



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 426

Hearing Date: February 17, 2005

Committee On: Appropriations

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

Title: Create and transfer funds

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

6	Yes	Senators D. Pederson, Kruse, Cudaback, Heidemann, Price, Synowiecki
0	No	
0	Present, not voting	
3	Absent	Senators Beutler, Engel, Thompson

Proponents:

Senator Kermit Brashear
Gerry Oligmueller

Representing:

Introducer (by request of the Governor)
State Budget Division

Opponents:

None

Representing:

Neutral:

None

Representing:

Summary of purpose and/or changes:

Section 1 creates the Nebraska Capital Construction Fund. The fund shall be appropriated to state agencies for making payments on capital construction projects.

Section 2 creates the Low-Level Payment Cash Fund. The fund shall be used to provide payment pursuant to the requirements set forth in the settlement agreement reached in the low-level radioactive waste lawsuit between the State of Nebraska and the Central Interstate Low-Level Radioactive Waste Commission.

Section 3 creates the Superfund Cost Share Cash Fund. The Department of Environmental Quality shall remit grants and gifts received by the department for purposes of providing cost share for remediation of superfund sites for credit to the fund. The department shall use the fund

to pay for nonfederal costs, including costs for in-kind services, required as cost share for remediation of superfund sites.

Section 4 transfers two million twenty-five thousand five hundred fifty-six dollars from the Title XIX Medicaid Federal Fund to the Nebraska Capital Construction Fund within five days of July 1, 2005.

Section 5 transfers four hundred thousand dollars from the Probation Program Cash Fund to the Probation Cash Fund within five days of July 1, 2005.

Section 6 transfers three hundred fifty thousand dollars from the Community Corrections Uniform Data Analysis Fund to the Nebraska Law Enforcement Training Center Cash Fund within five days of July 1, 2005.

Section 7 strikes a subsection referring to a fund transfer that has already taken place and requires a transfer of one million nine hundred thirty-nine thousand eight hundred sixty-three dollars from the Nebraska Health Care Cash Fund to the Nebraska Capital Construction Fund within five days of July 1, 2005. In addition, a transfer of seven hundred thousand dollars from the Nebraska Health Care Cash Fund to the Nebraska Capital Construction Fund shall be made within five days of July 1, 2005.

Section 8 transfers one million four hundred three thousand dollars from the Vacant Building and Excess Land Cash Fund to the Nebraska Capital Construction Fund within five days of July 1, 2005. In addition, a transfer of seven hundred eighty-one thousand dollars from the Vacant Building and Excess Land Cash Fund to the Nebraska Capital Construction Fund shall be made within five days of July 1, 2006.

Section 9 strikes two subsections referring to fund transfers that have already taken place.

Explanation of amendments, if any:

The Committee Amendment to LB 426 becomes the bill. It does the following:

Eliminates the original sections 4, and 5.

Replaces section 2 with alternate language found in LB 184.

Section 10 (original section 7):

The amount to be transferred annually from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care Cash Fund increases from fifty million dollars to fifty-two million dollars.

The following sections in the amendment are new:

Section 4:

Creates the Nebraska State Fair Support and Improvement Cash Fund and credits the fund with the disbursement of state lottery proceeds designated for the state fair and matching funds from the most populous city within the county in which the fair is located. The balance of the administratively created fund that is being used for this purpose shall be transferred to this fund.

Section 5:

Requires the Department of Revenue to, on a quarterly basis, provide the most populous city within the county in which the state fair is located written notification of the amount estimated by the department to equal ten percent of the lottery revenue to be transferred to the fund created in section 4.

Section 6:

Requires the most populous city in the county in which the state fair is located to remit quarterly payments to the State Treasurer in amounts equal to the matching fund requirements established by the Department of Revenue.

Section 7:

Requires the Nebraska State Fair Board to provide an annual report to the Governor and the Legislature regarding the use of the fund created in section 4 no later than November 1 each year.

Section 8:

Creates the Ferguson House Fund to be used by the Nebraska Environmental Trust Board only for the operation, administration, maintenance, restoration, and renovation of the Ferguson House and grounds. Revenue to the fund may consist of rental or other income related to the Ferguson House as well as gifts, grants, and bequests.

Section 13:

Requires a complete and comprehensive annual audit of the books, accounts, funds, records, and affairs of the Board of Trustees of the Nebraska State Colleges and each of the state colleges.

Section 14:

Incorporates the provisions of LB 515

Senator Don Pederson, Chairperson