

## LEGISLATIVE BILL 435

Approved by the Governor May 16, 2007

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

FOR AN ACT relating to the Nebraska State Fairgrounds; to amend sections 2-108 and 2-111, Revised Statutes Cumulative Supplement, 2006; to provide for a study relating to the Nebraska State Fair; to change provisions relating to use of funds; to provide a termination date; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

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

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

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

(ii) What is the projected fifteen-year revenue and cash-flow

analysis, including capital construction, operation and maintenance, repair, and code compliance, necessary to meet the program needs of the Nebraska State Fair as identified in subdivision (b)(i) of this subsection at a new state fairgrounds location.

(2) The Department of Administrative Services, in consultation with the Agriculture Committee of the Legislature and the Executive Board of the Legislative Council, shall commission an independent, neutral consultant to provide analysis and recommendations relevant to the purposes of the study. The Department of Administrative Services shall utilize funds provided from nongeneral fund contributions received from any source, public or private, to defray the costs of such independent consultant commissioned to perform analysis contemplated under this section. Copies of the report of the analysis and recommendations of such consultant shall be delivered to the chairperson of the Agriculture Committee of the Legislature, the Nebraska State Fair Board, the Clerk of the Legislature, and the Governor on or before November 15, 2007.

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

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

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

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