

AMENDMENTS TO LB1009

Introduced by Appropriations.

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

3 Section 1. The State Treasurer shall transfer three million eight
4 hundred thousand dollars from the General Fund to the Critical
5 Infrastructure Facilities Cash Fund on or before June 30, 2020, on such
6 date as directed by the budget administrator of the budget division of
7 the Department of Administrative Services.

8 Sec. 2. Section 9-1,101, Revised Statutes Supplement, 2019, is
9 amended to read:

10 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
11 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
12 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
13 9-701 shall be administered and enforced by the Charitable Gaming
14 Division of the Department of Revenue, which division is hereby created.
15 The Department of Revenue shall make annual reports to the Governor,
16 Legislature, Auditor of Public Accounts, and Attorney General on all tax
17 revenue received, expenses incurred, and other activities relating to the
18 administration and enforcement of such acts. The report submitted to the
19 Legislature shall be submitted electronically.

20 (2) The Charitable Gaming Operations Fund is hereby created. Any
21 money in the fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.

24 (3)(a) Forty percent of the taxes collected pursuant to sections
25 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
26 Gaming Division for administering and enforcing the acts listed in
27 subsection (1) of this section and providing administrative support for

1 the Nebraska Commission on Problem Gambling. The remaining sixty percent
2 shall be transferred to the General Fund. Any portion of the forty
3 percent not used by the division in the administration and enforcement of
4 such acts and section shall be distributed as provided in this
5 subsection.

6 (b) Beginning July 1, 2019, through June 30, 2021, on or before the
7 last day of the last month of each calendar quarter, the State Treasurer
8 shall transfer one hundred thousand dollars from the Charitable Gaming
9 Operations Fund to the Compulsive Gamblers Assistance Fund.—Beginning
10 July 1, 2021, on or before November 1 each year, the State Treasurer
11 shall transfer one hundred thousand dollars from the Charitable Gaming
12 Operations Fund to the Compulsive Gamblers Assistance Fund, except that
13 no transfer shall occur if the Charitable Gaming Operations Fund contains
14 less than one hundred thousand dollars.

15 (c) Any money remaining in the Charitable Gaming Operations Fund
16 after the transfer pursuant to subdivision (b) of this subsection not
17 used by the Charitable Gaming Division in its administration and
18 enforcement duties pursuant to this section may be transferred to the
19 General Fund and the Compulsive Gamblers Assistance Fund at the direction
20 of the Legislature.

21 (4) The Tax Commissioner shall employ investigators who shall be
22 vested with the authority and power of a law enforcement officer to carry
23 out the laws of this state administered by the Tax Commissioner or the
24 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
25 to possession of a gambling device. For purposes of enforcing sections
26 28-1101 to 28-1117, the authority of the investigators shall be limited
27 to investigating possession of a gambling device, notifying local law
28 enforcement authorities, and reporting suspected violations to the county
29 attorney for prosecution.

30 (5) The Charitable Gaming Division may charge a fee for publications
31 and listings it produces. The fee shall not exceed the cost of

1 publication and distribution of such items. The division may also charge
2 a fee for making a copy of any record in its possession equal to the
3 actual cost per page. The division shall remit the fees to the State
4 Treasurer for credit to the Charitable Gaming Operations Fund.

5 (6) For administrative purposes only, the Nebraska Commission on
6 Problem Gambling shall be located within the Charitable Gaming Division.
7 The division shall provide office space, furniture, equipment, and
8 stationery and other necessary supplies for the commission. Commission
9 staff shall be appointed, supervised, and terminated by the director of
10 the Gamblers Assistance Program pursuant to section 9-1004.

11 Sec. 3. Section 13-2704, Revised Statutes Supplement, 2019, is
12 amended to read:

13 13-2704 (1) The Civic and Community Center Financing Fund is
14 created. The fund shall be administered by the department. Any money in
15 the fund available for investment shall be invested by the state
16 investment officer pursuant to the Nebraska Capital Expansion Act and the
17 Nebraska State Funds Investment Act. Transfers may be made from the fund
18 to the General Fund, the Department of Revenue Enforcement Fund, and the
19 State Colleges Sport Facilities Cash Fund at the direction of the
20 Legislature.

21 (2)(a) The department shall use the Civic and Community Center
22 Financing Fund for the following purposes:

- 23 (i) For grants of assistance as described in section 13-2704.01;
24 (ii) For grants of assistance as described in section 13-2704.02;
25 and
26 (iii) For reasonable and necessary costs of the department directly
27 related to the administration of the fund, ~~not to exceed the amount~~
28 ~~needed to employ a one-half full-time equivalent employee.~~

29 (b) Grants of assistance shall not be used for programming,
30 marketing, advertising, or facility-staffing activities.

31 (3) The State Treasurer shall transfer two hundred fifty thousand

1 dollars from the Civic and Community Center Financing Fund to the State
2 Colleges Sport Facilities Cash Fund on October 1 of 2012, 2013, and 2014.
3 Commencing October 1, 2015, and every year thereafter, the State
4 Treasurer shall transfer three hundred thousand dollars from the Civic
5 and Community Center Financing Fund to the State Colleges Sport
6 Facilities Cash Fund.

7 Sec. 4. Section 61-222, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 61-222 The Water Sustainability Fund is created in the Department of
10 Natural Resources. The fund shall be used in accordance with the
11 provisions established in Laws 2014, LB1098, and for costs directly
12 related to the administration of the fund, except that transfers may be
13 made from the fund as provided in this section.

14 The fund shall consist of money transferred to the fund by the
15 Legislature, other funds as appropriated by the Legislature, and money
16 donated as gifts, bequests, or other contributions from public or private
17 entities. Funds made available by any department or agency of the United
18 States may also be credited to the fund if so directed by such department
19 or agency. Any money in the fund available for investment shall be
20 invested by the state investment officer pursuant to the Nebraska Capital
21 Expansion Act and the Nebraska State Funds Investment Act. Investment
22 earnings from investment of money in the fund shall be credited to the
23 fund.

24 It is the intent of the Legislature that twenty-one million dollars
25 be transferred from the General Fund to the Water Sustainability Fund in
26 fiscal year 2014-15 and that eleven million dollars be transferred from
27 the General Fund to the Water Sustainability Fund each fiscal year
28 beginning in fiscal year 2015-16. It is the intent of the Legislature
29 that three million dollars be transferred annually from the Water
30 Sustainability Fund to the Nebraska Resources Development Fund in
31 FY2015-16 and in FY2016-17.

1 The State Treasurer shall transfer one hundred seventy-five thousand
2 dollars from the Water Sustainability Fund to the Department of Natural
3 Resources Cash Fund on or before June 30, 2020, on such dates and in such
4 amounts as directed by the budget administrator of the budget division of
5 the Department of Administrative Services.

6 The State Treasurer shall transfer four hundred twenty-five thousand
7 dollars from the Water Sustainability Fund to the Department of Natural
8 Resources Cash Fund on or before June 30, 2021, on such dates and in such
9 amounts as directed by the budget administrator of the budget division of
10 the Department of Administrative Services.

11 The State Treasurer shall transfer five hundred thousand dollars
12 from the Water Sustainability Fund to the General Fund on or before June
13 30, 2021, on such dates and in such amounts as directed by the budget
14 administrator of the budget division of the Department of Administrative
15 Services.

16 Sec. 5. Section 61-224, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 61-224 There is hereby created the Critical Infrastructure
19 Facilities Cash Fund in the Department of Natural Resources. The fund
20 shall consist of funds appropriated or transferred by the Legislature.
21 The fund shall be used by the Department of Natural Resources (1) to
22 provide a grant to a natural resources district to offset costs related
23 to soil and water improvements intended to protect critical
24 infrastructure facilities within the district which includes military
25 installations, transportation routes, and wastewater treatment facilities
26 and (2) to provide a grant to an irrigation district for reimbursement of
27 costs related to temporary repairs to the main canal and tunnels of an
28 interstate irrigation system which experienced a failure. Any funds
29 remaining after all such project costs have been completely funded shall
30 be transferred to the General Fund. Transfers may be made from the
31 Critical Infrastructure Facilities Cash Fund fund to the General Fund at

1 the direction of the Legislature. The State Treasurer shall transfer
2 three hundred eighty-four thousand two hundred twenty-two dollars plus
3 any accrued interest through April 5, 2018, from the Critical
4 Infrastructure Facilities Cash Fund to the General Fund on or before June
5 30, 2019, on such dates and in such amounts as directed by the budget
6 administrator of the budget division of the Department of Administrative
7 Services. Any money in the Critical Infrastructure Facilities Cash Fund
8 available for investment shall be invested by the state investment
9 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act, and any interest earned by the fund shall be
11 credited to the General Fund.

12 Sec. 6. Original sections 61-222 and 61-224, Reissue Revised
13 Statutes of Nebraska, and sections 9-1,101 and 13-2704, Revised Statutes
14 Supplement, 2019, are repealed.

15 Sec. 7. The following section is outright repealed: Section 46-752,
16 Reissue Revised Statutes of Nebraska.

17 Sec. 8. Since an emergency exists, this act takes effect when
18 passed and approved according to law.