

AMENDMENTS TO LB 961

(Amendments to E & R amendments, ER8210)

Introduced by Erdman, 47.

1           1. Insert the following new sections:

2           Section 1. Section 18-2604, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           18-2604 There is hereby created in the state treasury a  
5 cash fund to be known as the Municipal Infrastructure Redevelopment  
6 Fund. The fund shall have a separate account for each municipality  
7 in the state. Transfers from the fund to the General Fund may be  
8 made at the direction of the Legislature. Money shall be deposited  
9 into the ~~fund~~ Municipal Infrastructure Redevelopment Fund pursuant  
10 to section 77-2602.

11           Any money in the fund available for investment shall be  
12 invested by the state investment officer pursuant to the Nebraska  
13 Capital Expansion Act and the Nebraska State Funds Investment Act.  
14 Investment earnings on each account shall be credited to that  
15 account.

16           Sec. 2. Section 19-102, Revised Statutes Cumulative  
17 Supplement, 2006, is amended to read:

18           19-102 There is hereby created the City of the Primary  
19 Class Development Fund. Amounts credited to the fund pursuant  
20 to section 77-2602 shall, upon appropriation by the Legislature,  
21 be first expended to support the design and development of the  
22 Antelope Valley project and financing costs related thereto for

1 the Antelope Valley Study as outlined in the Environmental Impact  
2 Statement and Comprehensive Plan Amendment 94-60 to the 1994  
3 Lincoln/Lancaster County Comprehensive Plan. Transfers from the  
4 fund to the General Fund may be made at the direction of the  
5 Legislature. Any money in the ~~fund~~ City of the Primary Class  
6 Development Fund available for investment shall be invested by the  
7 state investment officer pursuant to the Nebraska Capital Expansion  
8 Act and the Nebraska State Funds Investment Act.

9 No distribution from the fund shall be made unless  
10 the city of the primary class provides matching funds equal to  
11 the ratio of one dollar for each three dollars of the state  
12 distribution. Funds derived from any state source may not be  
13 utilized as matching funds for purposes of this section.

14 Sec. 3. Section 19-103, Revised Statutes Cumulative  
15 Supplement, 2006, is amended to read:

16 19-103 There is hereby created the City of the  
17 Metropolitan Class Development Fund. Amounts credited to the  
18 fund pursuant to section 77-2602 shall, upon appropriation by  
19 the Legislature, be first expended to support the design and  
20 development of the redevelopment projects within the riverfront  
21 redevelopment plan designated for the area along the Missouri River  
22 generally north of Interstate 480 to Interstate 680 by the city of  
23 Omaha, except that each fiscal year there shall be no distribution  
24 from the fund until the finance director of the city certifies  
25 that other funds have been encumbered for that calendar year by  
26 the city to pay the cost of the combined sewer separation program  
27 project east of Seventy-second Street in the city of Omaha. Such

1 certification shall be required only until such sewer separation  
2 project is completed or until no cigarette tax money is available  
3 to the fund. The amount certified shall be at least seven million  
4 dollars each calendar year until 2007 and at least four million  
5 dollars each calendar year thereafter. The sewer separation project  
6 has such a significant impact on the health and welfare of such a  
7 large percentage of the population and on public health in general  
8 that the project is a matter of statewide concern. Transfers from  
9 the fund to the General Fund may be made at the direction of the  
10 Legislature. Any money in the fund City of the Metropolitan Class  
11 Development Fund available for investment shall be invested by the  
12 state investment officer pursuant to the Nebraska Capital Expansion  
13 Act and the Nebraska State Funds Investment Act.

14 No distribution from the fund shall be made unless the  
15 city of the metropolitan class provides matching funds equal to  
16 the ratio of one dollar for each three dollars of the state  
17 distribution. Funds derived from any state source may not be  
18 utilized as matching funds for purposes of this section.

19 Sec. 4. Section 37-351, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 37-351 There is hereby created a fund to be known as  
22 the Nebraska Outdoor Recreation Development Cash Fund. The fund  
23 shall contain the money ~~received~~ credited to the fund pursuant  
24 to section 77-2602 and any funds donated as gifts, bequests, or  
25 other contributions to such fund from public or private entities.  
26 Transfers from the fund to the General Fund may be made at the  
27 direction of the Legislature. Any money in the fund Nebraska

1 Outdoor Recreation Development Cash Fund available for investment  
2 shall be invested by the state investment officer pursuant to  
3 the Nebraska Capital Expansion Act and the Nebraska State Funds  
4 Investment Act.

5           Sec. 7. Section 72-1001, Revised Statutes Cumulative  
6 Supplement, 2006, is amended to read:

7           72-1001 The Nebraska Capital Construction Fund is  
8 created. The fund shall consist of revenue and transfers credited  
9 to the fund as authorized by law. Money shall be appropriated  
10 from the fund to state agencies for making payments on projects  
11 as determined by the Legislature, including, but not limited to,  
12 purchases of land, structural improvements to land, acquisition  
13 of buildings, construction of buildings, including architectural  
14 and engineering costs, replacement of or major repairs to  
15 structural improvements to land or buildings, additions to existing  
16 structures, remodeling of buildings, and acquisition of equipment  
17 and furnishings of new or remodeled buildings. The fund shall  
18 be administered by the State Treasurer as a multiple-agency-use  
19 fund and appropriated to state agencies as determined by the  
20 Legislature. Transfers from the fund to the General Fund may  
21 be made at the direction of the Legislature. Any money in the  
22 ~~fund~~ Nebraska Capitol Construction Fund available for investment  
23 shall be invested by the state investment officer pursuant to  
24 the Nebraska Capital Expansion Act and the Nebraska State Funds  
25 Investment Act.

26           Sec. 8. Notwithstanding any other provision of law, for  
27 bonds issued on or after the operative date of this act, funds

1 received by the issuer pursuant to section 77-2602 shall not be  
2 pledged for repayment of the bonds unless the bonds are approved  
3 by the Legislature or, if the Legislature is not in session, the  
4 Executive Board of the Legislative Council. Within ninety days  
5 after the date of submission of a request to permit pledging of  
6 funds received pursuant to section 77-2602 for repayment of bonds,  
7 the Legislature or, if the Legislature is not in session, the  
8 Executive Board of the Legislative Council, shall either approve or  
9 disapprove the request.

10           Sec. 9. Section 81-179, Revised Statutes Supplement,  
11 2007, is amended to read:

12           81-179 (1) There is hereby created under the control  
13 of the Governor, for allocation to building renewal projects of  
14 the various agencies, a fund to be known as the Building Renewal  
15 Allocation Fund. The fund shall contain the revenue from the  
16 special privilege tax as provided in section 77-2602 and such other  
17 money as is appropriated by the Legislature. Such appropriation  
18 is declared to consist of building renewal funds which shall be  
19 kept separate and distinct from the program continuation funds and  
20 project construction funds. Transfers from the fund to the General  
21 Fund may be made at the direction of the Legislature.

22           (2) Separate subfunds, subprograms, projects, or accounts  
23 shall be established to separately account for any expenditures on  
24 state buildings or facilities to comply with the federal Americans  
25 with Disabilities Act of 1990. A minimal amount of the funds  
26 contained in the subfunds, subprograms, projects, or accounts may  
27 be used for planning and evaluation of buildings and facilities.

1           (3) The budget division of the Department of  
2 Administrative Services may administratively transfer funds to  
3 appropriate accounting entities to correctly account for the  
4 operating expenditures. A separate fund, cash fund, project, or  
5 other account may be administratively established for such purpose.

6           (4) Any money in the ~~fund~~ Building Renewal Allocation  
7 Fund available for investment shall be invested by the state  
8 investment officer pursuant to the Nebraska Capital Expansion Act  
9 and the Nebraska State Funds Investment Act.

10           Sec. 10. Section 81-2004.08, Revised Statutes Supplement,  
11 2007, is amended to read:

12           81-2004.08 The Nebraska Public Safety Communication  
13 System Cash Fund is created. The fund shall be established within  
14 the Nebraska State Patrol and administered by the Superintendent  
15 of Law Enforcement and Public Safety. The fund shall consist of  
16 all revenue credited pursuant to law, including any fund transfers  
17 authorized by the Legislature. The fund shall only be used to pay  
18 the patrol's direct costs related to administering, operating, and  
19 maintaining the Nebraska Public Safety Communication System, except  
20 that any unobligated money in the fund may first be used to reduce  
21 the patrol's General Fund costs to operate the Nebraska Public  
22 Safety Communication System, and if additional unobligated money  
23 in the fund exists, the Legislature may transfer money from the  
24 fund to the State Fire Marshal and the Game and Parks Commission  
25 to reduce the General Fund costs to operate the Nebraska Public  
26 Safety Communication System. General Fund. Any money in the fund  
27 Nebraska Public Safety Communication System Cash Fund available

1 for investment shall be invested by the state investment officer  
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska  
3 State Funds Investment Act.

4           Sec. 14. Sections 1, 2, 3, 4, 7, 8, 9, 10, and 15 of this  
5 act become operative on July 1, 2008. The other sections of this  
6 act become operative on their effective date.

7           Sec. 15. Original sections 18-2604 and 37-351, Reissue  
8 Revised Statutes of Nebraska, sections 19-102, 19-103, and 72-1001,  
9 Revised Statutes Cumulative Supplement, 2006, and sections 77-2602,  
10 81-179, and 81-2004.08, Revised Statutes Supplement, 2007, are  
11 repealed.

12           2. Renumber the remaining sections accordingly.