

AMENDMENTS TO LB 2

Introduced by Appropriations.

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

3 Section 1. Section 9-812, Revised Statutes Supplement,
4 2009, is amended to read:

5 9-812 (1) All money received from the operation of
6 lottery games conducted pursuant to the State Lottery Act in
7 Nebraska shall be credited to the State Lottery Operation Trust
8 Fund, which fund is hereby created. All payments of the costs
9 of establishing and maintaining the lottery games shall be made
10 from the State Lottery Operation Cash Fund. In accordance with
11 legislative appropriations, money for payments for expenses of the
12 division shall be transferred from the State Lottery Operation
13 Trust Fund to the State Lottery Operation Cash Fund, which fund
14 is hereby created. All money necessary for the payment of lottery
15 prizes shall be transferred from the State Lottery Operation Trust
16 Fund to the State Lottery Prize Trust Fund, which fund is hereby
17 created. The amount used for the payment of lottery prizes shall
18 not be less than forty percent of the dollar amount of the lottery
19 tickets which have been sold.

20 (2) Beginning October 1, 2003, a portion of the dollar
21 amount of the lottery tickets which have been sold on an annualized
22 basis shall be transferred from the State Lottery Operation Trust
23 Fund to the Education Innovation Fund, the Nebraska Scholarship

1 Fund, the Nebraska Environmental Trust Fund, the Nebraska State
2 Fair Board, and the Compulsive Gamblers Assistance Fund. The dollar
3 amount transferred pursuant to this subsection shall equal the
4 greater of (a) the dollar amount transferred to the funds in
5 fiscal year 2002-03 or (b) any amount which constitutes at least
6 twenty-two percent and no more than twenty-five percent of the
7 dollar amount of the lottery tickets which have been sold on an
8 annualized basis. To the extent that funds are available, the
9 Tax Commissioner and director may authorize a transfer exceeding
10 twenty-five percent of the dollar amount of the lottery tickets
11 sold on an annualized basis.

12 (3) Of the money available to be transferred to the
13 Education Innovation Fund, the Nebraska Scholarship Fund, the
14 Nebraska Environmental Trust Fund, the Nebraska State Fair Board,
15 and the Compulsive Gamblers Assistance Fund:

16 (a) The first five hundred thousand dollars shall be
17 transferred to the Compulsive Gamblers Assistance Fund to be used
18 as provided in section 71-817;

19 (b) Nineteen and three-fourths percent of the money
20 remaining after the payment of prizes and operating expenses and
21 the initial transfer to the Compulsive Gamblers Assistance Fund
22 shall be transferred to the Education Innovation Fund;

23 (c) Twenty-four and three-fourths percent of the money
24 remaining after the payment of prizes and operating expenses and
25 the initial transfer to the Compulsive Gamblers Assistance Fund
26 shall be transferred to the Nebraska Scholarship Fund;

27 (d) Forty-four and one-half percent of the money

1 remaining after the payment of prizes and operating expenses and
2 the initial transfer to the Compulsive Gamblers Assistance Fund
3 shall be transferred to the Nebraska Environmental Trust Fund to be
4 used as provided in the Nebraska Environmental Trust Act;

5 (e) Ten percent of the money remaining after the payment
6 of prizes and operating expenses and the initial transfer to
7 the Compulsive Gamblers Assistance Fund shall be transferred to
8 the Nebraska State Fair Board if the most populous city within
9 the county in which the fair is located provides matching funds
10 equivalent to ten percent of the funds available for transfer. Such
11 matching funds may be obtained from the city and any other private
12 or public entity, except that no portion of such matching funds
13 shall be provided by the state. If the Nebraska State Fair ceases
14 operations, ten percent of the money remaining after the payment
15 of prizes and operating expenses and the initial transfer to the
16 Compulsive Gamblers Assistance Fund shall be transferred to the
17 General Fund; and

18 (f) One percent of the money remaining after the payment
19 of prizes and operating expenses and the initial transfer to the
20 Compulsive Gamblers Assistance Fund shall be transferred to the
21 Compulsive Gamblers Assistance Fund to be used as provided in
22 section 71-817.

23 (4) (a) The Education Innovation Fund is created. At least
24 seventy-five percent of the lottery proceeds allocated to the
25 Education Innovation Fund shall be available for disbursement.

26 (b) For fiscal year 2005-06, the Education Innovation
27 Fund shall be allocated as follows: The first one million dollars

1 shall be transferred to the School District Reorganization Fund,
2 and the remaining amount shall be allocated to the General Fund
3 after operating expenses for the Excellence in Education Council
4 are deducted.

5 (c) For fiscal year 2006-07, the Education Innovation
6 Fund shall be allocated as follows: The first two hundred fifty
7 thousand dollars shall be transferred to the Attracting Excellence
8 to Teaching Program Cash Fund to fund the Attracting Excellence
9 to Teaching Program Act, the next one million dollars shall
10 be transferred to the School District Reorganization Fund, and
11 the amount remaining in the Education Innovation Fund shall be
12 allocated, after administrative expenses, for distance education
13 equipment and incentives pursuant to sections 79-1336 and 79-1337.

14 (d) For fiscal year 2007-08, the Education Innovation
15 Fund shall be allocated as follows: The first five hundred thousand
16 dollars shall be transferred to the Attracting Excellence to
17 Teaching Program Cash Fund to fund the Attracting Excellence to
18 Teaching Program Act, and the amount remaining in the Education
19 Innovation Fund shall be allocated, after administrative expenses,
20 for distance education equipment and incentives pursuant to
21 sections 79-1336 and 79-1337.

22 (e) For fiscal year 2008-09, the Education Innovation
23 Fund shall be allocated as follows: The first seven hundred
24 fifty thousand dollars shall be transferred to the Attracting
25 Excellence to Teaching Program Cash Fund to fund the Attracting
26 Excellence to Teaching Program Act, and the amount remaining in the
27 Education Innovation Fund shall be allocated, after administrative

1 expenses, for distance education equipment and incentives pursuant
2 to sections 79-1336 and 79-1337.

3 (f) For fiscal year 2009-10, the Education Innovation
4 Fund shall be allocated as follows: Any amounts transferred to the
5 Education Innovation Fund from the School District Reorganization
6 Fund shall be returned to the School District Reorganization Fund
7 first, the next one million dollars shall be transferred to the
8 Excellence in Teaching Cash Fund to fund the Excellence in Teaching
9 Act, and the amount remaining in the Education Innovation Fund
10 shall be allocated, after administrative expenses, for distance
11 education equipment and incentives pursuant to sections 79-1336 and
12 79-1337.

13 (g) For fiscal years 2010-11 through 2015-16, the
14 Education Innovation Fund shall be allocated as follows: The first
15 one million dollars shall be transferred to the Excellence in
16 Teaching Cash Fund to fund the Excellence in Teaching Act, and
17 the amount remaining in the Education Innovation Fund shall be
18 allocated, after administrative expenses, for distance education
19 equipment and incentives pursuant to sections 79-1336 and 79-1337.

20 (h) For fiscal year 2016-17 and each fiscal year
21 thereafter, the Education Innovation Fund shall be allocated,
22 after administrative expenses, for education purposes as provided
23 by the Legislature.

24 (i) The State Treasurer shall transfer ten million
25 dollars from the Education Innovation Fund to the University
26 Cash Fund on or before December 31, 2009, as directed by the
27 budget administrator of the budget division of the Department of

1 Administrative Services.

2 (5) Any money in the State Lottery Operation Trust
3 Fund, the State Lottery Operation Cash Fund, the State Lottery
4 Prize Trust Fund, or the Education Innovation Fund available
5 for investment shall be invested by the state investment officer
6 pursuant to the Nebraska Capital Expansion Act and the Nebraska
7 State Funds Investment Act.

8 (6) Unclaimed prize money on a winning lottery ticket
9 shall be retained for a period of time prescribed by rules and
10 regulations. If no claim is made within such period, the prize
11 money shall be used at the discretion of the Tax Commissioner for
12 any of the purposes prescribed in this section.

13 Sec. 2. Section 71-5714, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 71-5714 The Tobacco Prevention and Control Cash
16 Fund is created. The fund shall be used for a comprehensive
17 statewide tobacco-related public health program administered by
18 the Department of Health and Human Services which includes, but
19 is not limited to (1) community programs to reduce tobacco use,
20 (2) chronic disease programs, (3) school programs, (4) statewide
21 programs, (5) enforcement, (6) counter marketing, (7) cessation
22 programs, (8) surveillance and evaluation, and (9) administration.
23 Any money in the Tobacco Prevention and Control Cash Fund available
24 for investment shall be invested by the state investment officer
25 pursuant to the Nebraska Capital Expansion Act and the Nebraska
26 State Funds Investment Act.

27 The State Treasurer shall transfer, on or before June

1 30, 2010, as directed by the budget administrator of the budget
2 division of the Department of Administrative Services, one million
3 three hundred thousand dollars from the Tobacco Prevention and
4 Control Cash Fund to the Health and Human Services Cash Fund.

5 Sec. 3. Section 72-1001, Revised Statutes Cumulative
6 Supplement, 2008, is amended to read:

7 72-1001 The Nebraska Capital Construction Fund is
8 created. The fund shall consist of revenue and transfers credited
9 to the fund as authorized by law. Money shall be appropriated
10 from the fund to state agencies for making payments on projects
11 as determined by the Legislature, including, but not limited to,
12 purchases of land, structural improvements to land, acquisition
13 of buildings, construction of buildings, including architectural
14 and engineering costs, replacement of or major repairs to
15 structural improvements to land or buildings, additions to existing
16 structures, remodeling of buildings, and acquisition of equipment
17 and furnishings of new or remodeled buildings. The fund shall
18 be administered by the State Treasurer as a multiple-agency-use
19 fund and appropriated to state agencies as determined by the
20 Legislature. Any money in the fund available for investment
21 shall be invested by the state investment officer pursuant to
22 the Nebraska Capital Expansion Act and the Nebraska State Funds
23 Investment Act.

24 The State Treasurer shall transfer one million dollars
25 from the Nebraska Capital Construction Fund to the General Fund
26 on or before June 30, 2010, on such date as directed by the
27 budget administrator of the budget division of the Department of

1 Administrative Services.

2 Sec. 4. Section 77-3,111, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 77-3,111 There is hereby created a fund to be known
5 as the Miscellaneous Services Revolving Fund to which shall
6 be credited all money received by the Department of Revenue
7 for services performed and billed to other agencies or persons.
8 All reimbursements to the department for such services shall be
9 credited to the fund and expenditures therefrom shall be made only
10 when such funds are available. The Department of Revenue shall only
11 bill for the actual amount expended in performing such services.

12 Any money in the fund shall be administered by the
13 Department of Revenue, and any money in the fund available for
14 investment shall be invested by the state investment officer
15 pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 The entire amount in the Miscellaneous Services Revolving
18 Fund shall lapse to the General Fund on December 15, 2009.

19 Sec. 5. The State Treasurer shall transfer \$214,008 from
20 the Agricultural Alcohol Fuel Tax Fund to the Ethanol Production
21 Incentive Cash Fund on or before June 30, 2010, on such date as
22 directed by the budget administrator of the budget division of the
23 Department of Administrative Services, pursuant to section 66-1334.

24 Sec. 6. The State Treasurer shall transfer \$28,016 from
25 the Agricultural Alcohol Fuel Tax Fund to the Ethanol Production
26 Incentive Cash Fund on or before June 30, 2011, on such date as
27 directed by the budget administrator of the budget division of the

1 Department of Administrative Services, pursuant to section 66-1334.

2 Sec. 7. Section 84-612, Revised Statutes Supplement,
3 2009, is amended to read:

4 84-612 (1) There is hereby created within the state
5 treasury a fund known as the Cash Reserve Fund which shall be under
6 the direction of the State Treasurer. The fund shall only be used
7 pursuant to this section.

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

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

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

27 (5) In addition to receiving transfers from other funds,

1 the Cash Reserve Fund shall receive federal funds received by the
2 State of Nebraska for undesignated general government purposes,
3 federal revenue sharing, or general fiscal relief of the state.

4 (6) On June 15, 2009, the State Treasurer shall transfer
5 four million nine hundred ninety thousand five hundred five dollars
6 from the Cash Reserve Fund to the General Fund.

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

10 (8) The State Treasurer, at the direction of the budget
11 administrator, shall transfer such amounts, as certified by the
12 Director of Administrative Services, for employee health insurance
13 claims and expenses, not to exceed twelve million dollars in total
14 from the Cash Reserve Fund to the State Employees Insurance Fund
15 between May 1, 2007, and June 30, 2011.

16 (9) On July 9, 2007, the State Treasurer shall transfer
17 five million dollars from the Cash Reserve Fund to the Job Training
18 Cash Fund. The State Treasurer shall transfer from the Job Training
19 Cash Fund to the Cash Reserve Fund such amounts as directed in
20 section 81-1201.21.

21 (10) On July 7, 2008, the State Treasurer shall transfer
22 five million dollars from the Cash Reserve Fund to the Job Training
23 Cash Fund. The State Treasurer shall transfer from the Job Training
24 Cash Fund to the Cash Reserve Fund such amounts as directed in
25 section 81-1201.21.

26 (11) On or before June 30, 2009, the State Treasurer
27 shall transfer nine million five hundred ninety thousand dollars

1 from the Cash Reserve Fund to the Nebraska Capital Construction
2 Fund.

3 (12) The State Treasurer, at the direction of the budget
4 administrator, shall transfer an amount equal to the total amount
5 transferred pursuant to subsection (8) of this section from the
6 appropriate health insurance accounts of the State Employees
7 Insurance Fund in such amounts as certified by the Director of
8 Administrative Services to the Cash Reserve Fund on or before June
9 30, 2011.

10 (13) On July 7, 2009, the State Treasurer shall transfer
11 five million dollars from the Cash Reserve Fund to the Roads
12 Operations Cash Fund. The Department of Roads shall use such
13 funds to provide the required state match for federal funding made
14 available to the state through congressional earmarks.

15 ~~(14) On July 7, 2010, the State Treasurer shall transfer~~
16 ~~five million dollars from the Cash Reserve Fund to the Roads~~
17 ~~Operations Cash Fund. The Department of Roads shall use such~~
18 ~~funds to provide the required state match for federal funding made~~
19 ~~available to the state through congressional earmarks.~~

20 ~~(15) On July 7, 2011, the State Treasurer shall transfer~~
21 ~~five million dollars from the Cash Reserve Fund to the Roads~~
22 ~~Operations Cash Fund. The Department of Roads shall use such~~
23 ~~funds to provide the required state match for federal funding made~~
24 ~~available to the state through congressional earmarks.~~

25 ~~(16)~~ (14) Within five days after the budget division
26 of the Department of Administrative Services notifies the State
27 Treasurer that matching fund requirements under section 82-331 have

1 been met, the State Treasurer shall transfer one million dollars
2 from the Cash Reserve Fund to the Nebraska Cultural Preservation
3 Endowment Fund.

4 ~~(17)~~ (15) On or before June 15, 2010, the State
5 Treasurer, at the direction of the budget administrator, shall
6 transfer ~~ninety-five~~ one hundred five million dollars from the Cash
7 Reserve Fund to the General Fund.

8 ~~(18)~~ (16) On or before June 15, 2011, the State
9 Treasurer, at the direction of the budget administrator, shall
10 transfer one hundred fifty-one million dollars from the Cash
11 Reserve Fund to the General Fund.

12 ~~(19)~~ (17) On June 15, 2009, the State Treasurer shall
13 transfer seven million five hundred thousand dollars from the Cash
14 Reserve Fund to the Governor's Emergency Cash Fund.

15 ~~(20)~~ (18) On July 7, 2009, the State Treasurer shall
16 transfer one million dollars from the Cash Reserve Fund to the
17 State Visitors Promotion Cash Fund. The Department of Economic
18 Development shall use such funds to provide funding for the
19 promotion and support of the hosting of a Special Olympics national
20 event by a city of the primary class.

21 Sec. 8. Original section 77-3,111, Reissue Revised
22 Statutes of Nebraska, sections 71-5714 and 72-1001, Revised
23 Statutes Cumulative Supplement, 2008, and sections 9-812 and
24 84-612, Revised Statutes Supplement, 2009, are repealed.

25 Sec. 9. The following section is outright repealed:
26 Section 90-505, Revised Statutes Supplement, 2009.

27 Sec. 10. Since an emergency exists, this act takes effect

- 1 when passed and approved according to law.