

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018

COMMITTEE STATEMENT

LB945

Hearing Date: Monday January 22, 2018
Committee On: Appropriations
Introducer: Speaker Scheer
One Liner: Provide for transfers of funds and change transfer provisions

Roll Call Vote - Final Committee Action:

Advanced to General File with amendment(s)

Vote Results:

Aye:	8	Senators Bolz, Clements, Hilkemann, McDonnell, Stinner, Vargas, Watermeier, Wishart
Nay:	1	Senator Kuehn
Absent:		
Present Not Voting:		

Verbal Testimony:

Proponents:

Gerry Oligmueller

Representing:

Introducer - Governor's Office

Opponents:

Jane Polson
Linda Behrns
Roger Behrns

Representing:

Keep Nebraska Beautiful
Keep Cass County Beautiful
City of Louisville

Neutral:

Representing:

Summary of purpose and/or changes:

LB 945, introduced by the Speaker at the request of the Governor, is part of the Governor's 2018 midbiennium budget adjustment recommendations for the 2017-2019 biennium. The bill authorizes and provides for fund transfers and changes certain fund transfer provisions. This legislative bill contains the emergency clause.

Detailed information regarding the Governor's mid-biennium budget recommendations can be found in the document entitled "State of Nebraska, Mid-Biennium Budget Adjustments, 2017-2019 Biennium" dated January 10, 2018, and may be viewed on the Department of Administrative Services-State Budget Division's website.

Explanation of amendments:

The amendment becomes the bill. The amendment contains the Appropriations Committee recommendations as to fund transfers, creation of funds and changes governing the administration and use of funds, in those instances where statutory changes are necessary or desirable.

Details of the Committee's recommendation may be found in the booklet entitled, "Appropriations Committee Budget Proposal-Mid Biennium Budget Adjustments, FY 2017-18 and FY2018-19" dated March 2018. Transfers being authorized during this session may be found on page 17 as shown as "2018 Session" transfers.

Specifically the amendment contains the following:

Section 1: Transfers \$170,325 from the Underground Storage Tank Cash Fund to the General Fund on or before June 30, 2019.

Section 2: Transfers \$1.3 million from the Health and Human Services Cash Fund to the General Fund on or before June 30, 2019. This transfer is intended to come from funds credited to the X-Ray Cash Fund, a subfund of the Health and Human Services Cash Fund.

Section 3: Transfers \$520,000 from the Health and Human Services Cash Fund to the General Fund on or before June 30, 2019. This transfer is intended to come from funds credited to the Emergency Preparedness Cash Fund, a subfund of the Health and Human Services Cash Fund.

Section 4: Transfers \$750,000 from the Health and Human Services Cash Fund to the General Fund on or before June 30, 2019. This transfer is intended to come from funds credited to the Radioactive Materials Cash Fund, a subfund of the Health and Human Services Cash Fund.

Section 5: Transfers the unobligated balance on September 30, 2017, of the Nebraska Progress Loan Fund to the Intern Nebraska Cash Fund on or before July 15, 2018.

Section 6: Transfers \$50,000 from the Nebraska Accountability and Disclosure Commission Cash Fund to the General Fund on or before June 30, 2019.

Section 7: Transfers \$200,000 from the Affordable Housing Trust Fund to the Lead-Based Paint Hazard Control Cash Fund no later than July 15, 2018.

Section 8: Creates the Nebraska Film Office Fund to be administered by the Department of Economic Development.

Section 9: Changes a transfer of \$4.5 million from the Game and Parks Commission Capital Maintenance Fund to the General Fund to an \$8.5 million transfer between June 1 and June 30, 2019.

Section 10: Changes the date of a transfer from the Compensation Court Cash Fund to the General Fund. Currently, the transfer is to happen between June 1 and June 30, 2018. The amendment changes the transfer to occur between June 1 and June 30, 2019.

Section 11: Allows for transfers from the Nebraska Accountability and Disclosure Cash Fund to the General Fund at the direction of the Legislature.

Section 12: Allows for transfers from the Affordable Housing Trust Fund to the Lead-Based Paint Hazard Control Cash Fund.

Section 13: Allows for transfers from the State Settlement Cash Fund to the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Fund. In addition, this section increases a transfer from the State Settlement Cash Fund to the General Fund from \$750,000 on or before June 30, 2018 to a transfer of \$876,998. Similarly, a transfer on or before June 20, 2019 from the State Settlement Cash Fund to the General Fund is increased from \$750,000 to \$1,756,639. Finally, section 12 transfers \$125,000 from the State Settlement Cash Fund to the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Fund on or before April 30, 2018 and \$150,000 on or before July 9, 2018.

Section 14: Directs the State Treasurer to credit any fund received by the state for settlement of claims regarding Colorado's past use of water under the Republican River Compact to the Water Resources Cash Fund. Furthermore, Legislative intent is provided that the State Treasurer deposit any money received from any Republican River Compact settlement to the Water Resources Cash Fund in the fiscal year in which funds are received.

Section 15: Allows for transfers from the Critical Infrastructure Facilities Cash Fund to the General Fund at the direction of the Legislature and makes such a transfer for \$384,222 plus accrued interest through the effective date of the Act. This transfer is to take place on or before June 30, 2019.

Section 16: Increases a transfer from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care Cash Fund on or before July 15, 2018 from \$60,700,000 to \$61,200,000. In addition, the amendment makes another transfer of \$60,700,000 on or before July 15, 2019.

Section 17: Allows transfers from the Fertilizers and Soil Conditioners Administrative Fund to the General Fund at the direction of the Legislature. The amendment then transfers \$275,000 on or before June 30, 2019.

Section 18: Requires reimbursement to the State of Nebraska from other states operating in accordance with the Emergency Management Assistance Compact to be credited as receipts to the Governor's Emergency Cash Fund.

Section 19: Removes the allowance of providing grants pursuant to section 81-1210.02 from the Job Training Cash Fund. In addition, the amendment directs that on the effective date of this act, any funds dedicated to carrying out sections 81-1210.01 to 81-1210.03 but were not yet expended shall be transferred to the Intern Nebraska Cash Fund. Finally, two subsections that have expired are stricken.

Section 20: Creates the Intern Nebraska Cash Fund.

Section 21: Allows the Lead-Based Paint Hazard Control Cash Fund to receive transfers from the Affordable Housing Trust Fund and limits to no more than 15%, the amount of grant proceeds that may be used for administrative expenses for grants paid from the Lead-Based Paint Hazard Control Cash Fund. Legislative intent that any grant awarded from the fund shall be applied to the congressional district grant allocations as established under section 58-708. Finally, section 20's termination of the fund as of July 1, 2016, is stricken.

Section 23 and 24: These are new sections added to the Nebraska Visitors Development Act. Section 23 requires vendors under contract with the Nebraska Tourism Commission who develop, print, and distribute publications and promotional materials on behalf of the commission to submit to the commission all revenue received from such activities on a monthly basis. Monthly submissions shall include an itemization of the sources of revenue in a format as designated by the commissions and shall be remitted for credit to the Nebraska Tourism Commission Promotional Cash Fund, which is established in section 24.

Section 25: Allows for transfers to be made from the State Visitors Promotion Cash Fund to the General Fund at the direction of the Legislature. \$1 million is transferred on or before June 30, 2019.

Section 26: Allows for transfers from the Records Management Cash Fund to the Secretary of State Administration Cash Fund.

Section 27: Reduces a transfer from the General Fund to the Water Sustainability Fund by \$1.5 million. This transfer is to occur on or before June 30, 2018.

Section 28: Reduces a transfer from the General Fund to the Water Sustainability Fund by \$3,470,000. This transfer is to occur on or before June 30, 2019.

Section 29: Increases a transfer from the Nebraska Litter Reduction and Recycling Fund to the General Fund by \$500,000. This transfer is to occur on or before June 30, 2019.

