



Ninety-Eighth Legislature - Second Session - 2004
Committee Statement
LB 1091

Hearing Date: February 2, 2004

Committee On: Appropriations

Introducer(s): (Speaker Bromm, at the request of the Governor)

Title: Change provisions relating to funds and authorize transfers

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8 Yes Wehrbein, Beutler, Cudaback, Kruse, Pederson, Price,
Synowiecki, Thompson

No

Present, not voting

1 Absent

Proponents:

Speaker Curt Bromm

Gerry Oligmueller

Representing:

Introducer

Governor's Office

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 1091:

1. Directs the transfer of \$650,000 from the Education Innovation Fund to the General Fund on June 15, 2004. (section 1)
 2. Repeals obsolete language related to the sale of fireworks and the remittance of sales tax related thereto. (sec. 2)
 3. Specifies that the Workers' Compensation Court Cash Fund shall be used to make legislative fund transfers to the Compensation Court Cash Fund. (sec. 3)
 4. Repeals obsolete language related to a transfer of funds from the Vocational Rehabilitation Fund to the Workers' Compensation Trust Fund in the year 2000. (sec. 3)
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5. Directs the transfer of \$2 million from the Nebraska Health Care Cash Fund to the University of Nebraska Medical Center (Designated) Cash Fund after July 1, 2004. (sec. 4)
6. Directs the transfer of \$2 million from the Nebraska Health Care Cash Fund to the University of Nebraska Medical Center (Designated) Cash Fund after July 1, 2005. (sec. 4)
7. Directs the transfer of \$2 million from the Nebraska Health Care Cash Fund to the University of Nebraska Medical Center (Designated) Cash Fund after July 1, 2006. (sec. 4)
8. Directs the transfer of the entire balance of the Fire Insurance Tax Fund to the State Fire Marshal Cash Fund after the effective date of the bill. (sec. 6)
9. Repeals the State Fire Marshal Fund. (sec.'s 5 and 7)
10. Directs that deposits from inspection contracts, penalties, fees, and forfeitures previously remitted to the State Fire Marshal Fund will be directed to the State Fire Marshal Cash Fund. (sec. 7)
11. Creates the Nebraska Natural Gas Pipeline Safety Cash Fund and repeals the Nebraska Natural Gas Pipeline Safety Fund. (sec. 8)
12. Directs that the purpose of the Nebraska Natural Gas Pipeline Safety Cash Fund is to administer the Nebraska Natural Gas Pipeline Safety Act of 1969, and that the fund will be administered by the State Fire Marshal. Assessments previously made to the repealed fund will be made to the newly created cash fund. (sec. 8)
13. Creates the Training Division Cash Fund. Funds collected from fees related to training programs for fire departments shall be deposited into the fund, instead of the State Fire Marshal Cash Fund. The purpose of the Training Division Cash Fund is to administer training programs. Funds related to training previously remitted to State Fire Marshal Cash Fund shall be transferred to the Training Division Cash Fund. (sec. 9)

Contains an emergency clause. (sec. 11)

Explanation of amendments, if any:

AM 3075 to LB 1091

Section 1 (3) allows transfers for fiscal year 2003-04 and fiscal year 2004-05 from the Nebraska Medicaid Intergovernmental Trust Fund to the Department of Health and Human Services Cash Fund, the Behavioral Health Services Fund, and the Attorney General Child Protection Cash Fund at the direction of the Legislature. This subsection also directs the Department of Administrative Services to administratively create the Attorney General Child Protection Cash Fund.

Section 1 (4) directs the State Treasurer to make the following transfers:

- \$2,220,000 from the Nebraska Medicaid Intergovernmental Trust Fund to the Department of Health and Human Services Cash Fund on or before May 1, 2004;
- \$5,420,000 from the Nebraska Medicaid Intergovernmental Trust Fund to the Department of Health and Human Services Cash Fund on or before July 15, 2004;
- \$80,000 from the Nebraska Medicaid Intergovernmental Trust Fund to the Attorney General Child Protection Cash Fund on or before May 1, 2004; and
- \$80,000 from the Nebraska Medicaid Intergovernmental Trust Fund to the Attorney General Child Protection Cash Fund on or before July 15, 2004

Section 2 directs the State Treasurer to transfer \$5,000,000 from the State Lottery Operation Trust Fund to the General Fund within fifteen days after July 1, 2004.

Section 3 expands the fiscal years for which the Education Innovation Fund shall be allocated to the General Fund. The expansion includes fiscal years 2005-06 and 2006-07.

In addition, section 3 strikes the bill's original language directing the transfer of \$650,000 from the Education Innovation Fund to the General Fund which was to occur June 15, 2004. This stricken language is replaced with language directing the transfer of a) available unobligated balances existing in the Education Innovation Fund as of June 30, 2004 and June 30, 2005, b) investment income credited to the Education Innovation Fund, and c) unobligated grant fund money returned to the state for credit to the Education Innovation Fund. This transfer is to take place on or before July 15, 2005.

Senator Roger R. Wehrbein, Chairperson