

E AND R AMENDMENTS TO LB 1063

Introduced by Enrollment and Review Committee: Nordquist, 7,
Chairperson

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

3 Section 1. Section 82-326, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 82-326 The amount of money made available from any
6 appropriations under the provisions of sections 82-317 to 82-329,
7 85-106 to 85-106.03, and 85-304 to 85-304.03 shall be used, in
8 addition to the cost of the works of art, to provide for the
9 administration by the contracting agency, the architect, and the
10 Nebraska Arts Council, and for all costs of installation of the
11 works of art. The Nebraska Arts Council may set aside up to ten
12 percent of the amount appropriated for administration for an art
13 maintenance fund which shall be used to repair or restore all works
14 of art acquired under such sections.

15 Sec. 2. Section 82-329, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 82-329 The Nebraska Arts Council shall maintain an
18 inventory of all works of art purchased under sections 82-317
19 to 82-329, 85-106 to 85-106.03, and 85-304 to 85-304.03 and
20 shall inspect each work of art ~~at least once each calendar year~~
21 on a regular schedule to determine its condition. The Nebraska
22 Arts Council may recommend procedures for regular maintenance,
23 preservation, and security and for the repair of any damaged work

1 of art.

2 Sec. 3. Section 82-331, Revised Statutes Supplement,
3 2009, is amended to read:

4 82-331 (1) There is hereby established in the state
5 treasury a trust fund to be known as the Nebraska Cultural
6 Preservation Endowment Fund. The fund shall consist of funds
7 appropriated or transferred by the Legislature, and only the
8 earnings of the fund may be used as provided in this section.

9 (2) On August 1, 1998, the State Treasurer shall transfer
10 five million dollars from the General Fund to the Nebraska Cultural
11 Preservation Endowment Fund.

12 (3) Except as provided in subsection (4) of this section,
13 it is the intent of the Legislature that the State Treasurer
14 shall transfer (a) an amount not to exceed five hundred thousand
15 dollars from the General Fund to the Nebraska Cultural Preservation
16 Endowment Fund on December 31 of 2009 and 2010 and (b) an amount
17 not to exceed ~~one million~~ five hundred thousand dollars from the
18 General Fund to the Nebraska Cultural Preservation Endowment Fund
19 on December 31 of 2011, and 2012, 2013, 2014, 2015, and 2016.

20 (4) Prior to the transfer of funds from any state
21 account into the Nebraska Cultural Preservation Endowment Fund,
22 the Nebraska Arts Council shall provide documentation to the
23 budget division of the Department of Administrative Services that
24 qualified endowments have generated a dollar-for-dollar match
25 of new money, up to the amount of state funds authorized
26 by the Legislature to be transferred to the Nebraska Cultural
27 Preservation Endowment Fund. The budget division of the Department

1 of Administrative Services shall notify the State Treasurer to
2 execute a transfer of state funds up to the amount specified by the
3 Legislature, but only to the extent that the Nebraska Arts Council
4 has provided documentation of a dollar-for-dollar match. Funds not
5 transferred shall be carried forward to the succeeding year and be
6 added to the funds authorized for a dollar-for-dollar match during
7 that year.

8 (5) The Legislature shall not appropriate or transfer
9 money from the Nebraska Cultural Preservation Endowment Fund for
10 any purpose other than the purposes stated in sections 82-330 to
11 82-333, except that the Legislature may appropriate or transfer
12 money from the fund upon a finding that the purposes of such
13 sections are not being accomplished by the fund.

14 (6) Any money in the Nebraska Cultural Preservation
15 Endowment Fund available for investment shall be invested by the
16 state investment officer pursuant to the Nebraska Capital Expansion
17 Act and the Nebraska State Funds Investment Act.

18 (7) All investment earnings from the Nebraska Cultural
19 Preservation Endowment Fund shall be credited to the Nebraska Arts
20 and Humanities Cash Fund.

21 Sec. 4. Original sections 82-326 and 82-329, Reissue
22 Revised Statutes of Nebraska, and section 82-331, Revised Statutes
23 Supplement, 2009, are repealed.

24 2. On page 1, strike lines 2 through 4 and insert "82-326
25 and 82-329, Reissue Revised Statutes of Nebraska, and section
26 82-331, Revised Statutes Supplement, 2009; to authorize an art
27 maintenance fund and change inspection provisions for works of art;

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- 1 to change intent relating to transfers to the Nebraska Cultural
- 2 Preservation Endowment Fund; and to repeal the original sections."