

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 134

Introduced by Brasch, 16.

Read first time January 06, 2017

Committee: Agriculture

1 A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,262,
2 81-2,263, 81-2,270, 81-2,271, 81-2,272.31, 81-2,281, 81-2,288, and
3 90-538, Reissue Revised Statutes of Nebraska, and sections 81-2,239
4 and 81-2,240, Revised Statutes Cumulative Supplement, 2016; to
5 define terms; to change provisions of the Nebraska Pure Food Act; to
6 provide for the regulation of eggs for human consumption as
7 prescribed; to provide requirements and an exception for a food
8 delivery service; to authorize facility, food, and records
9 inspections by the Department of Agriculture as prescribed; to
10 transfer funds to the Pure Food Cash Fund; to repeal the Nebraska
11 Graded Egg Act and terminate the Graded Egg Fund; to eliminate
12 penalties; to harmonize provisions; to repeal the original sections;
13 and to outright repeal sections 2-3501, 2-3502, 2-3503, 2-3504,
14 2-3505, 2-3506, 2-3507, 2-3508, 2-3509, 2-3510, 2-3511, 2-3512,
15 2-3513, 2-3514, 2-3515, 2-3516, 2-3518, 2-3519, 2-3520, 2-3521,
16 2-3522, 2-3523, 2-3524, and 2-3525, Reissue Revised Statutes of
17 Nebraska.

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

1 Section 1. Section 81-2,239, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 81-2,239 Sections 81-2,239 to 81-2,292 and sections 3, 4, and 7 of
4 this act and the provisions of the Food Code and the Current Good
5 Manufacturing Practice In Manufacturing, Packing, or Holding Human Food
6 adopted by reference in sections 81-2,257.01 to 81-2,259, shall be known
7 and may be cited as the Nebraska Pure Food Act.

8 Sec. 2. Section 81-2,240, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 81-2,240 For purposes of the Nebraska Pure Food Act, unless the
11 context otherwise requires, the definitions found in sections 81-2,241 to
12 81-2,254 and sections 3 and 4 of this act shall be used. In addition, the
13 definitions found in the codes and practice adopted by reference in
14 sections 81-2,257.01 to 81-2,259 shall be used.

15 Sec. 3. Egg handler shall mean any person who engages in any
16 business in commerce which involves buying or selling any shell eggs or
17 processing any shell egg products and who is not a producer with
18 production from a flock of three thousand hens or less. Egg handler shall
19 include persons who assemble, collect, break, process, grade, package, or
20 wholesale shell eggs. The term does not include a person whose primary
21 food-related business activity is not egg handling.

22 Sec. 4. Food delivery service shall mean an operation that only
23 meets the definition of food establishment by relinquishing possession of
24 food to a consumer through a delivery service including home delivery of
25 grocery orders, restaurant takeout orders, or other delivery services
26 provided by a common or contract carrier.

27 Sec. 5. Section 81-2,262, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 81-2,262 Copies ~~Certified copies~~ of the codes and practice adopted
30 by reference pursuant to sections 81-2,257.01 to 81-2,259, shall be filed
31 in the offices of the Secretary of State, Clerk of the Legislature, and

1 department.

2 Sec. 6. Section 81-2,263, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 81-2,263 If there is an inconsistency between sections 81-2,239 to
5 81-2,292 and sections 3, 4, and 7 of this act and any of the codes
6 adopted by reference, the requirements of the sections shall control.

7 Sec. 7. Section 81-2,270, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-2,270 (1) No person shall operate: (a) A food establishment; (b)
10 a food processing plant; or (c) a salvage operation, without a valid
11 permit which sets forth the types of operation occurring within the
12 establishment.

13 (2) Application for a permit shall be made to the director on forms
14 prescribed and furnished by the department. Such application shall
15 include the applicant's full name and mailing address, the names and
16 addresses of any partners, members, or corporate officers, the name and
17 address of the person authorized by the applicant to receive the notices
18 and orders of the department as provided in the Nebraska Pure Food Act,
19 whether the applicant is an individual, partnership, limited liability
20 company, corporation, or other legal entity, the location and type of
21 proposed establishment or operation, and the signature of the applicant.
22 Application for a permit shall be made prior to the operation of a food
23 establishment, food processing plant, or salvage operation. The
24 application shall be accompanied by an initial permit fee and an initial
25 inspection fee in the same amount as the annual inspection fee if
26 inspections are required to be done by the department. If the food
27 establishment, food processing plant, or salvage operation has been in
28 operation prior to applying for a permit or notifying the regulatory
29 authority, the applicant shall pay an additional fee of sixty dollars.

30 (3) Payment of the initial permit fee, the initial inspection fee,
31 and the fee for failing to apply for a permit prior to operation shall

1 not preclude payment of the annual inspection fees due on August 1 of
2 each year. Except as provided in subsections (7) through (10) of this
3 section and subsection (2) ~~(1)~~ of section 81-2,281, a permitholder shall
4 pay annual inspection fees on or before August 1 of each year regardless
5 of when the initial permit was obtained.

6 (4)(a) The director shall set the initial permit fee and the annual
7 inspection fees on or before July 1 of each fiscal year to meet the
8 criteria in this subsection. The director may raise or lower the fees
9 each year, but the fees shall not exceed the maximum fees listed in
10 subdivision (4)(b) of this section. The director shall determine the fees
11 based on estimated annual revenue and fiscal year-end cash fund balance
12 as follows:

13 (i) The estimated annual revenue shall not be greater than one
14 hundred seven percent of program cash fund appropriations allocated for
15 the Nebraska Pure Food Act;

16 (ii) The estimated fiscal year-end cash fund balance shall not be
17 greater than seventeen percent of program cash fund appropriations
18 allocated for the act; and

19 (iii) All fee increases or decreases shall be equally distributed
20 between all categories.

21 (b) The maximum fees are:

				<u>No Food</u>
			Additional	<u>Preparation</u>
	First	Food	Food	<u>Area,</u>
	Food	Preparation	Preparation	Unit
	Preparation	Area	Area	Or
	Area	Annual	Annual	Units
28 Food	Initial	Annual	Inspection	Annual
29 Handling	Permit	Inspection	Fee	Inspection
30 Activity	Fee	Fee	(per area)	Fee
31 Convenience Store	\$86.19	\$86.19	\$43.09	N/A

1	Itinerant Food Vendor	\$86.19	\$86.19	\$43.09	N/A
2	Licensed Beverage				
3	Establishment	\$86.19	\$86.19	\$43.09	N/A
4	Limited Food Service				
5	Establishment	\$86.19	\$86.19	\$43.09	N/A
6	Temporary Food				
7	Establishment	\$86.19	\$86.19	\$43.09	N/A
8	<u>Food Delivery Service</u>	<u>\$86.19</u>	<u>N/A</u>	<u>N/A</u>	<u>\$17.23</u>
9	Mobile Food Unit				
10	(for each unit)	\$86.19	N/A	N/A	\$43.09
11	Pushcart (for each unit)	\$86.19	N/A	N/A	\$17.23
12	Vending Machine				
13	Operations:	\$86.19			
14	One to ten units		N/A	N/A	\$17.23
15	Eleven to twenty units		N/A	N/A	\$34.46
16	Twenty-one to thirty				
17	units		N/A	N/A	\$51.69
18	Thirty-one to forty				
19	units		N/A	N/A	\$68.92
20	Over forty units		N/A	N/A	\$86.15
21	Food Processing Plant	\$86.19	\$120.64	\$43.09	N/A
22	Salvage Operation	\$86.19	\$120.64	\$43.09	N/A
23	Commissary	\$86.19	\$120.64	\$43.09	N/A
24	All Other Food				
25	Establishments	\$86.19	\$120.64	\$43.09	N/A

26 (5) If a food establishment is engaged in more than one food
 27 handling activity listed in subsection (4) of this section, the
 28 inspection fee charged shall be based upon the primary activity conducted
 29 within the food establishment as determined by the department and any
 30 fees assessed for each additional food preparation area within the

1 primary establishment as determined by the department.

2 (6) If a person fails to pay the inspection fee for more than one
3 month after the fee is due, such person shall pay a late fee equal to
4 fifty percent of the total fee for the first month that the fee is late
5 and one hundred percent for the second month that the fee is late. The
6 purpose of the late fee is to cover the administrative costs associated
7 with collecting fees. All money collected as a late fee shall be remitted
8 to the State Treasurer for credit to the Pure Food Cash Fund.

9 (7) An educational institution, health care facility, nursing home,
10 or governmental organization operating any type of food establishment,
11 other than a mobile food unit or pushcart, is exempt from the
12 requirements in subsections (1) through (6) of this section.

13 (8) A food establishment which produces eggs and only stores,
14 packages, sells, delivers, or otherwise provides for human consumption
15 the eggs it produces, or only stores, packages, sells, delivers, or
16 otherwise provides for human consumption eggs produced from no more than
17 four producers at the same time, is exempt from the requirements of
18 subsections (1) through (6) of this section. Any food establishment with
19 a valid egg handler license and for which all fees have been paid prior
20 to the effective date of this person whose primary food-related business
21 activity is determined by the department to be egg handling within the
22 meaning of the Nebraska Graded Egg Act and who is validly licensed and
23 paying fees pursuant to such act is exempt from the permit and inspection
24 fee requirements of the Nebraska Pure Food Act until August 1, 2018.

25 (9) A food establishment or food processing plant person holding a
26 permit or license and regulated under the Nebraska Milk Act is and an egg
27 handler licensed and regulated under the Nebraska Graded Egg Act are
28 exempt from the requirements of subsections (1) through (6) of this
29 section Nebraska Pure Food Act.

30 (10) A single event food vendor or a religious, charitable, or
31 fraternal organization operating any type of temporary food

1 establishment, mobile food unit, or pushcart is exempt from the
2 requirements of subsections (1) through (6) of this section. Any such
3 organization operating any nontemporary food establishment prior to July
4 1, 1985, is exempt from the requirements of subsection (2) of this
5 section.

6 Sec. 8. Any person who packs and sells, offers for sale, barter,
7 or otherwise provides for the human consumption of eggs shall comply with
8 all applicable requirements set forth in rules and regulations adopted
9 and promulgated by the department, and shall establish the source of the
10 eggs by labeling the eggs with a packer identification number assigned by
11 the department or the United States Department of Agriculture.

12 Sec. 9. Section 81-2,271, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-2,271 (1) The permit required by section 81-2,270 shall be posted
15 in a location in the food establishment, food processing plant, or
16 salvage operation which is conspicuous to the public. A salvage operation
17 shall also have a copy of the permit in each vehicle. For a food delivery
18 service, the location shall be a permanent address where the permitholder
19 may be contacted.

20 (2) The permit is not transferable to any other person or location.
21 Any permit issued lapses automatically upon a change of ownership or
22 location except as provided in subsection (3) of this section. The
23 permitholder shall notify the department in writing at least thirty days
24 prior to any change in ownership, name, or address. The permitholder
25 shall notify the department in writing before there is a change of the
26 name or address of the person authorized to receive the notices and
27 orders of the department. When an establishment is to be permanently
28 closed, the permitholder shall return the permit to the department within
29 one week after the closing.

30 (3) A mobile food unit, pushcart, or vending machine may be moved if
31 the permitholder is able to provide the location of such unit, pushcart,

1 or machine to the regulatory authority upon request and the person
2 authorized by the permitholder to receive notices and orders of the
3 department maintains a permanent mailing address on file with the
4 department. A food delivery service shall upon request provide the
5 department with information regarding the location of all conveyances it
6 controls.

7 (4) Every mobile food unit or pushcart operator shall have a copy of
8 their permit to operate available at the mobile food unit or pushcart
9 when in operation.

10 Sec. 10. Section 81-2,272.31, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 81-2,272.31 Except in response to a temporary interruption of a
13 water supply in the food establishment, any food establishment which is
14 not a food delivery service, mobile food unit, or temporary food
15 establishment shall:

16 (1) Have water under pressure provided to all fixtures, equipment,
17 and nonfood equipment that are required to use water;

18 (2) Receive water through the use of an approved water main;

19 (3) Have a permanent plumbing system; and

20 (4) Have at least one toilet which is permanent, convenient, and
21 accessible.

22 Sec. 11. Section 81-2,281, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 81-2,281 (1) The department shall enforce the Nebraska Pure Food Act
25 and any rule or regulation adopted and promulgated pursuant to such act.

26 The department may:

27 (a) Enter at reasonable times and in a reasonable manner, without
28 being subject to any action for trespass or damages if reasonable care is
29 exercised, any food establishment, food processing plant, or salvage
30 operation to inspect all food, structures, vehicles, equipment, packing
31 materials, containers, records, and labels on such property. The

1 department may inspect and examine all records and property relating to
2 compliance with the Nebraska Pure Food Act. Such records and property
3 shall be made available to the department for review at all reasonable
4 times;

5 (b) In a reasonable manner, hold for inspection and take samples of
6 any food which may not be in compliance with the Nebraska Pure Food Act;

7 (c) Inspect at any time or place food that is being shipped into or
8 through the state and take any enforcement action authorized under the
9 Nebraska Pure Food Act; and

10 (d) Obtain an inspection warrant in the manner prescribed in
11 sections 29-830 to 29-835 from a court of record if any person refuses to
12 allow the department to inspect pursuant to this subsection.

13 (2) In addition to its authority provided in subsection (1) of this
14 section, the ~~The~~ department may contract with any political subdivision
15 or state agency it deems qualified to conduct any or all regulatory
16 functions authorized pursuant to the act except those functions relating
17 to the issuance, suspension, or revocation of permits or any order of
18 probation. Holders of permits issued pursuant to the act who are
19 regularly inspected by political subdivisions under contract with the
20 department shall be exempt from the inspection fees prescribed in section
21 81-2,270 if such holders pay license or inspection fees to the political
22 subdivision performing the inspections.

23 (3) (2) It shall be the responsibility of the regulatory authority
24 to inspect food establishments and food processing plants as often as
25 required by the act. An inspection of a salvage operation shall be
26 performed at least once every three hundred sixty-five days of operation.
27 Additional inspections shall be performed as often as is necessary for
28 the efficient and effective enforcement of the act.

29 (4) (3) All inspections conducted pursuant to the act shall be
30 performed by persons who are provisional environmental health specialists
31 or registered environmental health specialists as defined in section

1 38-1305 or 38-1306.

2 ~~(5)~~ (4) Duly authorized personnel of the regulatory authority after
3 showing proper identification shall have access at all reasonable times
4 to food establishments, food processing plants, or salvage operations
5 required by the act to obtain a permit to perform authorized regulatory
6 functions. Such functions shall include, but not be limited to,
7 inspections, checking records maintained in the establishment or other
8 locations to obtain information pertaining to food and supplies
9 purchased, received, used, sold, or distributed, copying and
10 photographing violative conditions, and examining and sampling food. When
11 samples are taken, the inspectors shall pay or offer to pay for samples
12 taken. The authorized personnel shall also have access to the records of
13 salvage operations pertaining to distressed salvageable and salvaged
14 merchandise purchased, received, used, sold, or distributed.

15 ~~(6)~~ (5) Regulatory activities performed by a political subdivision
16 or state agency under contract shall conform with the provisions of the
17 act and such activities shall have the same effect as those performed by
18 the department. Any interference with the regulatory authority's duty to
19 inspect shall be an interference with the department's duties for the
20 purposes of section 81-2,273.

21 Sec. 12. Section 81-2,288, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 81-2,288 (1) The department may adopt and promulgate rules and
24 regulations to aid in the administration and enforcement of the Nebraska
25 Pure Food Act.

26 (2) The department may adopt and promulgate rules and regulations to
27 provide for source labeling on eggs which are packaged. The department
28 may establish standards, grades, and weight classes for eggs.

29 ~~(3)~~ (2) The department may contract with agencies of the federal
30 government for the performance by the department of inspections and other
31 regulatory functions at food establishments, food processing plants, or

1 salvage operations within the state which are subject to federal
2 jurisdiction and may receive federal funds for work performed under such
3 contracts.

4 ~~(4)~~ ~~(3)~~ Except as provided in subsection ~~(3)~~ ~~(2)~~ of this section,
5 the provisions of the act shall not apply to establishments or specific
6 portions of establishments regularly inspected for proper sanitation by
7 an agency of the federal government.

8 Sec. 13. The State Treasurer shall transfer any money in the Graded
9 Egg Fund to the Pure Food Cash Fund on the effective date of this act.

10 Sec. 14. Section 90-538, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 90-538 CASH FUNDS.

13 The receipts for FY2011-12 and FY2012-13 inuring to the several Cash
14 Funds, together with any amounts held in account by the State Treasurer
15 on June 30, 2011, are hereby credited to each of the funds respectively.

16 Expenditure of Cash Funds appropriated in this act shall be limited
17 to the amount shown by program except when specific exceptions are made.

18 The amounts appropriated in this act include the following funds:

19 (1) Legislative Council: Nebraska Legislative Shared Information
20 System Cash Fund, Donations/Contributions Cash Fund, Nebraska Health Care
21 Cash Fund;

22 (2) Supreme Court: Supreme Court Reports Cash Fund, Probation
23 Program Cash Fund, Probation Cash Fund, State Probation Contractual
24 Services Cash Fund, Dispute Resolution Cash Fund, Counsel for Discipline
25 Cash Fund, Supreme Court Education Fund, Supreme Court Automation Cash
26 Fund, Parenting Act Fund;

27 (3) Governor: Governor's Policy Research Cash Fund;

28 (4) Secretary of State: Nebraska Collection Agency Fund, Records
29 Management Cash Fund, Secretary of State Administration Cash Fund,
30 Uniform Commercial Code Cash Fund, Corporation Cash Fund, Election
31 Administration Fund;

1 (5) Auditor of Public Accounts: Cooperative Audit Cash Fund;

2 (6) Attorney General: Motor Vehicle Fraud Cash Fund, Department of
3 Justice Natural Resources Enforcement Fund, State Settlement Cash Fund,
4 Nebraska Health Care Cash Fund, State DNA Sample and Data Base Fund,
5 State Medicaid Fraud Control Unit Cash Fund;

6 (7) State Treasurer: State Treasurer Administrative Fund, Unclaimed
7 Property Cash Fund, Mutual Finance Assistance Fund, College Savings Plan
8 Administrative Fund, College Savings Plan Expense Fund, Convention Center
9 Support Fund, State Disbursement Unit Cash Fund, Treasury Management Cash
10 Fund, Sports Arena Facility Support Fund;

11 (8) State Department of Education: State Department of Education
12 Cash Fund, Certification Fund, Professional Practices Commission Fund,
13 Tax Equity and Educational Opportunities Fund, Education Innovation Fund,
14 School Technology Fund, Tuition Recovery Cash Fund, Private Postsecondary
15 Career Schools Cash Fund, Excellence in Teaching Cash Fund, School
16 District Reorganization Fund;

17 (9) Public Service Commission: Nebraska Grain Warehouse Surveillance
18 Cash Fund, Nebraska Telecommunications Relay System Fund, Public Service
19 Commission Housing and Recreational Vehicle Cash Fund, Nebraska
20 Telecommunications Universal Service Fund, Nebraska Internet Enhancement
21 Fund, Nebraska Competitive Telephone Marketplace Fund, Enhanced Wireless
22 911 Fund, Moisture Testing Examination Fund, Grain Warehouse Auditing
23 Fund, Municipal Rate Negotiations Revolving Loan Fund, Public Service
24 Commission Pipeline Regulation Fund;

25 (10) Department of Revenue: Department of Revenue Enforcement Fund,
26 State Lottery Operation Cash Fund, Marijuana and Controlled Substances
27 Tax Administration Cash Fund, Department of Revenue Contractor
28 Enforcement Fund, Waste Reduction and Recycling Incentive Fees Collection
29 Fund, Petroleum Release Remedial Action Collection Fund, Litter Fee
30 Collection Fund, Severance Tax Administration Fund, Department of Revenue
31 Miscellaneous Receipts Fund, Charitable Gaming Operations Fund, Tobacco

1 Products Administration Cash Fund, Nebraska Incentives Fund, Motor Fuel
2 Tax Enforcement and Collection Cash Fund, Nebraska Health Care Cash Fund,
3 State Athletic Commissioner's Cash Fund, Department of Revenue Property
4 Assessment Division Cash Fund, Property Tax Credit Cash Fund, Energy
5 Conservation Improvement Fund, Nebraska Advantage Transformational
6 Tourism and Redevelopment Act Cash Fund;

7 (11) Department of Aeronautics: Department of Aeronautics Cash Fund;

8 (12) Department of Agriculture: Fertilizers and Soil Conditioners
9 Administrative Fund, Commercial Feed Administration Cash Fund, Pure Milk
10 Cash Fund, Soil and Plant Analysis Laboratory Cash Fund, Livestock
11 Auction Market Fund, Nebraska Potato Development Fund, ~~Graded Egg Fund,~~
12 Weights and Measures Administrative Fund, Nebraska Poultry and Egg
13 Development, Utilization, and Marketing Fund, Agricultural Products
14 Marketing Information Cash Fund, Manufacturing Milk Cash Fund, Pure Food
15 Cash Fund, Nebraska Agricultural Products Marketing Cash Fund, State
16 Apiary Cash Fund, Pseudorabies Control Cash Fund, Weed Book Cash Fund,
17 Pesticide Administrative Cash Fund, Nebraska Seed Administrative Cash
18 Fund, Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash
19 Fund, Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage
20 Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive Fund,
21 Winery and Grape Producers Promotional Fund, Commercial Dog and Cat
22 Operator Inspection Program Cash Fund, Domesticated Cervine Animal Cash
23 Fund, Anthrax Control Act Cash Fund;

24 (13) Department of Banking and Finance: Financial Institution
25 Assessment Cash Fund, Securities Act Cash Fund, Banking Settlement Cash
26 Fund;

27 (14) State Fire Marshal: Nebraska Natural Gas Pipeline Safety Cash
28 Fund, State Fire Marshal Cash Fund, Underground Storage Tank Fund,
29 Training Division Cash Fund, Reduced Cigarette Ignition Propensity Fund;

30 (15) Department of Insurance: Department of Insurance Cash Fund;

31 (16) Department of Labor: Employment Security Special Contingent

1 Fund, Farm Labor Contractors Fund, Contractor Registration Cash Fund,
2 Boiler Inspection Cash Fund, Mechanical Safety Inspection Fund,
3 Professional Employer Organization Cash Fund;

4 (17) Department of Motor Vehicles: Motor Carrier Division Cash Fund,
5 Department of Motor Vehicles Cash Fund, License Plate Cash Fund,
6 Motorcycle Safety Education Fund;

7 (18) Department of Health and Human Services: Health and Human
8 Services Cash Fund, Veterans' Home Building Fund, Institution Cash Fund,
9 Small Business Enterprises Cash Fund, School District Reimbursement Fund,
10 Compulsive Gamblers Assistance Fund, Nebraska Child Abuse Prevention
11 Fund, Nebraska Health Care Cash Fund, Children's Health Insurance Cash
12 Fund, Childhood Care Cash Fund, University of Nebraska Medical Center
13 Medical Education Revolving Fund, Behavioral Health Services Fund, Health
14 and Human Services Reimbursement Fund, Professional and Occupational
15 Credentialing Cash Fund, Rural Health Professional Incentive Fund, Organ
16 and Tissue Donor Awareness and Education Fund, Tobacco Prevention and
17 Control Cash Fund, Stem Cell Research Cash Fund;

18 (19) Department of Roads: Highway Cash Fund, Grade Crossing
19 Protection Fund, State Recreation Road Fund, Roads Operations Cash Fund,
20 Midwest Interstate Passenger Rail Compact Cash Fund, Light-Density Rail
21 Line Assistance Cash Fund;

22 (20) Department of Veterans' Affairs: Veteran Cemetery Construction
23 Fund, Nebraska Veteran Cemetery System Operation Fund;

24 (21) Department of Natural Resources: Water Resources Cash Fund,
25 Republican River Basin Water Sustainability Task Force Cash Fund, Small
26 Watersheds Flood Control Fund, Nebraska Resources Development Fund,
27 Nebraska Soil and Water Conservation Fund, Natural Resources Water
28 Quality Fund, Water Well Decommissioning Fund, Carbon Sequestration
29 Assessment Cash Fund, Water Resources Trust Fund, Department of Natural
30 Resources Cash Fund;

31 (22) State Electrical Board: Electrical Division Fund;

1 (23) Military Department: Military Department Cash Fund, Governor's
2 Emergency Cash Fund, Nebraska Emergency Management Agency Cash Fund,
3 Nebraska Emergency Planning and Community Right to Know Cash Fund, Joint
4 Operations Center Cash Fund;

5 (24) Board of Educational Lands and Funds: Surveyors' Cash Fund,
6 Board of Educational Lands and Funds Cash Fund, Survey Record Repository
7 Fund;

8 (25) Game and Parks Commission: State Game Fund, State Park Cash
9 Revolving Fund, Nebraska Habitat Fund, Nebraska Aquatic Habitat Fund,
10 Nebraska Snowmobile Trail Cash Fund, Nebraska Outdoor Recreation
11 Development Cash Fund, Wildlife Conservation Fund, Nebraska Environmental
12 Trust Fund, Cowboy Trail Fund, Game Law Investigation Cash Fund, Niobrara
13 Council Fund, Nebraska Environmental Endowment Fund, Ferguson House Fund;

14 (26) Nebraska Library Commission: Nebraska Library Commission Cash
15 Fund;

16 (27) Nebraska Liquor Control Commission: Nebraska Liquor Control
17 Commission Rule and Regulation Cash Fund;

18 (28) State Racing Commission: Racing Commission's Cash Fund, Track
19 Distribution Fund;

20 (29) Nebraska Workers' Compensation Court: Compensation Court Cash
21 Fund;

22 (30) Nebraska Brand Committee: Nebraska Brand Inspection and Theft
23 Prevention Fund;

24 (31) Nebraska Motor Vehicle Industry Licensing Board: Nebraska Motor
25 Vehicle Industry Licensing Fund;

26 (32) State Real Estate Commission: State Real Estate Commission's
27 Fund;

28 (33) Board of Barber Examiners: Board of Barber Examiners Fund;

29 (34) Department of Correctional Services: Department of Correctional
30 Services Facility Cash Fund, Parole Program Cash Fund, Reentry Cash Fund;

31 (35) Nebraska Educational Telecommunications Commission: State

1 Educational Telecommunications Fund, NEB*SAT Cash Fund;

2 (36) Coordinating Commission for Postsecondary Education:
3 Coordinating Commission for Postsecondary Education Cash Fund, Nebraska
4 Opportunity Grant Fund;

5 (37) Nebraska State Colleges: Chadron Cash Fund, Peru Cash Fund,
6 Wayne Cash Fund, Chadron State College Designated Cash Fund, Peru State
7 College Designated Cash Fund, Wayne State College Designated Cash Fund,
8 Board of Trustees Cash Fund;

9 (38) University of Nebraska: University Cash Fund, Temporary
10 University Fund, University of Nebraska at Omaha Cash Fund, University of
11 Nebraska Medical Center Cash Fund, University of Nebraska at Kearney Cash
12 Fund, University of Nebraska Central Administration Designated Cash Fund,
13 University of Nebraska-Lincoln Designated Cash Fund, University of
14 Nebraska at Omaha Designated Cash Fund, University of Nebraska Medical
15 Center Designated Cash Fund, University of Nebraska at Kearney Designated
16 Cash Fund;

17 (39) Nebraska State Fair Board: Antique Farm Machinery and Equipment
18 Fund;

19 (40) Real Property Appraiser Board: Real Property Appraiser Fund;

20 (41) Nebraska State Historical Society: Historical Society Fund,
21 Historical Landmark Cash Fund;

22 (42) Nebraska Wheat Development, Utilization, and Marketing Board:
23 Nebraska Wheat Development, Utilization, and Marketing Fund;

24 (43) Nebraska Oil and Gas Conservation Commission: Oil and Gas
25 Conservation Fund;

26 (44) Board of Engineers and Architects: Engineers and Architects
27 Regulation Fund;

28 (45) Board of Geologists: Geologists Regulation Fund;

29 (46) Nebraska Ethanol Board: Agricultural Alcohol Fuel Tax Fund,
30 Ethanol Production Incentive Cash Fund;

31 (47) Nebraska Dairy Industry Development Board: Nebraska Dairy

1 Industry Development Fund;

2 (48) State Board of Examiners for Land Surveyors: Land Surveyor
3 Examiner's Fund;

4 (49) Nebraska State Board of Public Accountancy: Certified Public
5 Accountants Fund;

6 (50) Nebraska State Patrol: Nebraska State Patrol Cash Fund,
7 Investigation Petty Cash Fund, Carrier Enforcement Cash Fund, Nebraska
8 State Patrol Drug Control and Education Cash Fund, Public Safety Cash
9 Fund, Nebraska State Patrol Vehicle Replacement Cash Fund, Nebraska
10 Public Safety Communication System Cash Fund;

11 (51) Department of Administrative Services: Building Renewal
12 Allocation Fund, State Building Renewal Assessment Fund, University
13 Building Renewal Assessment Fund, State College Building Renewal
14 Assessment Fund, Capitol Restoration Cash Fund, Vacant Building and
15 Excess Land Cash Fund, Resource Recovery Fund, Tort Claims Fund,
16 Information Technology Infrastructure Fund, Health and Life Benefit
17 Administration Cash Fund, City of the Primary Class Development Fund,
18 City of the Metropolitan Class Development Fund, World Day on the Mall
19 Cash Fund;

20 (52) Abstracters Board of Examiners: Abstracters Board of Examiners
21 Cash Fund;

22 (53) Commission on Latino-Americans: Hispanic Awareness Cash Fund,
23 Commission on Latino-Americans Cash Fund;

24 (54) Nebraska Arts Council: Nebraska Arts Council Cash Fund,
25 Nebraska Arts and Humanities Cash Fund;

26 (55) State Foster Care Review Board: Foster Care Review Board Cash
27 Fund;

28 (56) Foster Care Review Office: Foster Care Review Office Cash Fund;

29 (57) Nebraska Energy Office: School Weatherization Fund, State
30 Energy Office Cash Fund;

31 (58) Department of Economic Development: Nebraska Agricultural

1 Products Research Fund, Aerospace Museum Cash Fund, Job Training Cash
2 Fund, Administrative Cash Fund, Affordable Housing Trust Fund,
3 Comprehensive Housing Strategy Cash Fund, Economic Development Cash Fund,
4 Civic and Community Center Financing Fund;

5 (59) State Board of Landscape Architects: State Board of Landscape
6 Architects Cash Fund;

7 (60) Nebraska Power Review Board: Nebraska Power Review Fund;

8 (61) Nebraska Investment Council: State Investment Officer's Cash
9 Fund;

10 (62) Nebraska Commission on Law Enforcement and Criminal Justice:
11 Nebraska Law Enforcement Training Center Cash Fund, Law Enforcement
12 Improvement Fund, Victim's Compensation Fund, Community Corrections
13 Uniform Data Analysis Cash Fund, Violence Prevention Cash Fund, Nebraska
14 Crime Victim Fund;

15 (63) Commission for the Blind and Visually Impaired: Commission for
16 the Blind and Visually Impaired Cash Fund;

17 (64) Commission for the Deaf and Hard of Hearing: Commission for the
18 Deaf and Hard of Hearing Fund;

19 (65) Department of Environmental Quality: Integrated Solid Waste
20 Management Cash Fund, Nebraska Litter Reduction and Recycling Fund,
21 Department of Environmental Quality Cash Fund, Chemigation Costs Fund,
22 Low-Level Radioactive Waste Cash Fund, Petroleum Products and Hazardous
23 Substances Storage and Handling Fund, Petroleum Release Remedial Action
24 Cash Fund, Wastewater Treatment Operator Certification Cash Fund, Local
25 Site Selection Cash Fund, Local Monitoring Committee Cash Fund, Waste
26 Reduction and Recycling Incentive Fund, Wastewater Treatment Facilities
27 Construction Loan Fund, Remedial Action Plan Monitoring Fund, Livestock
28 Waste Management Cash Fund, Drinking Water Administration Fund, Clean Air
29 Title V Cash Fund, Air Quality Permit Cash Fund, Superfund Cost Share
30 Cash Fund, Private Onsite Wastewater Treatment System Certification and
31 Registration Cash Fund, Solid Waste Landfill Closure Assistance Fund;

1 (66) Public Employees Retirement Board: School Expense Fund, Judges
2 Expense Fund, State Patrol Expense Fund, Deferred Compensation Expense
3 Fund, State Employees Retirement System Expense Fund, County Employees
4 Retirement System Expense Fund, State Employer Retirement Expense Fund,
5 County Employer Retirement Expense Fund, State Cash Balance Expense Fund,
6 County Cash Balance Expense Fund;

7 (67) Dry Bean Commission: Dry Bean Development, Utilization,
8 Promotion, and Education Fund;

9 (68) Nebraska Accountability and Disclosure Commission: Nebraska
10 Accountability and Disclosure Commission Cash Fund, Campaign Finance
11 Limitation Cash Fund;

12 (69) Corn Development, Utilization, and Marketing Board: Nebraska
13 Corn Development, Utilization, and Marketing Fund;

14 (70) Community College Aid: Nebraska Community College Aid Cash
15 Fund;

16 (71) Nebraska Tourism Commission: State Visitors Promotion Cash
17 Fund;

18 (72) Grain Sorghum Development, Utilization, and Marketing Board:
19 Grain Sorghum Development, Utilization, and Marketing Fund;

20 (73) Tax Equalization and Review Commission: Tax Equalization and
21 Review Commission Cash Fund;

22 (74) Commission on Public Advocacy: Commission on Public Advocacy
23 Operations Cash Fund, Legal Aid and Services Fund, Civil Legal Services
24 Fund; and

25 (75) Commission on Indian Affairs: Designated Collection Fund.

26 Sec. 15. Original sections 81-2,262, 81-2,263, 81-2,270, 81-2,271,
27 81-2,272.31, 81-2,281, 81-2,288, and 90-538, Reissue Revised Statutes of
28 Nebraska, and sections 81-2,239 and 81-2,240, Revised Statutes Cumulative
29 Supplement, 2016, are repealed.

30 Sec. 16. The following sections are outright repealed: Sections
31 2-3501, 2-3502, 2-3503, 2-3504, 2-3505, 2-3506, 2-3507, 2-3508, 2-3509,

- 1 2-3510, 2-3511, 2-3512, 2-3513, 2-3514, 2-3515, 2-3516, 2-3518, 2-3519,
- 2 2-3520, 2-3521, 2-3522, 2-3523, 2-3524, and 2-3525, Reissue Revised
- 3 Statutes of Nebraska.