of travel and tourism facilities within the state, to provide grants  
7 to communities and organizations, and to contract with the Department of  
8 Administrative Services to provide support services to the commission,  
9 including, but not limited to, accounting and personnel functions. The  
10 proceeds of the fund shall be in addition to funds appropriated to the  
11 commission from the General Fund. Transfers may be made from the State  
12 Visitors Promotion Cash Fund to the General Fund at the direction of the  
13 Legislature. The State Treasurer shall transfer one million dollars from  
14 the State Visitors Promotion Cash Fund to the General Fund on or before  
15 June 30, 2019, on such dates and in such amounts as directed by the  
16 budget administrator of the budget division of the Department of  
17 Administrative Services. Any money in the State Visitors Promotion Cash  
18 Fund available for investment shall be invested by the state investment  
19 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
20 State Funds Investment Act.

21 Sec. 26. Section 84-1227, Revised Statutes Cumulative Supplement,  
22 2016, is amended to read:

23 84-1227 There is hereby established in the state treasury a special  
24 fund to be known as the Records Management Cash Fund which, when  
25 appropriated by the Legislature, shall be expended by the Secretary of  
26 State for the purposes of providing records management services and  
27 assistance to local agencies, for development and maintenance of the  
28 portal for providing electronic access to public records or electronic  
29 information and services, and for grants to a state or local agency as  
30 provided in subdivision (1)(j) of section 84-1204. All fees and charges  
31 for the purpose of records management services and analysis received by

1 the Secretary of State from the local agencies shall be remitted to the  
2 State Treasurer for credit to such fund. Transfers may be made from the  
3 fund to the General Fund or the Secretary of State Administration Cash  
4 Fund at the direction of the Legislature. The State Treasurer, at the  
5 direction of the budget administrator of the budget division of the  
6 Department of Administrative Services, shall transfer five hundred  
7 thousand dollars from the Records Management Cash Fund to the Information  
8 Management Revolving Fund on or before June 30, 2016. Any money in the  
9 Records Management Cash Fund available for investment shall be invested  
10 by the state investment officer pursuant to the Nebraska Capital  
11 Expansion Act and the Nebraska State Funds Investment Act.

12 Sec. 27. Laws 2017, LB331, section 3, is amended to read:

13 Sec. 3. The State Treasurer shall transfer ~~\$10,670,000~~ \$9,170,000  
14 from the General Fund to the Water Sustainability Fund on or before June  
15 30, 2018, on such dates and in such amounts as directed by the budget  
16 administrator of the budget division of the Department of Administrative  
17 Services.

18 Sec. 28. Laws 2017, LB331, section 4, is amended to read:

19 Sec. 4. The State Treasurer shall transfer ~~\$9,470,000~~ \$6,000,000  
20 from the General Fund to the Water Sustainability Fund on or before June  
21 30, 2019, on such dates and in such amounts as directed by the budget  
22 administrator of the budget division of the Department of Administrative  
23 Services.

24 Sec. 29. Laws 2017, LB331, section 11, is amended to read:

25 Sec. 11. The State Treasurer shall transfer ~~\$200,000~~ \$700,000 from  
26 the Nebraska Litter Reduction and Recycling Fund to the General Fund on  
27 or before June 30, 2019, on such dates and in such amounts as directed by  
28 the budget administrator of the budget division of the Department of  
29 Administrative Services.

30 Sec. 30. Original section 81-1121, Reissue Revised Statutes of  
31 Nebraska, sections 49-14,140, 61-224, 81-2,162.27, 81-1201.21, 81-1211,

1 and 84-1227, Revised Statutes Cumulative Supplement, 2016, sections  
2 37-327.02, 48-1,116, 58-703, 59-1608.04, 61-218, 71-7611, 81-3701, and  
3 81-3714, Revised Statutes Supplement, 2017, and Laws 2017, LB331,  
4 sections 3, 4, and 11, are repealed.

5 Sec. 31. Since an emergency exists, this act takes effect when  
6 passed and approved according to law.