

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 435

FINAL READING

Introduced by Raikes, 25; Avery, 28; Dierks, 40; Dubas, 34; Fulton,
29; Hudkins, 21; Karpisek, 32; McDonald, 41; McGill,
26; Nantkes, 46; Schimek, 27; Wallman, 30

Read first time January 16, 2007

Committee: Agriculture

A BILL

1 FOR AN ACT relating to the Nebraska State Fairgrounds; to amend
2 sections 2-108 and 2-111, Revised Statutes Cumulative
3 Supplement, 2006; to provide for a study relating to the
4 Nebraska State Fair; to change provisions relating to use
5 of funds; to provide a termination date; to repeal the
6 original sections; and to declare an emergency.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-108, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 2-108 The Nebraska State Fair Support and Improvement
4 Cash Fund is created. The fund shall be maintained in the state
5 accounting system as a cash fund. The State Treasurer shall
6 credit to the fund the disbursement of state lottery proceeds
7 designated for the ~~state fair~~ Nebraska State Fair and matching
8 funds from the most populous city within the county in which
9 the state fair is located. The balance of any fund that is
10 administratively created to receive lottery proceeds designated
11 for the Nebraska State Fair and matching fund revenue prior to
12 May 25, 2005, shall be transferred to the Nebraska State Fair
13 Support and Improvement Cash Fund on such date. The Nebraska
14 State Fair Support and Improvement Cash Fund shall be expended
15 by the Nebraska State Fair Board to provide support for operating
16 expenses and capital facility enhancements, including conducting
17 or providing financial support for studies of facility conditions
18 of the Nebraska State Fairgrounds and needs as well as other
19 facility planning activities. Expenditures from the fund shall not
20 be limited to the amount appropriated. Any money in the fund
21 available for investment shall be invested by the state investment
22 officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.

24 Sec. 2. Section 2-111, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

1 2-111 (1) The Nebraska State Fair Board shall, no later
2 than November 1 of each year, provide an annual report to the
3 Governor and the Legislature regarding the use of the Nebraska
4 State Fair Support and Improvement Cash Fund. The report shall
5 include ~~(1)~~ (a) a detailed listing of how the proceeds of the
6 fund were expended in the prior fiscal year and ~~(2)~~ (b) any
7 distributions from the fund that remain unexpended and on deposit
8 in Nebraska State Fair accounts.

9 (2) The Nebraska State Fair Board shall cooperate with a
10 study by the Agriculture Committee of the Legislature of capital
11 facilities and infrastructure requirements to serve the purposes
12 and goals of the Nebraska State Fair and other uses of the Nebraska
13 State Fairgrounds as a year-round multipurpose facility sufficient
14 to host and accommodate events and attractions of local, state, and
15 regional interest and attendance. The Nebraska State Fair Board may
16 utilize available funds, not to exceed one hundred fifty thousand
17 dollars, including funds disbursed from the Nebraska State Fair
18 Support and Improvement Cash Fund and other resources, to assist in
19 completion of such study. This subsection terminates on January 1,
20 2008.

21 Sec. 3. (1) The Agriculture Committee of the Legislature,
22 with the assistance of the state building division of the
23 Department of Administrative Services, shall conduct a study of
24 the Nebraska State Fair consisting of the following components and
25 any other information deemed relevant:

1 (a) (i) What capital facilities and infrastructure does
2 the Nebraska State Fairgrounds require at its present location
3 to serve the fifteen-year program needs of the State of Nebraska
4 as a state fair site and as a year-round multipurpose facility
5 sufficient to attract a local, state, and regional audience; and

6 (ii) What is the projected fifteen-year revenue and
7 cash-flow analysis, including capital construction, operation and
8 maintenance, repair, and code compliance, necessary to meet the
9 program needs identified in subdivision (a) (i) of this subsection;
10 and

11 (b) (i) What would a new state fairgrounds at a new
12 undetermined and nonspecific site need to include to serve
13 a comparable fifteen-year program for a state fairgrounds and
14 year-round multipurpose facility sufficient to attract a local,
15 state, and regional audience; and

16 (ii) What is the projected fifteen-year revenue and
17 cash-flow analysis, including capital construction, operation and
18 maintenance, repair, and code compliance, necessary to meet the
19 program needs of the Nebraska State Fair as identified in
20 subdivision (b) (i) of this subsection at a new state fairgrounds
21 location.

22 (2) The Department of Administrative Services, in
23 consultation with the Agriculture Committee of the Legislature
24 and the Executive Board of the Legislative Council, shall
25 commission an independent, neutral consultant to provide analysis

1 and recommendations relevant to the purposes of the study. The
2 Department of Administrative Services shall utilize funds provided
3 from nongeneral fund contributions received from any source, public
4 or private, to defray the costs of such independent consultant
5 commissioned to perform analysis contemplated under this section.
6 Copies of the report of the analysis and recommendations of such
7 consultant shall be delivered to the chairperson of the Agriculture
8 Committee of the Legislature, the Nebraska State Fair Board, the
9 Clerk of the Legislature, and the Governor on or before November
10 15, 2007.

11 (3) The Agriculture Committee of the Legislature shall
12 provide a report of its findings and recommendations arising from
13 the study pursuant to this section on or before December 15, 2007.
14 The committee shall conduct at least one public hearing subsequent
15 to the receipt of the report of the analysis and recommendations of
16 any independent consultant commissioned pursuant to subsection (2)
17 of this section.

18 (4) This section terminates on January 1, 2008.

19 Sec. 4. Original sections 2-108 and 2-111, Revised
20 Statutes Cumulative Supplement, 2006, are repealed.

21 Sec. 5. Since an emergency exists, this act takes effect
22 when passed and approved according to law.