

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 298

Introduced by Speaker Scheer, 19; at the request of the Governor.

Read first time January 15, 2019

Committee: Appropriations

1 A BILL FOR AN ACT relating to appropriations; to amend sections 61-218,
2 71-7611, and 86-563, Reissue Revised Statutes of Nebraska, and
3 sections 45-621, 81-15,175, and 84-1227, Revised Statutes Cumulative
4 Supplement, 2018; to authorize, provide, change, and eliminate fund
5 transfer provisions; to repeal funds; to harmonize provisions; to
6 repeal the original sections; to outright repeal sections 81-1327
7 and 86-566, Reissue Revised Statutes of Nebraska; and to declare an
8 emergency.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. The State Treasurer shall transfer \$272,000,000 from the
2 General Fund to the Property Tax Credit Cash Fund on or before December
3 15, 2019, on such date as directed by the budget administrator of the
4 budget division of the Department of Administrative Services.

5 Sec. 2. The State Treasurer shall transfer \$272,000,000 from the
6 General Fund to the Property Tax Credit Cash Fund on or before December
7 15, 2020, on such date as directed by the budget administrator of the
8 budget division of the Department of Administrative Services.

9 Sec. 3. The State Treasurer shall transfer \$11,000,000 from the
10 General Fund to the Water Sustainability Fund on or before June 30, 2020,
11 on such dates and in such amounts as directed by the budget administrator
12 of the budget division of the Department of Administrative Services.

13 Sec. 4. The State Treasurer shall transfer \$11,000,000 from the
14 General Fund to the Water Sustainability Fund on or before June 30, 2021,
15 on such dates and in such amounts as directed by the budget administrator
16 of the budget division of the Department of Administrative Services.

17 Sec. 5. The State Treasurer shall transfer \$3,300,000 from the
18 General Fund to the Water Resources Cash Fund on or before June 30, 2020,
19 on such dates and in such amounts as directed by the budget administrator
20 of the budget division of the Department of Administrative Services.

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

25 Sec. 7. The State Treasurer shall transfer the remaining balance of
26 the Accounting Division Cash Fund to the Election Administration Fund on
27 or before June 30, 2020, on such date as directed by the budget
28 administrator of the budget division of the Department of Administrative
29 Services.

30 Sec. 8. The State Treasurer shall transfer \$255,540 from the
31 Records Management Cash Fund to the Election Administration Fund on or

1 before June 30, 2020, on such dates and in such amounts as directed by
2 the budget administrator of the budget division of the Department of
3 Administrative Services.

4 Sec. 9. The State Treasurer shall transfer \$10,594 from the Records
5 Management Cash Fund to the Election Administration Fund on or before
6 June 30, 2021, on such dates and in such amounts as directed by the
7 budget administrator of the budget division of the Department of
8 Administrative Services.

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

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

20 Sec. 12. Section 45-621, Revised Statutes Cumulative Supplement,
21 2018, is amended to read:

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

1 Fund, or the General Fund may be made at the direction of the
2 Legislature. Any money in the Nebraska Collection Agency Fund available
3 for investment shall be invested by the state investment officer pursuant
4 to the Nebraska Capital Expansion Act and the Nebraska State Funds
5 Investment Act.

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

9 Sec. 13. Section 61-218, Reissue Revised Statutes of Nebraska, is
10 amended to read:

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

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

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

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

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

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

1 Water Resources Cash Fund by natural resources districts. Such rules and
2 regulations shall, at a minimum, include the following components:

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

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

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

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

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

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

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

1 taken to reduce consumptive uses of water, to enhance streamflows, to
2 recharge ground water, or to support wildlife habitat in any river basin
3 determined to be fully appropriated pursuant to section 46-714 or
4 designated as overappropriated pursuant to section 46-713.

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

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

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

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

1 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
2 Treasurer shall transfer (a) sixty million three hundred thousand dollars
3 on or before July 15, 2014, (b) sixty million three hundred fifty
4 thousand dollars on or before July 15, 2015, (c) sixty million three
5 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
6 million seven hundred thousand dollars on or before July 15, 2017, (e)
7 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one
8 million six hundred thousand dollars on or before July 15, 2018, and (g)
9 sixty-one million three hundred fifty thousand dollars on or before July
10 ~~15, 2019, and (h) sixty million four hundred fifty thousand dollars on or~~
11 ~~before every July 15 thereafter from the Nebraska Medicaid~~
12 ~~Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust~~
13 ~~Fund to the Nebraska Health Care Cash Fund, except that such amount shall~~
14 ~~be reduced by the amount of the unobligated balance in the Nebraska~~
15 ~~Health Care Cash Fund at the time the transfer is made. The state~~
16 ~~investment officer shall advise the State Treasurer on the amounts to be~~
17 ~~transferred first from the Nebraska Medicaid Intergovernmental Trust Fund~~
18 ~~until the fund balance is depleted and from the Nebraska Tobacco~~
19 ~~Settlement Trust Fund thereafter in order to sustain such transfers in~~
20 ~~perpetuity. The state investment officer shall report electronically to~~
21 ~~the Legislature on or before October 1 of every even-numbered year on the~~
22 ~~sustainability of such transfers. The Nebraska Health Care Cash Fund~~
23 ~~shall also include money received pursuant to section 77-2602. Except as~~
24 ~~otherwise provided by law, no more than the amounts specified in this~~
25 ~~subsection may be appropriated or transferred from the Nebraska Health~~
26 ~~Care Cash Fund in any fiscal year.~~

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

30 It is the intent of the Legislature that no additional programs are
31 funded through the Nebraska Health Care Cash Fund until funding for all

1 programs with an appropriation from the fund during FY2012-13 are
2 restored to their FY2012-13 levels.

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

7 (3) The University of Nebraska and postsecondary educational
8 institutions having colleges of medicine in Nebraska and their affiliated
9 research hospitals in Nebraska, as a condition of receiving any funds
10 appropriated or transferred from the Nebraska Health Care Cash Fund,
11 shall not discriminate against any person on the basis of sexual
12 orientation.

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

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

22 Sec. 15. Section 81-15,175, Revised Statutes Cumulative Supplement,
23 2018, is amended to read:

24 81-15,175 (1) The board may make an annual allocation each fiscal
25 year from the Nebraska Environmental Trust Fund to the Nebraska
26 Environmental Endowment Fund as provided in section 81-15,174.01. The
27 board shall make annual allocations from the Nebraska Environmental Trust
28 Fund and may make annual allocations each fiscal year from the Nebraska
29 Environmental Endowment Fund for projects which conform to the
30 environmental categories of the board established pursuant to section
31 81-15,176 and to the extent the board determines those projects to have

1 merit. The board shall establish a calendar annually for receiving and
2 evaluating proposals and awarding grants. To evaluate the economic,
3 financial, and technical feasibility of proposals, the board may
4 establish subcommittees, request or contract for assistance, or establish
5 advisory groups. Private citizens serving on advisory groups shall be
6 reimbursed for their actual and necessary expenses pursuant to sections
7 81-1174 to 81-1177.

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

12 (a) Conformance with categories established pursuant to section
13 81-15,176;

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

15 (c) Encouragement of public-private partnerships;

16 (d) Geographic mix of projects over time;

17 (e) Cost-effectiveness and economic impact;

18 (f) Direct environmental impact;

19 (g) Environmental benefit to the general public and the long-term
20 nature of such public benefit; and

21 (h) Applications recommended by the Director of Natural Resources
22 and submitted by the Department of Natural Resources pursuant to
23 subsection (7) of section 61-218 shall be awarded fifty priority points
24 in the ranking process for the 2011 grant application if the Legislature
25 has authorized annual transfers of three million three hundred thousand
26 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12
27 and 2012-13 and has stated its intent to transfer three million three
28 hundred thousand dollars to the Water Resources Cash Fund in fiscal year
29 2013-14. Priority points shall be awarded if the proposed programs set
30 forth in the grant application are consistent with the purposes of
31 reducing consumptive uses of water, enhancing streamflows, recharging

1 ground water, or supporting wildlife habitat in any river basin
2 determined to be fully appropriated pursuant to section 46-714 or
3 designated as overappropriated pursuant to section 46-713.

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

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

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

14 (c) The third three million three hundred thousand dollar
15 installment shall be remitted to the State Treasurer for credit to the
16 Water Resources Cash Fund no later than May 15, 2014, if the Legislature
17 has authorized a transfer of three million three hundred thousand dollars
18 from the General Fund to the Water Resources Cash Fund for fiscal year
19 2013-14.

20 (4) It is the intent of the Legislature that the Department of
21 Natural Resources apply for an additional three-year grant from the
22 Nebraska Environmental Trust Fund that would begin in fiscal year
23 2014-15, ~~and a three-year grant that would begin in fiscal year 2017-18,~~
24 and a three-year grant that would begin in fiscal year 2020-21 and such
25 application shall be awarded fifty priority points in the ranking process
26 as set forth in subdivision (2)(h) of this section if the following
27 criteria are met:

28 (a) The Natural Resources Committee of the Legislature has examined
29 options for water funding and has submitted a report electronically to
30 the Clerk of the Legislature and the Governor by December 1, 2012,
31 setting forth:

1 (i) An outline and priority listing of water management and funding
2 needs in Nebraska, including instream flows, residential, agricultural,
3 recreational, and municipal needs, interstate obligations, water quality
4 issues, and natural habitats preservation;

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

8 (iii) Recommendations for legislation;

9 (b) The projects and activities funded by the department through
10 grants from the Nebraska Environmental Trust Fund under this section have
11 resulted in enhanced streamflows, reduced consumptive uses of water,
12 recharged ground water, supported wildlife habitat, or otherwise
13 contributed towards conserving, enhancing, and restoring Nebraska's
14 ground water and surface water resources. On or before July 1, 2014, the
15 department shall submit electronically a report to the Natural Resources
16 Committee of the Legislature providing demonstrable evidence of the
17 benefits accrued from such projects and activities; and

18 (c) In addition to the grant reporting requirements of the trust, on
19 or before July 1, 2014, the department provides to the board a report
20 which includes documentation that:

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

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

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

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

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

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

20 (8) Every five years the board may evaluate the long-term effects of
21 the projects it funds. The evaluation may assess a sample of such
22 projects. The board may hire an independent consultant to conduct the
23 evaluation and may report the evaluation findings to the Legislature and
24 the Governor. The report submitted to the Legislature shall be submitted
25 electronically.

26 Sec. 16. Section 84-1227, Revised Statutes Cumulative Supplement,
27 2018, is amended to read:

28 84-1227 There is hereby established in the state treasury a special
29 fund to be known as the Records Management Cash Fund which, when
30 appropriated by the Legislature, shall be expended by the Secretary of
31 State for the purposes of providing records management services and

1 assistance to local agencies, for development and maintenance of the
2 portal for providing electronic access to public records or electronic
3 information and services, and for grants to a state or local agency as
4 provided in subdivision (1)(j) of section 84-1204. All fees and charges
5 for the purpose of records management services and analysis received by
6 the Secretary of State from the local agencies shall be remitted to the
7 State Treasurer for credit to such fund. Transfers may be made from the
8 fund to the General Fund, ~~or the Secretary of State Administration Cash~~
9 Fund, or the Election Administration Fund at the direction of the
10 Legislature. The State Treasurer, at the direction of the budget
11 administrator of the budget division of the Department of Administrative
12 Services, shall transfer five hundred thousand dollars from the Records
13 Management Cash Fund to the Information Management Revolving Fund on or
14 before June 30, 2016. Any money in the Records Management Cash Fund
15 available for investment shall be invested by the state investment
16 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
17 State Funds Investment Act.

18 Sec. 17. Section 86-563, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 86-563 In establishing and maintaining the system:

21 (1) The division:

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

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

27 (c) Shall coordinate its activities and responsibilities with the
28 functions of the division of communications to minimize overlap and
29 duplication of technical services between the divisions in supporting the
30 system, its applications, and application development; and

31 (d) May undertake and coordinate planning studies to determine the

1 feasibility, benefits, costs, requirements, and options for the
2 intergovernmental transfer of data;

3 (2) The officer:

4 (a) Shall approve and coordinate the design, development,
5 installation, training, and maintenance of applications by state agencies
6 for use on the system. Any agency proposing to add an application to the
7 system shall submit an evaluation to the officer that examines the cost-
8 effectiveness, technical feasibility, and potential use of the proposed
9 application; that identifies the total costs of the application,
10 including design, development, testing, installation, operation, and any
11 changes to the computer network that are necessary for its operation; and
12 that provides a schedule that shows the estimated completion dates for
13 design, development, testing, installation, training, and full
14 operational status. The officer shall not approve an application by a
15 state agency for use on the system unless his or her review shows that
16 the application is cost effective and technically feasible, that funding
17 is available, and that the proposed schedule is reasonable and feasible;

18 (b) Shall approve changes in the design of applications by state
19 agencies for use on the system. The officer may require such information
20 from the agency as necessary to determine that the proposed change in
21 design is cost effective and technically feasible, that funding is
22 available, and that the proposed schedule for implementation is
23 reasonable and feasible;

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

27 (d) Shall establish a rate schedule that reflects the rates adopted
28 by the division of communications and the information management services
29 division, plus any additional costs of the system. Such fees may reflect
30 a base cost for access to the system, costs for actual usage of the
31 system, costs for special equipment or services, or a combination of

1 these factors. The officer may charge for the costs of changes to the
2 system that are requested by or are necessary to accommodate a request by
3 a user. All fees shall be set to recover all costs of operation;

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

9 (f) Shall determine whether a local application shall be a component
10 of the system. No local application shall be resident or operational in
11 any component of the system without explicit authorization of the
12 officer; and

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

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

20 (4) All communications and telecommunications services for the
21 intergovernmental data services program and the system shall be secured
22 from the division of communications.

23 Sec. 18. Original sections 61-218, 71-7611, and 86-563, Reissue
24 Revised Statutes of Nebraska, and sections 45-621, 81-15,175, and
25 84-1227, Revised Statutes Cumulative Supplement, 2018, are repealed.

26 Sec. 19. The following sections are outright repealed: Sections
27 81-1327 and 86-566, Reissue Revised Statutes of Nebraska.

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