

AMENDMENTS TO LB 1116

Introduced by Agriculture.

1 1. Strike the original sections and insert the following
2 sections:

3 Section 1. Section 2-101, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 2-101 (1) The Nebraska State Fair Board, formerly known
6 as the State Board of Agriculture, shall hold an annual meeting for
7 the purpose of deliberating and consulting as to the wants,
8 prospects, and conditions of the agricultural, horticultural,
9 industrial, mechanical, and other interests throughout the state,
10 as well as those interests in the encouragement and perpetuation of
11 the arts, skilled crafts, and sciences.

12 (2) The Nebraska State Fair Board may provide in its
13 constitution and bylaws for the qualification and participation
14 of delegates at the annual meeting from such associations
15 incorporated under the laws of the state for purposes of promoting
16 and furthering the interests of participants in agricultural,
17 horticultural, industrial, mechanical, or other pursuits or for the
18 encouragement and perpetuation of the arts, skilled crafts, and
19 sciences, and from such associations as provide for the training,
20 encouragement, and competition of the youth of Nebraska in such
21 endeavors. The annual meeting shall be held in every odd-numbered
22 year at the capital of the state and in every even-numbered year at
23 such location as the board determines. The chairperson of the board

1 shall also have the power to call meetings of the board whenever he
2 or she may deem it expedient. All meetings of the board shall be
3 conducted in accordance with the Open Meetings Act.

4 (3) The ~~state fair~~ Nebraska State Fair shall be held
5 ~~at or near the city of Lincoln, in Lancaster County,~~ under the
6 direction and supervision of the Nebraska State Fair Board. ~~upon~~
7 ~~the site and tract of land selected and now owned by the state for~~
8 ~~that purpose and known as the Nebraska State Fairgrounds.~~ The board
9 may, at its discretion, hold or dispense with the holding of the
10 fair, in any year.

11 (4) It is the intent of the Legislature that the Nebraska
12 State Fair be permanently located within the city of Grand Island
13 upon the site and tract of land owned by the Hall County Livestock
14 Improvement Association and known as Fonner Park no later than
15 2010. The Nebraska State Fair Board shall cooperate and coordinate
16 with the Hall County Livestock Improvement Association, the city
17 of Grand Island, and other appropriate entities to provide for
18 and carry out any plan of improvements to Fonner Park, including
19 the construction of buildings, other capital facilities, and other
20 enhancements, necessary to develop the site as a location suitable
21 for conducting the Nebraska State Fair. Such cooperation and
22 coordination may include financial participation in the costs of
23 new construction and other capital improvements upon Fonner Park
24 and includes the execution of any agreement for site governance,
25 revenue sharing, and facility utilization between and among the
26 Nebraska State Fair Board, the Hall County Livestock Improvement
27 Association, and other appropriate entities.

1 Sec. 2. Section 2-101.01, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 2-101.01 The Legislature finds that the Nebraska State
4 Fair has been held annually for the exhibition and dissemination
5 of agricultural, horticultural, industrial, mechanical, and other
6 products and innovations and for exhibitions in the arts, skilled
7 crafts, and sciences and is a beneficial cultural and educational
8 event for the state and its citizens. The Legislature declares
9 it to be in the public interest that management of the Nebraska
10 State Fair and the Nebraska State Fairgrounds be based upon
11 a dynamic public-private partnership that includes the active
12 participation of the state and local governments, the private
13 sector, and the citizens of Nebraska. In order to achieve this
14 goal, the Legislature finds that the Nebraska State Fair Board
15 should endeavor to:

16 (1) Place a priority on the development of private
17 funding sources, including corporate donations and sponsorships;

18 (2) Work with municipal officials to enhance the board's
19 participation in local planning efforts and to create a partnership
20 with local economic development and tourism officials;

21 (3) Maintain a policy of openness and accountability that
22 allows for citizen participation in the operation of the Nebraska
23 State Fair; ~~and the Nebraska State Fairgrounds; and~~

24 (4) Regularly provide the Governor, the Legislature, and
25 appropriate state agencies with information, including, but not
26 limited to, the development of private funding sources, the use of
27 state appropriations, ~~the status of the state fairground facility~~

1 ~~maintenance and improvements,~~ the fiscal management of the state
2 ~~fair,~~ Nebraska State Fair, and the activities and goals established
3 for the ~~state fair and the state fairgrounds,~~ Nebraska State Fair.

4 Sec. 3. Section 2-103, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 2-103 (1) ~~No later than May 1, 2003,~~ Beginning January 1,
7 2009, the Nebraska State Fair Board shall be a board consisting of
8 the following members:

9 (a) Seven members nominated and selected by district as
10 provided in the constitution and bylaws of the board; and

11 (b) Four members appointed by the Governor and confirmed
12 by the Legislature, ~~two selected to represent the business~~
13 ~~community of the city of Lincoln,~~ ~~one selected to represent~~
14 ~~the business community of Omaha,~~ and ~~one~~ three members selected
15 ~~to represent~~ from the business community of the state at large.
16 with one such member residing in each of the three congressional
17 districts, as such districts existed on the effective date of this
18 act and one member selected from the business community of the most
19 populous city within the county in which the Nebraska State Fair is
20 located.

21 (2) The term of office for members of the board shall
22 be for three years. Members selected by gubernatorial appointment
23 pursuant to subdivision (1)(b) of this section as it existed prior
24 to the effective date of this act who continue to be qualified
25 to serve shall continue their term of appointment and shall be
26 eligible for reappointment subject to the limit of terms served
27 prescribed in subsection (3) of this section. In the event that the

1 Nebraska State Fair is to be relocated to a new host community,
2 the term of the member appointed or designated from the business
3 community of the previous host community shall be vacated and the
4 Governor shall appoint a new member from the business community
5 of the most populous city within the county in which the Nebraska
6 State Fair is located to fulfill the remainder of the term of the
7 vacating member. ~~7~~ ~~except that the terms of the initial members~~
8 ~~shall be as follows:~~

9 ~~(a) The terms of office for the seven members selected~~
10 ~~pursuant to subdivision (1)(a) of this section shall be for~~
11 ~~one, two, or three years as determined by lot, with two members~~
12 ~~appointed to a term of one year, two members appointed to a term of~~
13 ~~two years, and three members appointed to a term of three years,~~
14 ~~and~~

15 ~~(b) The terms of office for the members appointed~~
16 ~~pursuant to subdivision (1)(b) of this section shall be for~~
17 ~~one, two, or three years, as designated by the Governor, with two~~
18 ~~members appointed to a term of one year, one member appointed to~~
19 ~~a term of two years, and one member appointed to a term of three~~
20 ~~years.~~

21 ~~(3) No person may serve more than three consecutive terms~~
22 ~~as a member of the board.~~ ~~7~~ ~~except that members of the State Board~~
23 ~~of Agriculture having served or serving in an executive capacity~~
24 ~~may only serve on the Nebraska State Fair Board for one term of~~
25 ~~three years.~~ ~~No member of the Legislature may serve on the board.~~

26 ~~(4) The board shall annually elect from its membership~~
27 ~~a chairperson, a vice-chairperson, a secretary, and such other~~

1 officers as the board deems necessary. The officers shall be
2 elected at the annual meeting of the board, or any other meeting of
3 the board called for such purpose, and shall hold their offices for
4 one year and until their successors are elected and qualified.

5 (5) The chairperson of the Nebraska Arts Council
6 and the chancellor of the University of Nebraska-Lincoln, or
7 their designees, shall be ~~ex officio members~~ The State 4-H
8 Program Administrator of the Cooperative Extension Service of the
9 University of Nebraska, or his or her designee, and the Executive
10 Director of the Nebraska FFA, or his or her designee, shall be ex
11 officio, nonvoting members of the Nebraska State Fair Board.

12 Sec. 4. Section 2-108, Revised Statutes Supplement, 2007,
13 is amended to read:

14 2-108 The Nebraska State Fair Support and Improvement
15 Cash Fund is created. The fund shall be maintained in the state
16 accounting system as a cash fund. The State Treasurer shall credit
17 to the fund the disbursement of state lottery proceeds designated
18 for the Nebraska State Fair and matching funds from the most
19 populous city within the county in which the state fair is located.
20 The balance of any fund that is administratively created to
21 receive lottery proceeds designated for the Nebraska State Fair and
22 matching fund revenue prior to May 25, 2005, shall be transferred
23 to the Nebraska State Fair Support and Improvement Cash Fund on
24 such date. The Nebraska State Fair Support and Improvement Cash
25 Fund shall be expended by the Nebraska State Fair Board to provide
26 support for operating expenses and capital facility enhancements,
27 ~~including conducting or providing financial support for studies of~~

1 ~~facility conditions of the Nebraska State Fairgrounds and needs~~
2 ~~as well as other facility planning activities. including new~~
3 ~~construction and other capital improvements and other enhancements~~
4 ~~to and upon any exhibition facility utilized as the location of~~
5 ~~the Nebraska State Fair. Expenditures from the fund shall not be~~
6 limited to the amount appropriated. Any money in the fund available
7 for investment shall be invested by the state investment officer
8 pursuant to the Nebraska Capital Expansion Act and the Nebraska
9 State Funds Investment Act.

10 Sec. 5. The Nebraska State Fair Relocation Cash Fund is
11 created. The State Treasurer shall credit to the fund such money
12 as is transferred to the fund by the Legislature or donated as
13 gifts, bequests, or other contributions to such fund from public or
14 private entities. The fund shall be expended by the Nebraska State
15 Fair Board to provide funding to assist in the construction and
16 improvement of capital facilities necessary to develop a location
17 suitable for the operation of the Nebraska State Fair. Expenditures
18 from the fund shall not be limited to the amount appropriated.
19 The money in the fund shall not be subject to any fiscal year
20 or biennium limitation requiring reappropriation of the unexpended
21 balance at the end of the fiscal year or biennium. Any money in
22 the fund available for investment shall be invested by the state
23 investment officer pursuant to the Nebraska Capital Expansion Act
24 and the Nebraska State Funds Investment Act.

25 Sec. 6. (1) Notwithstanding sections 72-811 to 72-818 or
26 any other provision of law, on or before December 31, 2009, the
27 State Building Administrator or his or her designee shall transfer

1 the site and tract of land consisting of approximately 200 some
2 acres now owned by the state and defined herein as the Nebraska
3 State Fairgrounds in Lancaster County (Legal Description XXX) by
4 deed to the Board of Regents of the University of Nebraska in
5 a form acceptable to the Board of Regents and suitable for the
6 intended uses of the planned Innovation Campus and other University
7 purposes. The Nebraska State Fair shall be moved to the city of
8 Grand Island if certification is provided to the Department of
9 Administrative Services of the following:

10 (a) Donations for the purpose of carrying out subsection
11 (4) of section 2-101 made on behalf of the University of Nebraska
12 in a total amount of no less than twenty-one million five hundred
13 thousand dollars in cash or legally binding commitments have been
14 secured. Such donations may be received over time but they shall
15 in aggregate equal at least seven million five hundred thousand
16 dollars by October 1, 2008, fourteen million five hundred thousand
17 dollars by February 1, 2009, and twenty-one million five hundred
18 thousand dollars by July 1, 2009. If an acceptable deed for the
19 Nebraska State Fairgrounds in Lancaster County is capable of being
20 delivered sooner than July 1, 2009, the full amount of University
21 of Nebraska contributions shall be accelerated commensurate with
22 and in consideration of the earlier date of transfer of the
23 Nebraska State Fairgrounds in Lancaster County to the Board of
24 Regents;

25 (b) Donations for the purpose of carrying out subsection
26 (4) of section 2-101 made on behalf of the city of Grand Island
27 in a total amount of no less than eight million five hundred

1 thousand dollars in cash or legally binding commitments have been
2 secured. Such donations may be received over time but they shall in
3 aggregate equal at least three million dollars by October 1, 2008,
4 six million dollars by February 1, 2009, and eight million five
5 hundred thousand dollars by July 1, 2009; and

6 (c) A commitment, not to exceed seven million dollars,
7 by the Nebraska State Fair Board to cover all remaining cost
8 associated with relocating the fair, including not later than
9 December 31, 2009, a written release or other written instrument,
10 acceptable to the State Building Administrator in consultation with
11 the President of the University of Nebraska in connection with the
12 required transfer of the Nebraska State Fairgrounds in Lancaster
13 County to the Board of Regents, permanently releasing any right,
14 title, leasehold, lien, license, right of entry, possessory, or
15 other interest whatsoever related to the Nebraska State Fair Board
16 or the operation of the Nebraska State Fair at or near the Nebraska
17 State Fairgrounds in Lancaster County.

18 (2) The University of Nebraska, the Nebraska State Fair
19 Board, and the city of Grand Island shall provide certification
20 to the Department of Administrative Services on October 1, 2008,
21 February 1, 2009, and July 1, 2009, of all donations given to carry
22 out subsection (4) of section 2-101.

23 (3) Upon receipt of the deed transferring the Nebraska
24 State Fairgrounds in Lancaster County from the State of Nebraska
25 to the Board of Regents of the University of Nebraska, the board
26 shall assume all liabilities and responsibilities related to such
27 property and, except as provided in this section, the Nebraska

1 State Fair Board and the State of Nebraska are released from all
2 liabilities and responsibility related to such property.

3 Sec. 7. Section 84-612, Revised Statutes Supplement,
4 2007, is amended to read:

5 84-612 (1) There is hereby created within the state
6 treasury a fund known as the Cash Reserve Fund which shall be under
7 the direction of the State Treasurer. The fund shall only be used
8 pursuant to this section.

9 (2) The State Treasurer shall transfer funds from the
10 Cash Reserve Fund to the General Fund upon certification by the
11 Director of Administrative Services that the current cash balance
12 in the General Fund is inadequate to meet current obligations. Such
13 certification shall include the dollar amount to be transferred.
14 Any transfers made pursuant to this subsection shall be reversed
15 upon notification by the Director of Administrative Services that
16 sufficient funds are available.

17 (3) The State Treasurer, at the direction of the
18 budget administrator of the budget division of the Department
19 of Administrative Services, shall transfer such amounts not to
20 exceed seven million seven hundred fifty-three thousand two hundred
21 sixty-three dollars in total from the Cash Reserve Fund to the
22 Nebraska Capital Construction Fund between July 1, 2003, and June
23 30, 2007.

24 (4) The State Treasurer, at the direction of the budget
25 administrator, shall transfer an amount equal to the total amount
26 transferred pursuant to subsection (3) of this section from the
27 General Fund to the Cash Reserve Fund on or before June 30, 2008.

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

5 (6) On June 15, 2007, the State Treasurer shall transfer
6 fifteen million six hundred seventy-four thousand one hundred seven
7 dollars from the Cash Reserve Fund to the General Fund.

8 (7) On June 16, 2008, the State Treasurer shall transfer
9 seventeen million nine hundred thirty-one thousand thirty dollars
10 from the Cash Reserve Fund to the General Fund.

11 (8) On June 15, 2009, the State Treasurer shall transfer
12 four million nine hundred ninety thousand five hundred five dollars
13 from the Cash Reserve Fund to the General Fund.

14 (9) On or before June 16, 2008, the State Treasurer, at
15 the direction of the budget administrator, shall transfer fifty
16 million dollars from the Cash Reserve Fund to the General Fund.

17 (10) On or before June 16, 2009, the State Treasurer,
18 at the direction of the budget administrator, shall transfer fifty
19 million dollars from the Cash Reserve Fund to the General Fund.

20 (11) From the effective date of an endowment agreement
21 as defined in subdivision (3)(c) of section 79-1101 until June
22 30, 2007, forty million dollars of the Cash Reserve Fund shall be
23 deemed to constitute the Early Childhood Education Endowment Fund.
24 Such funds shall remain part of the Cash Reserve Fund for all
25 purposes, except that the interest earned on such forty million
26 dollars shall accrue as provided in section 84-613.

27 (12) The State Treasurer, at the direction of the budget

1 administrator, shall transfer such amounts, as certified by the
2 Director of Administrative Services, for employee health insurance
3 claims and expenses, not to exceed twelve million dollars in total
4 from the Cash Reserve Fund to the State Employees Insurance Fund
5 between May 1, 2007, and June 30, 2011.

6 (13) On July 9, 2007, the State Treasurer shall transfer
7 twelve million dollars from the Cash Reserve Fund to the Nebraska
8 Capital Construction Fund.

9 (14) On July 9, 2007, the State Treasurer shall transfer
10 five million dollars from the Cash Reserve Fund to the Job Training
11 Cash Fund. The State Treasurer shall transfer from the Job Training
12 Cash Fund to the Cash Reserve Fund such amounts as directed in
13 section 81-1201.21.

14 (15) On July 7, 2008, the State Treasurer shall transfer
15 five million dollars from the Cash Reserve Fund to the Job Training
16 Cash Fund. The State Treasurer shall transfer from the Job Training
17 Cash Fund to the Cash Reserve Fund such amounts as directed in
18 section 81-1201.21.

19 (16) On or before August 1, 2007, the State Treasurer,
20 at the direction of the budget administrator, shall transfer
21 seventy-five million dollars from the Cash Reserve Fund to the
22 Nebraska Capital Construction Fund.

23 (17) On or before June 30, 2009, the State Treasurer
24 shall transfer nine million five hundred ninety thousand dollars
25 from the Cash Reserve Fund to the Nebraska Capital Construction
26 Fund.

27 (18) The State Treasurer, at the direction of the budget

1 administrator, shall transfer an amount equal to the total amount
2 transferred pursuant to subsection (12) of this section from
3 the appropriate health insurance accounts of the State Employees
4 Insurance Fund in such amounts as certified by the Director of
5 Administrative Services to the Cash Reserve Fund on or before June
6 30, 2011.

7 (19) On July 9, 2007, the State Treasurer shall
8 transfer one million dollars from the Cash Reserve Fund to the
9 Microenterprise Development Cash Fund.

10 (20) On July 9, 2007, the State Treasurer shall transfer
11 two hundred fifty thousand dollars from the Cash Reserve Fund to
12 the Building Entrepreneurial Communities Cash Fund.

13 (21) On July 7, 2008, the State Treasurer shall
14 transfer one million dollars from the Cash Reserve Fund to the
15 Microenterprise Development Cash Fund.

16 (22) On July 7, 2008, the State Treasurer shall transfer
17 two hundred fifty thousand dollars from the Cash Reserve Fund to
18 the Building Entrepreneurial Communities Cash Fund.

19 (23) On the effective date of this act the State
20 Treasurer shall transfer five million dollars from the Cash Reserve
21 Fund to the Nebraska State Fair Relocation Cash Fund.

22 Sec. 8. Original sections 2-101, 2-101.01, and 2-103,
23 Revised Statutes Cumulative Supplement, 2006, and sections 2-108
24 and 84-612, Revised Statutes Supplement, 2007, are repealed.