

AMENDMENTS TO LB298

Introduced by Appropriations.

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

3 Section 1. The State Treasurer shall transfer \$247,000,000 from the
4 General Fund to the Property Tax Credit Cash Fund on or before December
5 15, 2019, on such date as directed by the budget administrator of the
6 budget division of the Department of Administrative Services.

7 Sec. 2. The State Treasurer shall transfer \$247,000,000 from the
8 General Fund to the Property Tax Credit Cash Fund on or before December
9 15, 2020, on such date as directed by the budget administrator of the
10 budget division of the Department of Administrative Services.

11 Sec. 3. The State Treasurer shall transfer \$25,000,000 from the
12 General Fund to the Cash Reserve Fund on or before June 30, 2020, on such
13 date as directed by the budget administrator of the budget division of
14 the Department of Administrative Services.

15 Sec. 4. The State Treasurer shall transfer \$25,000,000 from the
16 General Fund to the Cash Reserve Fund on or before June 30, 2021, on such
17 date as directed by the budget administrator of the budget division of
18 the Department of Administrative Services.

19 Sec. 5. The State Treasurer shall transfer \$11,000,000 from the
20 General Fund to the Water Sustainability Fund on or before June 30, 2020,
21 on such dates and in such amounts as directed by the budget administrator
22 of the budget division of the Department of Administrative Services.

23 Sec. 6. The State Treasurer shall transfer \$11,000,000 from the
24 General Fund to the Water Sustainability Fund on or before June 30, 2021,
25 on such dates and in such amounts as directed by the budget administrator
26 of the budget division of the Department of Administrative Services.

27 Sec. 7. The State Treasurer shall transfer \$3,300,000 from the

1 General Fund to the Water Resources Cash Fund on or before June 30, 2020,
2 on such dates and in such amounts as directed by the budget administrator
3 of the budget division of the Department of Administrative Services.

4 Sec. 8. The State Treasurer shall transfer \$3,300,000 from the
5 General Fund to the Water Resources Cash Fund on or before June 30, 2021,
6 on such dates and in such amounts as directed by the budget administrator
7 of the budget division of the Department of Administrative Services.

8 Sec. 9. The State Treasurer shall transfer the remaining balance of
9 the Accounting Division Cash Fund to the Election Administration Fund on
10 or before June 30, 2020, on such date as directed by the budget
11 administrator of the budget division of the Department of Administrative
12 Services.

13 Sec. 10. The State Treasurer shall transfer \$55,290 from the
14 Nebraska Collection Agency Fund to the Secretary of State Administration
15 Cash Fund on or before June 30, 2020, on such dates and in such amounts
16 as directed by the budget administrator of the budget division of the
17 Department of Administrative Services.

18 Sec. 11. The State Treasurer shall transfer the remaining balance
19 of human resources management system assessment revenue plus related
20 accumulated interest from the Personnel Division Revolving Fund to the
21 Accounting Division Revolving Fund on or before June 30, 2020, on such
22 date as directed by the budget administrator of the budget division of
23 the Department of Administrative Services.

24 Sec. 12. The State Treasurer shall transfer an amount as directed
25 by the budget administrator of the budget division of the Department of
26 Administrative Services, pursuant to subsections (3) and (4) of section
27 82-331, not to exceed \$500,000, from the General Fund to the Nebraska
28 Cultural Preservation Endowment Fund on December 31, 2019, or as soon
29 thereafter as administratively possible.

30 Sec. 13. The State Treasurer shall transfer an amount as directed
31 by the budget administrator of the budget division of the Department of

1 Administrative Services, pursuant to subsections (3) and (4) of section
2 82-331, not to exceed \$500,000, from the General Fund to the Nebraska
3 Cultural Preservation Endowment Fund on December 31, 2020, or as soon
4 thereafter as administratively possible.

5 Sec. 14. Section 2-4018, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 2-4018 The State Treasurer shall establish in the state treasury a
8 fund to be known as the Grain Sorghum Development, Utilization, and
9 Marketing Fund, to which ~~fund~~ shall be credited (1) all fees collected by
10 the board pursuant to the Grain Sorghum Resources Act and (2) any
11 repayments relating to the fund, including license fees or royalties,
12 which shall be credited to the fund for the uses and purposes of the act
13 and its enforcement. Such fund shall be expended solely for the
14 administration of the act. Any money in the fund available for investment
15 shall be invested by the state investment officer pursuant to the
16 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
17 Act.

18 Sec. 15. Section 9-1,101, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
21 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
22 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
23 9-701 shall be administered and enforced by the Charitable Gaming
24 Division of the Department of Revenue, which division is hereby created.
25 The Department of Revenue shall make annual reports to the Governor,
26 Legislature, Auditor of Public Accounts, and Attorney General on all tax
27 revenue received, expenses incurred, and other activities relating to the
28 administration and enforcement of such acts. The report submitted to the
29 Legislature shall be submitted electronically.

30 (2) The Charitable Gaming Operations Fund is hereby created. Any
31 money in the fund available for investment shall be invested by the state

1 investment officer pursuant to the Nebraska Capital Expansion Act and the
2 Nebraska State Funds Investment Act.

3 (3)(a) Forty percent of the taxes collected pursuant to sections
4 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
5 Gaming Division for administering and enforcing the acts listed in
6 subsection (1) of this section and providing administrative support for
7 the Nebraska Commission on Problem Gambling. The remaining sixty percent
8 shall be transferred to the General Fund. Any portion of the forty
9 percent not used by the division in the administration and enforcement of
10 such acts and section shall be distributed as provided in this
11 subsection.

12 (b) Beginning July 1, 2019, through June 30, 2021, on or before the
13 last day of the last month of each calendar quarter, the State Treasurer
14 shall transfer one hundred thousand dollars from the Charitable Gaming
15 Operations Fund to the Compulsive Gamblers Assistance Fund. Beginning
16 July 1, 2021, on ~~or~~ or before November 1 each year, the State Treasurer
17 shall transfer one hundred thousand dollars from the Charitable Gaming
18 Operations Fund to the Compulsive Gamblers Assistance Fund, except that
19 no transfer shall occur if the Charitable Gaming Operations Fund contains
20 less than one hundred thousand dollars.

21 (c) Any money remaining in the Charitable Gaming Operations Fund
22 after the transfer pursuant to subdivision (b) of this subsection not
23 used by the Charitable Gaming Division in its administration and
24 enforcement duties pursuant to this section may be transferred to the
25 General Fund at the direction of the Legislature.

26 (4) The Tax Commissioner shall employ investigators who shall be
27 vested with the authority and power of a law enforcement officer to carry
28 out the laws of this state administered by the Tax Commissioner or the
29 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
30 to possession of a gambling device. For purposes of enforcing sections
31 28-1101 to 28-1117, the authority of the investigators shall be limited

1 to investigating possession of a gambling device, notifying local law
2 enforcement authorities, and reporting suspected violations to the county
3 attorney for prosecution.

4 (5) The Charitable Gaming Division may charge a fee for publications
5 and listings it produces. The fee shall not exceed the cost of
6 publication and distribution of such items. The division may also charge
7 a fee for making a copy of any record in its possession equal to the
8 actual cost per page. The division shall remit the fees to the State
9 Treasurer for credit to the Charitable Gaming Operations Fund.

10 (6) For administrative purposes only, the Nebraska Commission on
11 Problem Gambling shall be located within the Charitable Gaming Division.
12 The division shall provide office space, furniture, equipment, and
13 stationery and other necessary supplies for the commission. Commission
14 staff shall be appointed, supervised, and terminated by the director of
15 the Gamblers Assistance Program pursuant to section 9-1004.

16 Sec. 16. Section 45-621, Revised Statutes Cumulative Supplement,
17 2018, is amended to read:

18 45-621 (1) All fees collected under the Collection Agency Act shall
19 be remitted to the State Treasurer for credit to a special fund to be
20 known as the Nebraska Collection Agency Fund. The board may use the fund
21 as may be necessary for the proper administration and enforcement of the
22 act. The fund shall be paid out only on proper vouchers approved by the
23 board and upon warrants issued by the Director of Administrative Services
24 and countersigned by the State Treasurer as provided by law. All fees and
25 expenses of the Attorney General in representing the board pursuant to
26 the act shall be paid out of such fund. Transfers from the fund to the
27 Election Administration Fund, the Secretary of State Administration Cash
28 Fund, or the General Fund may be made at the direction of the
29 Legislature. Any money in the Nebraska Collection Agency Fund available
30 for investment shall be invested by the state investment officer pursuant
31 to the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2 (2) On or before July 5, 2013, the State Treasurer shall transfer
3 one hundred thousand dollars from the Nebraska Collection Agency Fund to
4 the Election Administration Fund.

5 Sec. 17. Section 61-218, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 61-218 (1) The Water Resources Cash Fund is created. The fund shall
8 be administered by the Department of Natural Resources. Any money in the
9 fund available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act.

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

22 (3) The fund shall be expended by the department (a) to aid
23 management actions taken to reduce consumptive uses of water or to
24 enhance streamflows or ground water recharge in river basins, subbasins,
25 or reaches which are deemed by the department overappropriated pursuant
26 to section 46-713 or fully appropriated pursuant to section 46-714 or are
27 bound by an interstate compact or decree or a formal state contract or
28 agreement, (b) for purposes of projects or proposals described in the
29 grant application as set forth in subdivision (2)(h) of section
30 81-15,175, and (c) to the extent funds are not expended pursuant to
31 subdivisions (a) and (b) of this subsection, the department may conduct a

1 statewide assessment of short-term and long-term water management
2 activities and funding needs to meet statutory requirements in sections
3 46-713 to 46-718 and 46-739 and any requirements of an interstate compact
4 or decree or formal state contract or agreement. The fund shall not be
5 used to pay for administrative expenses or any salaries for the
6 department or any political subdivision.

7 (4) It is the intent of the Legislature that three million three
8 hundred thousand dollars be transferred each fiscal year from the General
9 Fund to the Water Resources Cash Fund for FY2011-12 through FY2022-23
10 ~~FY2018-19~~, except that for FY2012-13 it is the intent of the Legislature
11 that four million seven hundred thousand dollars be transferred from the
12 General Fund to the Water Resources Cash Fund. It is the intent of the
13 Legislature that the State Treasurer credit any money received from any
14 Republican River Compact settlement to the Water Resources Cash Fund in
15 the fiscal year in which it is received.

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

30 (i) Require an explanation of how the planned activity will achieve
31 a sustainable balance of consumptive water uses or will assure compliance

1 with an interstate compact or decree or a formal state contract or
2 agreement as required by section 46-715 and the controls, rules, and
3 regulations designed to carry out the activity; and

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

7 (b) Any natural resources district that fails to implement and
8 enforce its controls, rules, and regulations as required by section
9 46-715 shall not be eligible for funding from the Water Resources Cash
10 Fund until it is determined by the department that compliance with the
11 provisions required by section 46-715 has been established.

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

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

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

21 (7)(a) Prior to the application deadline for fiscal year 2011-12,
22 the Department of Natural Resources shall apply for a grant of nine
23 million nine hundred thousand dollars from the Nebraska Environmental
24 Trust Fund, to be paid out in three annual installments of three million
25 three hundred thousand dollars. The purposes listed in the grant
26 application shall be consistent with the uses of the Water Resources Cash
27 Fund provided in this section and shall be used to aid management actions
28 taken to reduce consumptive uses of water, to enhance streamflows, to
29 recharge ground water, or to support wildlife habitat in any river basin
30 determined to be fully appropriated pursuant to section 46-714 or
31 designated as overappropriated pursuant to section 46-713.

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

11 (c) It is the intent of the Legislature that the department apply
12 for an additional three-year grant that would begin in fiscal year
13 2014-15, ~~and~~ an additional three-year grant from the Nebraska
14 Environmental Trust Fund that would begin in fiscal year 2017-18, and an
15 additional three-year grant from the Nebraska Environmental Trust Fund
16 that would begin in fiscal year 2020-21 if the criteria established in
17 subsection (4) of section 81-15,175 are achieved.

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

26 Sec. 18. Section 66-1334, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 66-1334 (1) The Agricultural Alcohol Fuel Tax Fund is hereby
29 created. ~~No part of the funds deposited in the fund or of federal funds~~
30 ~~or other funds solicited in conjunction with research or demonstration~~
31 ~~programs shall lapse to the General Fund. Transfers from the Agricultural~~

1 ~~Alcohol Fuel Tax Fund to the Ethanol Production Incentive Cash Fund may~~
2 ~~be made at the direction of the Legislature. In addition to such~~
3 ~~unexpended balance appropriation, there is hereby appropriated such~~
4 ~~amounts as are deposited in the Agricultural Alcohol Fuel Tax Fund in~~
5 ~~each year. The fund shall be administered by the board. The fund shall~~
6 ~~contain (a) transfers made pursuant to section 66-726, (b) all sums of~~
7 ~~money received from fees resulting from any conference or event held by~~
8 ~~the board, (c) gifts, grants, and contributions made by public or private~~
9 ~~entities, and (d) transfers as authorized by the Legislature. Any money~~
10 ~~in the fund available for investment shall be invested by the state~~
11 ~~investment officer pursuant to the Nebraska Capital Expansion Act and the~~
12 ~~Nebraska State Funds Investment Act.~~

13 (2) The fund shall be used for the following purposes:

14 (a) Establishment, with cooperation of private industry, of
15 procedures and processes necessary to the manufacture and marketing of
16 fuel containing agricultural ethyl alcohol;

17 (b) Establishment of procedures for entering blended fuel into the
18 marketplace by private enterprise;

19 (c) Analysis of the marketing process and testing of marketing
20 procedures to assure acceptance in the private marketplace of blended
21 fuel and byproducts resulting from the manufacturing process;

22 (d) Cooperation with private industry to establish privately owned
23 agricultural ethyl alcohol manufacturing plants in Nebraska to supply
24 demand for blended fuel;

25 (e) Sponsoring research and development of industrial and commercial
26 uses for agricultural ethyl alcohol and for byproducts resulting from the
27 manufacturing process;

28 (f) Promotion of state and national air quality improvement programs
29 and influencing federal legislation that requires or encourages the use
30 of fuels oxygenated by the inclusion of agricultural ethyl alcohol or its
31 derivatives;

1 (g) Promotion of the use of renewable agricultural ethyl alcohol as
2 a partial replacement for imported oil and for the energy and economic
3 security of the nation;

4 (h) Participation in development and passage of national legislation
5 dealing with research, development, and promotion of United States
6 production of fuels oxygenated by the inclusion of agricultural ethyl
7 alcohol or its derivatives, access to potential markets, tax incentives,
8 imports of foreign-produced fuel, and related concerns that may develop
9 in the future; and

10 (i) As the board may otherwise direct to fulfill the goals set forth
11 under the Ethanol Development Act, including monitoring contracts for
12 ~~existing ethanol program commitments consummated pursuant to the law in~~
13 ~~existence prior to September 1, 1993,~~ and solicitation of federal funds.

14 Sec. 19. Section 71-7611, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
17 Treasurer shall transfer (a) sixty million three hundred thousand dollars
18 on or before July 15, 2014, (b) sixty million three hundred fifty
19 thousand dollars on or before July 15, 2015, (c) sixty million three
20 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
21 million seven hundred thousand dollars on or before July 15, 2017, (e)
22 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one
23 million six hundred thousand dollars on or before July 15, 2018, (g)
24 sixty-one million four ~~three~~ hundred ~~fifty~~ thousand dollars on or before
25 July 15, 2019, and (h) sixty million four hundred fifty thousand dollars
26 on or before every July 15 thereafter from the Nebraska Medicaid
27 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust
28 Fund to the Nebraska Health Care Cash Fund, except that such amount shall
29 be reduced by the amount of the unobligated balance in the Nebraska
30 Health Care Cash Fund at the time the transfer is made. The state
31 investment officer shall advise the State Treasurer on the amounts to be

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

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

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

18 (2) Any money in the Nebraska Health Care 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.

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

28 (4) The State Treasurer shall transfer fifty thousand dollars on or
29 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
30 Board of Regents of the University of Nebraska for the University of
31 Nebraska Medical Center. It is the intent of the Legislature that these

1 funds be used by the College of Public Health for workforce training.

2 (5) It is the intent of the Legislature that the cost of the staff
3 and operating costs necessary to carry out the changes made by Laws 2018,
4 LB439, and not covered by fees or federal funds shall be funded from the
5 Nebraska Health Care Cash Fund for fiscal years 2018-19 and 2019-20.

6 Sec. 20. Section 81-1426.01, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 81-1426.01 (1) There is created a separate and distinct budgetary
9 program within the commission to be known as the County Justice
10 Reinvestment Grant Program. Funding shall be used to provide grants to
11 counties to help offset jail costs. ~~It is the intent of the Legislature~~
12 ~~to appropriate five hundred thousand dollars to the County Justice~~
13 ~~Reinvestment Grant Program.~~

14 (2) The annual General Fund appropriation to the County Justice
15 Reinvestment Grant Program shall be apportioned to the counties as grants
16 in accordance with a formula established in rules and regulations adopted
17 and promulgated by the commission. The formula shall be based on the
18 total number per county of individuals incarcerated in jails and the
19 total capacity of jails.

20 (3) Funds provided to counties under the County Justice Reinvestment
21 Grant Program shall be used exclusively to assist counties in the event
22 that their average daily jail population increases after August 30, 2015.
23 In distributing funds provided under the County Justice Reinvestment
24 Grant Program, counties shall demonstrate to the commission that their
25 average daily jail population increased, using data to pinpoint the
26 contributing factors, as a result of the implementation of Laws 2015,
27 LB605. The commission shall grant funds to counties which have an
28 increase in population compared to the average daily jail population of
29 the preceding three fiscal years. In calculating the average daily jail
30 population, counties shall only include post-adjudication inmates who are
31 serving sentences or inmates serving custodial sanctions due to probation

1 violations. Counties may apply for grants one year after August 30, 2015.

2 (4) No funds appropriated or distributed under the County Justice
3 Reinvestment Grant Program shall be used for the construction of secure
4 detention facilities, secure treatment facilities, secure confinement
5 facilities, or county jails. Grants received under this section shall not
6 be used for capital construction or the lease or acquisition of
7 facilities. Any funds appropriated to the County Justice Reinvestment
8 Grant Program to be distributed to counties under this section shall be
9 retained by the commission to be distributed in the form of grants in the
10 following fiscal year.

11 (5) In distributing funds provided under the County Justice
12 Reinvestment Grant Program, recipients shall prioritize use of the funds
13 for programs, services, and approaches that reduce jail populations and
14 costs. The funds may be used to supplement existing programs, services,
15 and approaches to reduce jail populations and costs.

16 (6) Any aid not distributed to counties shall be retained by the
17 commission to be distributed on a competitive basis to counties
18 demonstrating additional need in the funding areas identified in this
19 section.

20 (7) ~~(6)~~ Any county receiving grants under the County Justice
21 Reinvestment Grant Program shall submit annual information electronically
22 to the commission as required by rules and regulations adopted and
23 promulgated by the commission. The information shall include, but not be
24 limited to, the objective sought for the grant and estimated savings and
25 reduction in jail inmates.

26 (8) ~~(7)~~ The commission shall report annually to the Governor and the
27 Legislature on the distribution and use of funds for grants appropriated
28 under the County Justice Reinvestment Grant Program. The report shall
29 include, but not be limited to, the information listed under subsection
30 (7) ~~(6)~~ of this section. The report submitted to the Legislature shall be
31 submitted electronically.

1 (9) ~~(8)~~ The commission shall adopt and promulgate rules and
2 regulations to implement this section.

3 Sec. 21. Section 81-15,175, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 81-15,175 (1) The board may make an annual allocation each fiscal
6 year from the Nebraska Environmental Trust Fund to the Nebraska
7 Environmental Endowment Fund as provided in section 81-15,174.01. The
8 board shall make annual allocations from the Nebraska Environmental Trust
9 Fund and may make annual allocations each fiscal year from the Nebraska
10 Environmental Endowment Fund for projects which conform to the
11 environmental categories of the board established pursuant to section
12 81-15,176 and to the extent the board determines those projects to have
13 merit. The board shall establish a calendar annually for receiving and
14 evaluating proposals and awarding grants. To evaluate the economic,
15 financial, and technical feasibility of proposals, the board may
16 establish subcommittees, request or contract for assistance, or establish
17 advisory groups. Private citizens serving on advisory groups shall be
18 reimbursed for their actual and necessary expenses pursuant to sections
19 81-1174 to 81-1177.

20 (2) The board shall establish rating systems for ranking proposals
21 which meet the board's environmental categories and other criteria. The
22 rating systems shall include, but not be limited to, the following
23 considerations:

24 (a) Conformance with categories established pursuant to section
25 81-15,176;

26 (b) Amount of funds committed from other funding sources;

27 (c) Encouragement of public-private partnerships;

28 (d) Geographic mix of projects over time;

29 (e) Cost-effectiveness and economic impact;

30 (f) Direct environmental impact;

31 (g) Environmental benefit to the general public and the long-term

1 nature of such public benefit; and

2 (h) Applications recommended by the Director of Natural Resources
3 and submitted by the Department of Natural Resources pursuant to
4 subsection (7) of section 61-218 shall be awarded fifty priority points
5 in the ranking process for the 2011 grant application if the Legislature
6 has authorized annual transfers of three million three hundred thousand
7 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12
8 and 2012-13 and has stated its intent to transfer three million three
9 hundred thousand dollars to the Water Resources Cash Fund in fiscal year
10 2013-14. Priority points shall be awarded if the proposed programs set
11 forth in the grant application are consistent with the purposes of
12 reducing consumptive uses of water, enhancing streamflows, recharging
13 ground water, or supporting wildlife habitat in any river basin
14 determined to be fully appropriated pursuant to section 46-714 or
15 designated as overappropriated pursuant to section 46-713.

16 (3) A grant awarded under this section pursuant to an application
17 made under subsection (7) of section 61-218 shall be paid out in the
18 following manner:

19 (a) The initial three million three hundred thousand dollar
20 installment shall be remitted to the State Treasurer for credit to the
21 Water Resources Cash Fund no later than fifteen business days after the
22 date that the grant is approved by the board;

23 (b) The second three million three hundred thousand dollar
24 installment shall be remitted to the State Treasurer for credit to the
25 Water Resources Cash Fund no later than May 15, 2013; and

26 (c) The third three million three hundred thousand dollar
27 installment shall be remitted to the State Treasurer for credit to the
28 Water Resources Cash Fund no later than May 15, 2014, if the Legislature
29 has authorized a transfer of three million three hundred thousand dollars
30 from the General Fund to the Water Resources Cash Fund for fiscal year
31 2013-14.

1 (4) It is the intent of the Legislature that the Department of
2 Natural Resources apply for an additional three-year grant from the
3 Nebraska Environmental Trust Fund that would begin in fiscal year
4 2014-15, ~~and~~ a three-year grant that would begin in fiscal year 2017-18,
5 and a three-year grant that would begin in fiscal year 2020-21 and such
6 application shall be awarded fifty priority points in the ranking process
7 as set forth in subdivision (2)(h) of this section if the following
8 criteria are met:

9 (a) The Natural Resources Committee of the Legislature has examined
10 options for water funding and has submitted a report electronically to
11 the Clerk of the Legislature and the Governor by December 1, 2012,
12 setting forth:

13 (i) An outline and priority listing of water management and funding
14 needs in Nebraska, including instream flows, residential, agricultural,
15 recreational, and municipal needs, interstate obligations, water quality
16 issues, and natural habitats preservation;

17 (ii) An outline of statewide funding options which create a
18 dedicated, sustainable funding source to meet the needs set forth in the
19 report; and

20 (iii) Recommendations for legislation;

21 (b) The projects and activities funded by the department through
22 grants from the Nebraska Environmental Trust Fund under this section have
23 resulted in enhanced streamflows, reduced consumptive uses of water,
24 recharged ground water, supported wildlife habitat, or otherwise
25 contributed towards conserving, enhancing, and restoring Nebraska's
26 ground water and surface water resources. On or before July 1, 2014, the
27 department shall submit electronically a report to the Natural Resources
28 Committee of the Legislature providing demonstrable evidence of the
29 benefits accrued from such projects and activities; and

30 (c) In addition to the grant reporting requirements of the trust, on
31 or before July 1, 2014, the department provides to the board a report

1 which includes documentation that:

2 (i) Expenditures from the Water Resources Cash Fund made to natural
3 resources districts have met the matching fund requirements provided in
4 subdivision (5)(a) of section 61-218;

5 (ii) Ten percent or less of the matching fund requirements has been
6 provided by in-kind contributions for expenses incurred for projects
7 enumerated in the grant application. In-kind contributions shall not
8 include land or land rights; and

9 (iii) All other projects and activities funded by the department
10 through grants from the Nebraska Environmental Trust Fund under this
11 section were matched not less than forty percent of the project or
12 activity cost by other funding sources.

13 (5) The board may establish a subcommittee to rate grant
14 applications. If the board uses a subcommittee, the meetings of such
15 subcommittee shall be subject to the Open Meetings Act. The subcommittee
16 shall (a) use the rating systems established by the board under
17 subsection (2) of this section, (b) assign a numeric value to each rating
18 criterion, combine these values into a total score for each application,
19 and rank the applications by the total scores, (c) recommend an amount of
20 funding for each application, which amount may be more or less than the
21 requested amount, and (d) submit the ranked list and recommended funding
22 to the board for its approval or disapproval.

23 (6) The board may commit funds to multiyear projects, subject to
24 available funds and appropriations. No commitment shall exceed three
25 years without formal action by the board to renew the grant or contract.
26 Multiyear commitments may be exempt from the rating process except for
27 the initial application and requests to renew the commitment.

28 (7) The board shall adopt and promulgate rules and regulations and
29 publish guidelines governing allocations from the fund. The board shall
30 conduct annual reviews of existing projects for compliance with project
31 goals and grant requirements.

1 (8) Every five years the board may evaluate the long-term effects of
2 the projects it funds. The evaluation may assess a sample of such
3 projects. The board may hire an independent consultant to conduct the
4 evaluation and may report the evaluation findings to the Legislature and
5 the Governor. The report submitted to the Legislature shall be submitted
6 electronically.

7 Sec. 22. Section 84-1227, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 84-1227 There is hereby established in the state treasury a special
10 fund to be known as the Records Management Cash Fund which, when
11 appropriated by the Legislature, shall be expended by the Secretary of
12 State for the purposes of providing records management services and
13 assistance to state and local agencies, for development and maintenance
14 of the portal for providing electronic access to public records or
15 electronic information and services, and for grants to a state or local
16 agency as provided in subdivision (1)(j) of section 84-1204. All fees and
17 charges for the purpose of records management services and analysis
18 received by the Secretary of State from the local agencies shall be
19 remitted to the State Treasurer for credit to such fund. Transfers may be
20 made from the fund to the General Fund, ~~or~~ the Secretary of State
21 Administration Cash Fund, or the Election Administration Fund at the
22 direction of the Legislature. The State Treasurer, at the direction of
23 the budget administrator of the budget division of the Department of
24 Administrative Services, shall transfer five hundred thousand dollars
25 from the Records Management Cash Fund to the Information Management
26 Revolving Fund on or before June 30, 2016. Any money in the Records
27 Management Cash Fund available for investment shall be invested by the
28 state investment officer pursuant to the Nebraska Capital Expansion Act
29 and the Nebraska State Funds Investment Act.

30 Sec. 23. Section 86-563, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 86-563 In establishing and maintaining the system:

2 (1) The division:

3 (a) Shall provide the computer network and services for the system
4 with assistance from the division of communications of the office;

5 (b) Shall, within available resources, assist local, state, and
6 federal collaborative efforts to encourage coordination of information
7 systems and data sharing;

8 (c) Shall coordinate its activities and responsibilities with the
9 functions of the division of communications to minimize overlap and
10 duplication of technical services between the divisions in supporting the
11 system, its applications, and application development; and

12 (d) May undertake and coordinate planning studies to determine the
13 feasibility, benefits, costs, requirements, and options for the
14 intergovernmental transfer of data;

15 (2) The officer:

16 (a) Shall approve and coordinate the design, development,
17 installation, training, and maintenance of applications by state agencies
18 for use on the system. Any agency proposing to add an application to the
19 system shall submit an evaluation to the officer that examines the cost-
20 effectiveness, technical feasibility, and potential use of the proposed
21 application; that identifies the total costs of the application,
22 including design, development, testing, installation, operation, and any
23 changes to the computer network that are necessary for its operation; and
24 that provides a schedule that shows the estimated completion dates for
25 design, development, testing, installation, training, and full
26 operational status. The officer shall not approve an application by a
27 state agency for use on the system unless his or her review shows that
28 the application is cost effective and technically feasible, that funding
29 is available, and that the proposed schedule is reasonable and feasible;

30 (b) Shall approve changes in the design of applications by state
31 agencies for use on the system. The officer may require such information

1 from the agency as necessary to determine that the proposed change in
2 design is cost effective and technically feasible, that funding is
3 available, and that the proposed schedule for implementation is
4 reasonable and feasible;

5 (c) May contract with other governmental entities or private vendors
6 in carrying out the duties relating to the intergovernmental data
7 services program;

8 (d) Shall establish a rate schedule that reflects the rates adopted
9 by the division of communications and the information management services
10 division, plus any additional costs of the system. Such fees may reflect
11 a base cost for access to the system, costs for actual usage of the
12 system, costs for special equipment or services, or a combination of
13 these factors. The officer may charge for the costs of changes to the
14 system that are requested by or are necessary to accommodate a request by
15 a user. All fees shall be set to recover all costs of operation;

16 (e) May enter into agreements with other state and local
17 governments, the federal government, or private-sector entities for the
18 purpose of sale, lease, or licensing for third-party resale of
19 applications and system design. ~~Proceeds from such agreements shall be
20 deposited to the Data Systems Cash Fund;~~

21 (f) Shall determine whether a local application shall be a component
22 of the system. No local application shall be resident or operational in
23 any component of the system without explicit authorization of the
24 officer; and

25 (g) Shall approve or disapprove the attachment of any peripheral
26 device to the system and may prescribe standards and specifications that
27 such devices must meet;

28 (3) The officer shall be responsible for the proper operation of the
29 system, applications, and peripheral devices purchased or developed by
30 the expenditure of state funds. The ownership of such system,
31 applications, and peripheral devices shall be vested with the state; and

1 (4) All communications and telecommunications services for the
2 intergovernmental data services program and the system shall be secured
3 from the division of communications.

4 Sec. 24. The Volkswagen Settlement Cash Fund is created. The fund
5 shall be administered by the Department of Environment and Energy. All
6 sums of money received from the Volkswagen Settlement shall be deposited
7 in the fund. The department shall expend the fund in accordance with the
8 department use plan. Any money in the fund available for investment shall
9 be invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act. The
11 balance of any account established to receive and expend revenue from the
12 Volkswagen Settlement shall be transferred to the Volkswagen Settlement
13 Cash Fund.

14 Sec. 25. The Grain Sorghum National Checkoff Fund is created. The
15 fund shall be administered by the Grain Sorghum Development, Utilization,
16 and Marketing Board. All sums of money received from the United Sorghum
17 Checkoff Program shall be deposited in the fund. The board shall expend
18 the fund to conduct state-specific programs for research, information,
19 and promotion related to grain sorghum. Any money in the fund available
20 for investment shall be invested by the state investment officer pursuant
21 to the Nebraska Capital Expansion Act and the Nebraska State Funds
22 Investment Act.

23 Sec. 26. Original sections 2-4018, 61-218, 66-1334, 71-7611, and
24 86-563, Reissue Revised Statutes of Nebraska, and sections 9-1,101,
25 45-621, 81-1426.01, 81-15,175, and 84-1227, Revised Statutes Cumulative
26 Supplement, 2018, are repealed.

27 Sec. 27. The following sections are outright repealed: Sections
28 81-1327 and 86-566, Reissue Revised Statutes of Nebraska.

29 Sec. 28. Since an emergency exists, this act takes effect when
30 passed and approved according to law.