

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 957

FINAL READING

Introduced by Speaker Hadley, 37; at the request of the Governor.

Read first time January 14, 2016

Committee: Appropriations

1 A BILL FOR AN ACT relating to funds; to amend sections 37-913, 60-1513,
2 82-316, 82-326, 82-331, 84-1227, 85-419, 85-421, 85-422, 85-423,
3 85-424, and 85-425, Reissue Revised Statutes of Nebraska, sections
4 71-5714, 71-8805, and 72-2009, Revised Statutes Cumulative
5 Supplement, 2014, and sections 2-1507, 66-204, 81-3140, 81-3714, and
6 84-612, Revised Statutes Supplement, 2015; to provide for and change
7 distribution and use of certain funds; to provide for transfers and
8 investment of funds; to create and eliminate funds and programs; to
9 state intent; to change provisions relating to artwork in state
10 buildings and renovation and replacement of university and state
11 college buildings; to eliminate obsolete provisions; to repeal the
12 original sections; to outright repeal sections 37-915, 37-916,
13 37-917, 37-918, 37-919, 37-920, and 37-921, Revised Statutes
14 Cumulative Supplement, 2014; and to declare an emergency.
15 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-1507, Revised Statutes Supplement, 2015, is
2 amended to read:

3 2-1507 (1) It is the intent of the Legislature that the Water
4 Sustainability Fund be equitably distributed statewide to the greatest
5 extent possible for the long term and give priority funding status to
6 projects which are the result of federal mandates.

7 (2) Distributions to assist municipalities with the cost of
8 constructing, upgrading, developing, and replacing sewer infrastructure
9 facilities as part of a combined sewer overflow project shall be based on
10 a demonstration of need and shall equal ten percent of the total annual
11 appropriation to the Water Sustainability Fund if (a) applicants have
12 applied for such funding as required under section 2-1509 and (b) any
13 such application has been recommended for further consideration by the
14 director and is subsequently approved for allocation by the commission
15 pursuant to subsection (1) of section 2-1511. If more than one
16 municipality demonstrates a need for funds pursuant to this subsection,
17 funds shall be distributed proportionally based on population.

18 (3) Any money in the Water Sustainability Fund may be allocated by
19 the commission to applicants in accordance with sections 2-1506 to
20 2-1513. Such money may be allocated in the form of grants or loans for
21 water sustainability programs, projects, or activities undertaken within
22 the state. The allocation of funds to a program, project, or activity in
23 one form shall not of itself preclude additional allocations in the same
24 or any other form to the same program, project, or activity.

25 (4) When the commission has approved an allocation of funds to a
26 program, project, or activity, the Department of Natural Resources shall
27 establish a subaccount in the Water Sustainability Fund and credit the
28 entire amount of the allocation to the subaccount. Individual subaccounts
29 shall be established for each program, project, or activity approved by
30 the commission. The commission may approve a partial allocation to a
31 program, project, or activity based upon available unallocated funds in

1 the Water Sustainability Fund, but the amount of unfunded allocations
2 shall not exceed eleven million dollars. Additional allocations to a
3 program, project, or activity shall be credited to the same subaccount as
4 the original allocation. Subaccounts shall not be subject to transfer out
5 of the Water Sustainability Fund, except that the commission may
6 authorize the transfer of excess or unused funds from a subaccount and
7 into the unreserved balance of the fund.

8 (5) A natural resources district is eligible for funding from the
9 Water Sustainability Fund only if the district has adopted or is
10 currently participating in the development of an integrated management
11 plan pursuant to subdivision (1)(a) or (b) of section 46-715.

12 (6) The commission shall utilize the resources and expertise of and
13 collaborate with the Department of Natural Resources, the University of
14 Nebraska, the Department of Environmental Quality, the Nebraska
15 Environmental Trust Board, and the Game and Parks Commission on funding
16 and planning for water programs, projects, or activities.

17 (7) A biennial report shall be made to the Clerk of the Legislature
18 describing the work accomplished by the use of funds towards the goals of
19 the Water Sustainability Fund beginning on December 31, 2015. The report
20 submitted to the Clerk of the Legislature shall be submitted
21 electronically.

22 Sec. 2. Section 37-913, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 37-913 (1) There is hereby created the Cowboy Trail Fund. Any money
25 in the fund available for investment shall be invested by the state
26 investment officer pursuant to the Nebraska Capital Expansion Act and the
27 Nebraska State Funds Investment Act. Money accepted or transferred
28 pursuant to subsection (3) of section 37-912 shall be remitted to the
29 State Treasurer for credit to the fund.

30 (2) The State Treasurer shall transfer one hundred thousand dollars
31 from the Nebraska Youth Conservation Program Fund on the effective date

1 of this act to the Cowboy Trail Fund. The Game and Parks Commission shall
2 use money transferred to the Cowboy Trail Fund under this subsection for
3 the development of undeveloped portions of the Cowboy Trail but shall not
4 expend any money under this subsection unless the amount is matched both
5 by a public entity and by a private entity for each expenditure.

6 Sec. 3. Section 60-1513, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 60-1513 The Department of Motor Vehicles Cash Fund is hereby
9 created. The fund shall be administered by the Director of Motor
10 Vehicles. The fund shall be used by the Department of Motor Vehicles to
11 carry out its duties as deemed necessary by the Director of Motor
12 Vehicles, except that transfers from the fund to the General Fund or the
13 Vehicle Title and Registration System Replacement and Maintenance Cash
14 Fund may be made at the direction of the Legislature. Any money in the
15 Department of Motor Vehicles Cash Fund available for investment shall be
16 invested by the state investment officer pursuant to the Nebraska Capital
17 Expansion Act and the Nebraska State Funds Investment Act.

18 The State Treasurer shall transfer five million three hundred
19 twenty-five thousand dollars from the Department of Motor Vehicles Cash
20 Fund to the Vehicle Title and Registration System Replacement and
21 Maintenance Cash Fund on or before June 30, 2017, as directed by the
22 budget administrator of the budget division of the Department of
23 Administrative Services.

24 Sec. 4. Section 66-204, Revised Statutes Supplement, 2015, is
25 amended to read:

26 66-204 (1) The Clean-burning Motor Fuel Development Fund is created.
27 The fund shall consist of grants, private contributions, and all other
28 sources.

29 (2) The fund shall be used by the State Energy Office to provide
30 rebates under the Nebraska Clean-burning Motor Fuel Development Act up to
31 the amount transferred under subsection (3) of this section. No more than

1 thirty-five percent of the fund annually shall be used as rebates for
2 flex-fuel dispensers and conversions of motor vehicles to allow the use
3 of gasoline containing at least fifteen percent by volume ethanol. The
4 State Energy Office may use the fund for necessary costs in the
5 administration of the act up to an amount not exceeding ten percent of
6 the fund annually.

7 (3) Within five days after August 30, 2015, the State Treasurer
8 shall transfer five hundred thousand dollars from the General Fund to the
9 Clean-burning Motor Fuel Development Fund to carry out the Nebraska
10 Clean-burning Motor Fuel Development Act.

11 (4) Any money in the fund available for investment shall be invested
12 by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 Sec. 5. Section 71-5714, Revised Statutes Cumulative Supplement,
15 2014, is amended to read:

16 71-5714 The Tobacco Prevention and Control Program ~~Cash Fund~~ is
17 created as . ~~The fund shall be used for~~ a comprehensive statewide
18 tobacco-related public health program administered by the Department of
19 Health and Human Services. The program ~~which~~ includes, but is not limited
20 to (1) community programs to reduce tobacco use, (2) chronic disease
21 programs, (3) school programs, (4) statewide programs, (5) enforcement,
22 (6) counter marketing, (7) cessation programs, (8) surveillance and
23 evaluation, and (9) administration. ~~Transfers may be made from the fund~~
24 ~~to the General Fund at the direction of the Legislature. Any money in the~~
25 ~~Tobacco Prevention and Control Cash Fund available for investment shall~~
26 ~~be invested by the state investment officer pursuant to the Nebraska~~
27 ~~Capital Expansion Act and the Nebraska State Funds Investment Act.~~

28 The State Treasurer shall transfer, on July 1, 2016, ~~the unobligated~~
29 ~~balance in or before June 30, 2010~~, as directed by the budget
30 administrator of the budget division of the Department of Administrative
31 Services, ~~one million three hundred thousand dollars from the Tobacco~~

1 Prevention and Control Cash Fund to the Nebraska Health Care and Human
2 Services Cash Fund.

3 Sec. 6. Section 71-8805, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:

5 71-8805 (1) The Stem Cell Research Program ~~Cash Fund~~ is created. ~~Any~~
6 ~~money in the fund available for investment shall be invested by the state~~
7 ~~investment officer pursuant to the Nebraska Capital Expansion Act and the~~
8 ~~Nebraska State Funds Investment Act.~~

9 (2) Any money appropriated by the Legislature for ~~Money credited to~~
10 the Stem Cell Research Program ~~Cash Fund~~ shall be used to provide a
11 dollar-for-dollar match, up to five hundred thousand dollars per fiscal
12 year, of funds received by institutions or researchers from sources other
13 than funds provided by the State of Nebraska for nonembryonic stem cell
14 research. Such matching funds shall be awarded through the grant process
15 established pursuant to section 71-8804. No single institution or
16 researcher shall receive more than seventy percent of the funds available
17 for distribution under this section on an annual basis.

18 (3) Up to three percent of any annual appropriation for ~~the funds~~
19 ~~credited to~~ the Stem Cell Research Program ~~Cash Fund~~ shall be available
20 to the Division of Public Health of the Department of Health and Human
21 Services for administrative costs, including stipends and reimbursements
22 pursuant to section 71-8803.

23 (4) The State Treasurer shall transfer, on July 1, 2016, the
24 unobligated balance in the Stem Cell Research Cash Fund to the Nebraska
25 Health Care Cash Fund.

26 Sec. 7. Section 72-2009, Revised Statutes Cumulative Supplement,
27 2014, is amended to read:

28 72-2009 (1) The Niobrara Council Fund is created. The fund shall be
29 administered by the Niobrara Council. The council may accept any private
30 or public funds to carry out its work and such funds shall be remitted to
31 the State Treasurer for credit to the fund. The fund shall consist of

1 such funds and legislative appropriations made to the council. Transfers
2 may be made from the fund to the General Fund at the direction of the
3 Legislature through June 30, 2011. Any money in the Niobrara Council Fund
4 available for investment shall be invested by the state investment
5 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
6 State Funds Investment Act.

7 (2) The State Treasurer shall, on the effective date of this act,
8 transfer the balance of any money in the Nebraska Youth Conservation
9 Program Fund, after the transfer of one hundred thousand dollars to the
10 Cowboy Trail Fund as provided for in subsection (2) of section 37-913 has
11 been made, to the Niobrara Council Fund.

12 Sec. 8. Section 81-3140, Revised Statutes Supplement, 2015, is
13 amended to read:

14 81-3140 (1)(a) The purpose of the Health Care Homes for the
15 Medically Underserved Fund is to enhance the ability of Nebraska's
16 federally qualified health centers to provide patient-centered medical
17 homes to low-income medically underserved populations. Twenty-five
18 percent of the state portion of ~~federal~~ medicaid fraud settlement funds
19 deposited into the Medicaid Fraud Settlement Fund in the Department of
20 Health and Human Services accruing to Nebraska annually shall be
21 transferred to deposited in the Health Care Homes for the Medically
22 Underserved Fund for distribution to federally qualified health centers
23 in Nebraska. Such funds shall be distributed proportionately based on the
24 unduplicated number of patients served in the previous year by such
25 federally qualified health centers as reported through the uniform data
26 system of the Health Resources and Services Administration of the United
27 States Department of Health and Human Services.

28 (b) Five percent of the state portion of the medicaid fraud
29 settlement funds deposited into the Medicaid Fraud Settlement Fund in the
30 Department of Health and Human Services annually shall be transferred to
31 the Health Care Homes for the Medically Underserved Fund for distribution

1 to federally qualified health centers in Nebraska. Such funds shall be
2 used for persons receiving services under section 330(h) or 330(i) of the
3 federal Public Health Service Act, 42 U.S.C. 254b, as such section
4 existed on January 1, 2016.

5 (2) Funds distributed pursuant to subsection (1) of this section
6 shall be used for the following purposes:

7 (a) Hiring, training, certifying, and maintaining staff dedicated to
8 patient-centered chronic disease management, including, but not limited
9 to, case managers, health educators, social workers, outreach and
10 enrollment workers, and community health workers;

11 (b) Providing services, including, but not limited to, interpreter
12 services, transportation services, and social work assistance;

13 (c) Capital improvements, including, but not limited to, facility
14 expansion, leasing additional space, and furnishing, equipment, or
15 redesign of facilities to support patient-centered care;

16 (d) Medication management, including, but not limited to, clinical
17 pharmacy services, pharmacists, clinical pharmacists, technology for
18 monitoring and real-time notification, and care managers;

19 (e) Information technology, including, but not limited to,
20 telehealth services, analytics tools, patient registries, and updates to
21 electronic health records systems; and

22 (f) Reimbursement to health care providers, including, but not
23 limited to, physicians, nurse practitioners, dietitians, diabetic
24 educators, behavioral health providers, and oral health providers.

25 Sec. 9. Section 81-3714, Revised Statutes Supplement, 2015, is
26 amended to read:

27 81-3714 The State Visitors Promotion Cash Fund is created. The fund
28 shall be administered by the commission. The fund shall consist of
29 revenue deposited into the fund pursuant to section 81-3715 and money
30 donated as gifts, bequests, or other contributions from public or private
31 entities. Funds made available by any department or agency of the United

1 States may also be credited to the fund if so directed by such department
2 or agency. The commission shall use the proceeds of the fund to generally
3 promote, encourage, and attract visitors to and within the State of
4 Nebraska, to erect and replace highway tourism markers, to enhance the
5 use of travel and tourism facilities within the state, ~~and~~ to provide
6 marketing assistance grants to communities and organizations, and to
7 contract with the Department of Administrative Services to provide
8 support services to the commission, including, but not limited to,
9 accounting and personnel functions. The proceeds of the fund shall be in
10 addition to funds appropriated to the commission from the General Fund.
11 Any money in the State Visitors Promotion Cash Fund available for
12 investment shall be invested by the state investment officer pursuant to
13 the Nebraska Capital Expansion Act and the Nebraska State Funds
14 Investment Act.

15 Sec. 10. Section 82-316, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 82-316 There is hereby created ~~in the state treasury a special fund~~
18 ~~to be known as~~ the Nebraska Arts Council Cash Fund. The fund shall
19 contain all All sums of money received from fees from any conference,
20 performance, or exhibition held by the council or by groups who have
21 contracted with the council for such events and all sums of money
22 collected under section 82-326. ~~The shall be paid into the state treasury~~
23 ~~and the State Treasurer shall deposit the money in the Nebraska Arts~~
24 ~~Council Cash Fund. The State Treasurer shall disburse to the Nebraska~~
25 ~~Arts Council shall use the fund to pay the costs related such amounts in~~
26 ~~the cash fund as are available and as shall be considered incident to the~~
27 administration and sponsoring of any conference, performance, or
28 exhibition by the Nebraska Arts Council or by groups who have contracted
29 with the council for such events or to pay the costs related to the
30 repair, restoration, and maintenance of artwork installed under sections
31 82-317 to 82-329, 85-106 to 85-106.03, and 85-304 to 85-304.03. All

1 disbursements shall be made upon warrants drawn by the Director of
2 Administrative Services. Any money in the fund available for investment
3 shall be invested by the state investment officer pursuant to the
4 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
5 Act.

6 Sec. 11. Section 82-326, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 82-326 The amount of money made available from any appropriations
9 under the provisions of sections 82-317 to 82-329, 85-106 to 85-106.03,
10 and 85-304 to 85-304.03 shall be used, in addition to the cost of the
11 works of art, to provide for the administration by the contracting
12 agency, the architect, and the Nebraska Arts Council, and for ~~all~~ costs
13 of installation of the works of art as negotiated between the contracting
14 agency and the contracted artist. The Nebraska Arts Council may designate
15 a portion set aside up to ten percent of the amount appropriated for
16 administration for an art maintenance fund which shall be used to repair
17 or restore all works of art acquired under such sections and which shall
18 be credited to the Nebraska Arts Council Cash Fund.

19 Sec. 12. Section 82-331, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 82-331 (1) There is hereby established in the state treasury a trust
22 fund to be known as the Nebraska Cultural Preservation Endowment Fund.
23 The fund shall consist of funds appropriated or transferred by the
24 Legislature, and only the earnings of the fund may be used as provided in
25 this section.

26 (2) On August 1, 1998, the State Treasurer shall transfer five
27 million dollars from the General Fund to the Nebraska Cultural
28 Preservation Endowment Fund.

29 (3) Except as provided in subsection (4) of this section, it is the
30 intent of the Legislature that the State Treasurer shall transfer (a) an
31 amount not to exceed one million dollars from the General Fund to the

1 Nebraska Cultural Preservation Endowment Fund on December 31, 2013, (b)
2 an amount not to exceed five hundred thousand dollars from the General
3 Fund to the Nebraska Cultural Preservation Endowment Fund on December 31,
4 2014, ~~and~~ (c) an amount not to exceed seven hundred fifty thousand
5 dollars from the General Fund to the Nebraska Cultural Preservation
6 Endowment Fund on December 31 of 2015 and 2016, and (d) an amount not to
7 exceed five hundred thousand dollars from the General Fund to the
8 Nebraska Cultural Preservation Endowment Fund annually on December 31
9 beginning in 2017 and continuing through December 31, 2026.

10 (4) Prior to the transfer of funds from any state account into the
11 Nebraska Cultural Preservation Endowment Fund, the Nebraska Arts Council
12 shall provide documentation to the budget division of the Department of
13 Administrative Services that qualified endowments have generated a
14 dollar-for-dollar match of new money, up to the amount of state funds
15 authorized by the Legislature to be transferred to the Nebraska Cultural
16 Preservation Endowment Fund. For purposes of this section, new money
17 means a contribution to a qualified endowment generated after July 1,
18 2011. Contributions not fully matched by state funds shall be carried
19 forward to succeeding years and remain available to provide a dollar-for-
20 dollar match for state funds. For an endowment to be a qualified
21 endowment (a) the endowment must meet the standards set by the Nebraska
22 Arts Council or Nebraska Humanities Council, (b) the endowment must be
23 intended for long-term stabilization of the organization, and (c) the
24 funds of the endowment must be endowed and only the earnings thereon
25 expended. The budget division of the Department of Administrative
26 Services shall notify the State Treasurer to execute a transfer of state
27 funds up to the amount specified by the Legislature, but only to the
28 extent that the Nebraska Arts Council has provided documentation of a
29 dollar-for-dollar match. State funds not transferred shall be carried
30 forward to the succeeding year and be added to the funds authorized for a
31 dollar-for-dollar match during that year.

1 (5) The Legislature shall not appropriate or transfer money from the
2 Nebraska Cultural Preservation Endowment Fund for any purpose other than
3 the purposes stated in sections 82-330 to 82-333, except that the
4 Legislature may appropriate or transfer money from the fund upon a
5 finding that the purposes of such sections are not being accomplished by
6 the fund.

7 (6) Any money in the Nebraska Cultural Preservation Endowment Fund
8 available for investment shall be invested by the state investment
9 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 (7) All investment earnings from the Nebraska Cultural Preservation
12 Endowment Fund shall be credited to the Nebraska Arts and Humanities Cash
13 Fund.

14 Sec. 13. Section 84-612, Revised Statutes Supplement, 2015, is
15 amended to read:

16 84-612 (1) There is hereby created within the state treasury a fund
17 known as the Cash Reserve Fund which shall be under the direction of the
18 State Treasurer. The fund shall only be used pursuant to this section.

19 (2) The State Treasurer shall transfer funds from the Cash Reserve
20 Fund to the General Fund upon certification by the Director of
21 Administrative Services that the current cash balance in the General Fund
22 is inadequate to meet current obligations. Such certification shall
23 include the dollar amount to be transferred. Any transfers made pursuant
24 to this subsection shall be reversed upon notification by the Director of
25 Administrative Services that sufficient funds are available.

26 (3) In addition to receiving transfers from other funds, the Cash
27 Reserve Fund shall receive federal funds received by the State of
28 Nebraska for undesignated general government purposes, federal revenue
29 sharing, or general fiscal relief of the state.

30 ~~(4) On July 7, 2009, the State Treasurer shall transfer five million~~
31 ~~dollars from the Cash Reserve Fund to the Roads Operations Cash Fund. The~~

1 ~~Department of Roads shall use such funds to provide the required state~~
2 ~~match for federal funding made available to the state through~~
3 ~~congressional earmarks.~~

4 ~~(5) The State Treasurer shall transfer a total of sixty-eight~~
5 ~~million dollars from the Cash Reserve Fund to the General Fund on or~~
6 ~~before June 30, 2013, on such dates and in such amounts as directed by~~
7 ~~the budget administrator of the budget division of the Department of~~
8 ~~Administrative Services.~~

9 ~~(6) The State Treasurer shall transfer ten million dollars from the~~
10 ~~Cash Reserve Fund to the General Fund on or before June 30, 2013, on such~~
11 ~~date as directed by the budget administrator of the budget division of~~
12 ~~the Department of Administrative Services.~~

13 ~~(4 7) The State Treasurer, at the direction of the budget~~
14 ~~administrator of the budget division of the Department of Administrative~~
15 ~~Services, shall transfer not to exceed forty-three million fifteen~~
16 ~~thousand four hundred fifty-nine dollars in total from the Cash Reserve~~
17 ~~Fund to the Nebraska Capital Construction Fund between July 1, 2013, and~~
18 ~~June 30, 2017.~~

19 ~~(8) The State Treasurer shall transfer fourteen million five hundred~~
20 ~~thousand dollars from the Cash Reserve Fund to the Nebraska Capital~~
21 ~~Construction Fund on or before June 30, 2015, on such date as directed by~~
22 ~~the budget administrator of the budget division of the Department of~~
23 ~~Administrative Services.~~

24 ~~(9) The State Treasurer shall transfer fifty million five hundred~~
25 ~~thousand dollars from the Cash Reserve Fund to the General Fund on or~~
26 ~~before December 31, 2014, on such date as directed by the budget~~
27 ~~administrator of the budget division of the Department of Administrative~~
28 ~~Services.~~

29 ~~(10) The State Treasurer shall transfer up to five million five~~
30 ~~hundred thousand dollars from the Cash Reserve Fund to the Republican~~
31 ~~River Compact Litigation Contingency Cash Fund on or before June 30,~~

1 ~~2015, on such dates and in such amounts as directed by the budget~~
2 ~~administrator of the budget division of the Department of Administrative~~
3 ~~Services.~~

4 ~~(11) The State Treasurer shall transfer up to seventeen million two~~
5 ~~hundred one thousand one hundred twelve dollars from the Cash Reserve~~
6 ~~Fund to the General Fund on or before June 30, 2015, on such date and in~~
7 ~~such amount as directed by the budget administrator of the budget~~
8 ~~division of the Department of Administrative Services.~~

9 ~~(12) The State Treasurer shall transfer twenty-five million dollars~~
10 ~~from the Cash Reserve Fund to the Nebraska Capital Construction Fund on~~
11 ~~or after July 1, 2015, but before July 15, 2015, on such date as directed~~
12 ~~by the budget administrator of the budget division of the Department of~~
13 ~~Administrative Services for the Global Center for Advanced~~
14 ~~Interprofessional Learning.~~

15 ~~(13) The State Treasurer shall transfer eight million dollars from~~
16 ~~the Cash Reserve Fund to the Oral Health Training and Services Fund, on~~
17 ~~or after July 1, 2015, but before July 15, 2015, on such date as directed~~
18 ~~by the budget administrator of the budget division of the Department of~~
19 ~~Administrative Services.~~

20 ~~(5 14)~~ The State Treasurer shall transfer the following amounts from
21 the Cash Reserve Fund to the Nebraska Capital Construction Fund on such
22 dates as directed by the budget administrator of the budget division of
23 the Department of Administrative Services:

24 (a) Seven million eight hundred four thousand two hundred ninety-two
25 dollars on or after June 15, 2016, but before June 30, 2016;

26 (b) Seven million one hundred sixty thousand four hundred twelve
27 dollars on or after June 15, 2019, but before June 30, 2019;

28 (c) Nine million four hundred ninety-two thousand five hundred
29 sixty-eight dollars on or after June 15, 2021, but before June 30, 2021;
30 and

31 (d) Three million seven hundred eighty-three thousand seven hundred

1 thirty-four dollars after June 15, 2023, but before June 30, 2023.

2 (6) The State Treasurer shall transfer twenty-seven million two
3 hundred seventy-five thousand five hundred fifty-eight dollars from the
4 Cash Reserve Fund to the Nebraska Capital Construction Fund on or before
5 June 30, 2016, on such date as directed by the budget administrator of
6 the budget division of the Department of Administrative Services.

7 (7) The State Treasurer shall transfer thirteen million seven
8 hundred thousand dollars from the Cash Reserve Fund to the Critical
9 Infrastructure Facilities Cash Fund on or before June 30, 2016, on such
10 date as directed by the budget administrator of the budget division of
11 the Department of Administrative Services.

12 Sec. 14. Section 84-1227, Reissue Revised Statutes of Nebraska, is
13 amended to read:

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

1 Capital Expansion Act and the Nebraska State Funds Investment Act.

2 Sec. 15. Section 85-419, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 85-419 (1) The Legislature finds and determines that protecting
5 investments in buildings through the completion of deferred maintenance,
6 repair, renovation, and facility replacement construction projects is of
7 critical importance to the State of Nebraska. The Legislature further
8 recognizes that arresting the continued deterioration of buildings,
9 limiting the effects of inflation on the costs of such deferred
10 maintenance, repair, renovation, and facility replacement construction,
11 and bringing such buildings into compliance with current health and
12 safety requirements at the earliest possible time is necessary for
13 protecting such investment in the buildings of the State of Nebraska. In
14 order to accomplish these goals, it is necessary, desirable, and
15 advisable that the Legislature provide for the receipt of funds for such
16 purposes as soon as practicable with the repayment of such funds to be
17 made over a period of years. The Legislature recognizes the commitment of
18 (a) the Board of Regents of the University of Nebraska to provide
19 matching funds up to eleven million dollars per year for the period
20 beginning with the fiscal year commencing July 1, 2009, and continuing
21 through the fiscal year ending June 30, 2030 ~~2021~~, for a total of up to
22 two hundred twenty-five million eight hundred thousand ~~one hundred~~
23 ~~twenty-one million~~ dollars to supplement amounts appropriated from the
24 General Fund pursuant to section 85-421 and (b) the Board of Trustees of
25 the Nebraska State Colleges to provide matching funds up to one million
26 four two hundred forty thousand ~~two hundred~~ dollars per year for the period beginning
27 with the fiscal year commencing July 1, 2006, and continuing through the
28 fiscal year ending June 30, 2030 ~~2020~~, for a total of up to twenty-eight
29 ~~fourteen~~ million eight ~~four~~ hundred thousand dollars to supplement
30 amounts appropriated from the General Fund pursuant to section 85-424.

31 (2) Sections 85-419 to 85-425 do not modify, reduce, or eliminate

1 any provision of subsection (10) of section 85-1414 requiring the
2 approval of the Coordinating Commission for Postsecondary Education for
3 any deferred maintenance, repair, renovation, facility addition, or
4 facility replacement construction project authorized by section 85-421 or
5 85-424 and undertaken by the Board of Regents of the University of
6 Nebraska or the Board of Trustees of the Nebraska State Colleges.

7 Sec. 16. Section 85-421, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 85-421 (1) The Legislature shall appropriate from the General Fund
10 (a) an amount not less than five million five hundred thousand dollars
11 for each fiscal year for the period beginning with the fiscal year
12 commencing July 1, 2006, and continuing through the fiscal year ending
13 June 30, 2009, and (b) an amount not less than eleven million dollars for
14 each fiscal year for the period beginning with the fiscal year commencing
15 July 1, 2009, and continuing through the fiscal year ending June 30, 2030
16 ~~2020~~, to the University of Nebraska Facilities Program of 2006 to be used
17 by the Board of Regents of the University of Nebraska to accomplish
18 projects as provided in this section. Through the allotment process
19 established in section 81-1113, the Department of Administrative Services
20 shall make appropriated funds available. Undisbursed appropriations
21 balances existing in the University of Nebraska Facilities Program of
22 2006 at the end of each fiscal year until June 30, 2031 ~~2021~~, shall be
23 and are hereby reappropriated.

24 (2) The Legislature finds and determines that the projects funded
25 through the University of Nebraska Facilities Program of 2006 are of
26 critical importance to the State of Nebraska. It is the intent of the
27 Legislature that the appropriations to the program shall not be reduced
28 until all contracts and securities relating to the construction and
29 financing of the projects or portions of the projects funded from such
30 funds or accounts of such funds are completed or paid but in no case
31 shall such appropriations extend beyond the fiscal year ending June 30,

1 ~~2030~~ 2020, nor shall the cumulative total of the General Fund
2 appropriations for the program exceed two hundred forty-seven ~~one hundred~~
3 ~~thirty-seven~~ million five hundred thousand dollars.

4 (3) Subject to the receipt of project approval from the Coordinating
5 Commission for Postsecondary Education as required by subsection (10) of
6 section 85-1414 for each of the following University of Nebraska
7 projects, the Board of Regents of the University of Nebraska is
8 authorized to make expenditures from the University of Nebraska
9 Facilities Program of 2006 for the following projects: (a) Deferred
10 maintenance, repair, and renovation of University of Nebraska at Kearney
11 Bruner Hall; (b) construction of University of Nebraska at Kearney
12 campus-wide central utilities plant and system; (c) construction of
13 facilities to replace University of Nebraska-Lincoln Behlen, Brace, and
14 Ferguson Halls or deferred maintenance, repair, and renovation of
15 University of Nebraska-Lincoln Behlen, Brace, and Ferguson Halls; (d)
16 construction of a facility to replace University of Nebraska-Lincoln Keim
17 Hall or deferred maintenance, repair, and renovation of University of
18 Nebraska-Lincoln Keim Hall; (e) deferred maintenance, repair, and
19 renovation of University of Nebraska-Lincoln Sheldon Memorial Art
20 Gallery; (f) deferred maintenance, repair, and renovation of University
21 of Nebraska-Lincoln Animal Science Complex; (g) deferred maintenance,
22 repair, and renovation of University of Nebraska Medical Center Poynter,
23 Bennet, and Wittson Halls; (h) deferred maintenance, repair, and
24 renovation of University of Nebraska Medical Center Eppley Institute for
25 Research in Cancer and Allied Diseases or replacement if additional
26 federal or private funds are received; (i) deferred maintenance, repair,
27 and renovation of University of Nebraska Medical Center College of
28 Dentistry; (j) deferred maintenance, repair, and renovation of University
29 of Nebraska at Omaha Library; ~~and~~ (k) deferred maintenance, repair, and
30 renovation of University of Nebraska at Omaha utilities infrastructure;
31 (l) University of Nebraska-Lincoln Scott Engineering Center; (m)

1 University of Nebraska-Lincoln Nebraska Hall; (n) University of Nebraska-
2 Lincoln Mabel Lee Hall/Henzlik Hall; (o) University of Nebraska Medical
3 Center Wittson Hall-Phase I; (p) University of Nebraska Medical Center
4 Joseph D. & Millie E. Williams Science Hall (College of Pharmacy); (q)
5 renovation of a privately funded acquisition at the University of
6 Nebraska at Omaha; (r) University of Nebraska at Omaha Strauss Performing
7 Arts Center; (s) University of Nebraska at Omaha Arts and Sciences Hall;
8 and (t) University of Nebraska at Kearney Otto C. Olsen Building.

9 (4) Expenditures of matching funds provided for the projects listed
10 in this section by the Board of Regents of the University of Nebraska as
11 provided for in section 85-419 shall be accounted for in the Nebraska
12 State Accounting System through the University of Nebraska Facilities
13 Program of 2006 or according to some other reporting process mutually
14 agreed upon by the University of Nebraska and the Department of
15 Administrative Services.

16 (5) The Board of Regents of the University of Nebraska shall record
17 and report, on the Nebraska State Accounting System, expenditure of
18 amounts from the University of Nebraska Facilities Program of 2006 and
19 expenditure of proceeds arising from any contract entered into pursuant
20 to this section and section 85-422 in such manner and format as
21 prescribed by the Department of Administrative Services or according to
22 some other reporting process mutually agreed upon by the University of
23 Nebraska and the Department of Administrative Services.

24 (6) The Board of Regents of the University of Nebraska shall provide
25 to the Task Force for Building Renewal semiannual reports concerning the
26 status of each project authorized by this section.

27 Sec. 17. Section 85-422, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 85-422 (1) In order to accomplish any projects authorized by section
30 85-421, the Board of Regents of the University of Nebraska may enter into
31 contracts with any person, firm, or corporation providing for the

1 implementation of any such project of the University of Nebraska and
2 providing for the long-term payment of the cost of such project from the
3 University of Nebraska Facilities Program of 2006. In no case shall any
4 such contract extend for a period beyond December 31, 2031 ~~2021~~, nor
5 shall any such contract exceed the repayment capabilities implicit in the
6 funding streams authorized in sections 85-419 and 85-421.

7 (2) The Board of Regents of the University of Nebraska shall not
8 pledge the credit of the State of Nebraska for the payment of any sum
9 owing on account of such contract, except that there may be pledged for
10 the payment of any such contract any appropriation specifically made by
11 the Legislature for such purpose, together with such funds of the Board
12 of Regents of the University of Nebraska as the board determines. No
13 contract shall be entered into pursuant to this section without prior
14 approval by resolution by the Board of Regents. The Board of Regents may
15 also convey, lease, or lease back all or any part of the projects
16 authorized by section 85-421 and the land on which such projects are
17 situated to such person, firm, or corporation as the Board of Regents may
18 contract with pursuant to this section to facilitate the long-term
19 payment of the cost of such projects. Any such conveyance or lease shall
20 provide that when the cost of such projects has been paid, together with
21 interest and other costs thereon, such projects and the land on which
22 such projects are located shall become the property of the Board of
23 Regents.

24 (3) The Board of Regents of the University of Nebraska is authorized
25 to make expenditures for the purposes stated in this section and section
26 85-421 from investment income balances in any fund created under the
27 authority provided for in any contract or contracts authorized by this
28 section. Any appropriated amounts and amounts designated or matched by
29 the Board of Regents under section 85-419 in excess of amounts required
30 to meet debt service and any interest earnings derived from reserve funds
31 or any other funds created under the authority provided for in any

1 contract or contracts authorized by this section shall be accumulated and
2 applied toward early retirement of debt as authorized under any
3 resolution, indenture, or other contract entered into by the Board of
4 Regents as authorized by this section. The Board of Regents and the
5 Department of Administrative Services shall, on or before January 1,
6 2007, enter into an agreement providing for the allocation and
7 distribution of any balances existing in the University of Nebraska
8 Facilities Program of 2006 or any other funds created as part of a long-
9 term contracts ~~contract~~ entered into by the Board of Regents pursuant to
10 this section to the General Fund and any other funds designated by the
11 Board of Regents as a source of funds for the match specified in section
12 85-419 either on December 31, 2031 ~~2021~~, or when all financial
13 obligations incurred in the contracts entered into by the Board of
14 Regents pursuant to this section are discharged, whichever occurs first.

15 Sec. 18. Section 85-423, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 85-423 The State College Facilities Program of 2006 is created. All
18 funds appropriated to the program by the Legislature shall be used
19 exclusively for deferred maintenance, repair, ~~and renovation,~~ and
20 facility replacement construction projects authorized pursuant to section
21 85-424.

22 Sec. 19. Section 85-424, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 85-424 (1) Beginning with the fiscal year commencing July 1, 2006,
25 and continuing through the fiscal year ending June 30, 2030 ~~2020~~, the
26 Legislature shall appropriate each fiscal year from the General Fund an
27 amount not less than one million one hundred twenty-five thousand dollars
28 to the State College Facilities Program of 2006 to be used by the Board
29 of Trustees of the Nebraska State Colleges to accomplish projects as
30 provided in this section. Through the allotment process established in
31 section 81-1113, at a minimum, the Department of Administrative Services

1 shall make appropriated funds available. Undisbursed appropriations
2 balances existing in the State College Facilities Program of 2006 at the
3 end of each fiscal year until June 30, 2031 ~~2021~~, shall be and are hereby
4 reappropriated.

5 (2) The Legislature finds and determines that the projects funded
6 through the program are of critical importance to the State of Nebraska.
7 It is the intent of the Legislature that the appropriations to the
8 program shall not be reduced until all contracts and securities relating
9 to the construction and financing of the projects or portions of the
10 projects funded from such funds or accounts of such funds are completed
11 or paid but in no case shall such appropriations extend beyond the fiscal
12 year ending June 30, 2030 ~~2020~~, nor shall the cumulative total of the
13 General Fund appropriations for the program exceed twenty-seven ~~fifteen~~
14 million ~~seven hundred fifty thousand~~ dollars.

15 (3) Subject to the receipt of project approval from the Coordinating
16 Commission for Postsecondary Education as required by subsection (10) of
17 section 85-1414 for each of the following state college projects, the
18 Board of Trustees of the Nebraska State Colleges is authorized to make
19 expenditures from the State College Facilities Program of 2006 for the
20 following state college projects: (a) Deferred maintenance, repair, and
21 renovation of Chadron State College Academic/Administration Building; (b)
22 design and placement of a new Peru State College emergency power
23 generator; (c) replacement of existing Peru State College Al Wheeler
24 Activity Center bleachers; (d) addition to and deferred maintenance,
25 repair, and renovation of Peru State College Al Wheeler Activity Center;
26 (e) addition to and deferred maintenance, repair, and renovation of Wayne
27 State College Campus Services Building; (f) deferred maintenance, repair,
28 and renovation of Wayne State College Rice Auditorium; (g) deferred
29 maintenance, repair, and renovation of Wayne State College Memorial
30 Stadium; (h) replacement of or deferred maintenance, repair, and
31 renovation of Chadron State College stadium; (i) addition to and deferred

1 maintenance, repair, and renovation of Peru State College Theatre/Event
2 Center; (j) construction of a facility to replace Wayne State College
3 Benthack Hall applied technology programmatic space; and (k h) systemwide
4 miscellaneous fire and life safety, energy conservation, deferred repair,
5 federal Americans with Disabilities Act of 1990, and asbestos removal
6 projects.

7 (4) Expenditures of matching funds provided for the projects listed
8 in this section by the Board of Trustees of the Nebraska State Colleges
9 as provided for in section 85-419 shall be accounted for in the Nebraska
10 State Accounting System through the State College Facilities Program of
11 2006 or according to some other reporting process mutually agreed upon by
12 the state colleges and the Department of Administrative Services.

13 (5) The Board of Trustees of the Nebraska State Colleges shall
14 record and report, on the Nebraska State Accounting System, expenditure
15 of amounts from the State College Facilities Program of 2006 and
16 expenditure of proceeds arising from any contract entered into pursuant
17 to this section and section 85-425 in such manner and format as
18 prescribed by the Department of Administrative Services or according to
19 some other reporting process mutually agreed upon by the state colleges
20 and the Department of Administrative Services.

21 (6) The Board of Trustees of the Nebraska State Colleges shall
22 provide to the Task Force for Building Renewal semiannual reports
23 concerning the status of each project authorized by this section.

24 Sec. 20. Section 85-425, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 85-425 (1) In order to accomplish any projects authorized by section
27 85-424, the Board of Trustees of the Nebraska State Colleges may enter
28 into contracts with any person, firm, or corporation providing for the
29 implementation of any such project of the Nebraska state colleges and
30 providing for the long-term payment of the cost of such project from the
31 State College Facilities Program of 2006. In no case shall any such

1 contract extend for a period beyond December 31, 2030 ~~2020~~, nor shall any
2 such contract exceed the repayment capabilities implicit in the funding
3 streams authorized in sections 85-419 and 85-424.

4 (2) The Board of Trustees of the Nebraska State Colleges shall not
5 pledge the credit of the State of Nebraska for the payment of any sum
6 owing on account of such contract, except that there may be pledged for
7 the payment of any such contract any appropriation specifically made by
8 the Legislature for such purpose, together with such funds of the Board
9 of Trustees as the board determines. No contract shall be entered into
10 pursuant to this section without prior approval by resolution by the
11 Board of Trustees. The Board of Trustees may also convey, lease, or lease
12 back all or any part of the projects authorized by section 85-424 and the
13 land on which such projects are situated to such person, firm, or
14 corporation as the Board of Trustees may contract with pursuant to this
15 section to facilitate the long-term payment of the cost of such projects.
16 Any such conveyance or lease shall provide that when the cost of such
17 projects has been paid, together with interest and other costs thereon,
18 such projects and the land on which such projects are located shall
19 become the property of the Board of Trustees.

20 (3) The Board of Trustees of the Nebraska State Colleges is
21 authorized to make expenditures for the purposes stated in this section
22 and section 85-424 from interest income balances in any fund created
23 under the authority provided for in any contract or contracts authorized
24 by this section. Any appropriated amounts and amounts designated or
25 matched by the Board of Trustees under section 85-419 in excess of
26 amounts required to meet debt service and any interest earnings derived
27 from reserve funds or any other funds created under the authority
28 provided for in any contract or contracts authorized by this section
29 shall be accumulated and applied toward early retirement of debt as
30 authorized under any resolution, indenture, or other contract entered
31 into by the Board of Trustees as authorized by this section. The Board of

1 Trustees and the Department of Administrative Services shall, on or
2 before January 1, 2007, enter into an agreement providing for the
3 allocation and distribution of any balances existing in the State College
4 Facilities Program of 2006 or any other funds created as part of a long-
5 term contract entered into by the Board of Trustees pursuant to this
6 section to the General Fund and any other funds designated by the Board
7 of Trustees as a source of funds for the match specified in section
8 85-419 either on December 31, 2030 ~~2020~~, or when all financial
9 obligations incurred in the contracts entered into by the Board of
10 Trustees pursuant to this section are discharged, whichever occurs first.

11 Sec. 21. There is hereby created the Critical Infrastructure
12 Facilities Cash Fund in the Department of Natural Resources. The fund
13 shall consist of funds appropriated or transferred by the Legislature.
14 The fund shall be used by the Department of Natural Resources to provide
15 a grant to a natural resources district to offset costs related to soil
16 and water improvements intended to protect critical infrastructure
17 facilities within the district which includes military installations,
18 transportation routes, and wastewater treatment facilities. Any money in
19 the fund available for investment shall be invested by the state
20 investment officer pursuant to the Nebraska Capital Expansion Act and the
21 Nebraska State Funds Investment Act.

22 Sec. 22. The State Treasurer shall transfer four million dollars
23 from the General Fund to the Site and Building Development Fund on or
24 before June 30, 2016.

25 Sec. 23. Original sections 37-913, 60-1513, 82-316, 82-326, 82-331,
26 84-1227, 85-419, 85-421, 85-422, 85-423, 85-424, and 85-425, Reissue
27 Revised Statutes of Nebraska, sections 71-5714, 71-8805, and 72-2009,
28 Revised Statutes Cumulative Supplement, 2014, and sections 2-1507,
29 66-204, 81-3140, 81-3714, and 84-612, Revised Statutes Supplement, 2015,
30 are repealed.

31 Sec. 24. The following sections are outright repealed: Sections

1 37-915, 37-916, 37-917, 37-918, 37-919, 37-920, and 37-921, Revised
2 Statutes Cumulative Supplement, 2014.

3 Sec. 25. Since an emergency exists, this act takes effect when
4 passed and approved according to law.