

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SPECIAL SESSION

LEGISLATIVE BILL 3

Introduced by Clements, 2; at the request of the Governor.

Read first time July 25, 2024

Committee: Appropriations

1 A BILL FOR AN ACT relating to funds; to amend sections 2-1091.02, 2-1807,
2 2-2634, 2-2635, 2-2638, 2-2656, 2-2705.01, 2-3408, 2-3633, 2-3971,
3 2-4323, 3-126, 23-2310.04, 23-2319.01, 28-1246, 28-1251, 37-323,
4 37-327.01, 37-431, 43-3718, 44-116, 54-627, 54-856, 54-1165,
5 54-1704, 54-1904, 54-2306, 68-1804, 72-1248, 77-4211, 79-968,
6 81-2,174, 81-5,152, 81-1117, 81-15,174.01, 81-1835, 84-1314,
7 84-1506.01, and 85-1654, Reissue Revised Statutes of Nebraska;
8 sections 37-811, 61-222, 79-9,115.02, 81-2,147.10, 81-2,162.06,
9 81-2,162.23, 81-503.01, 81-505.01, 81-5,170, 81-5,199, 81-5,201,
10 81-5,214, 81-1230, 81-15,151, 84-1321.01, and 89-187, Revised
11 Statutes Cumulative Supplement, 2022; sections 46-1,164, 81-1213.05,
12 85-1920, and 85-3211, Revised Statutes Supplement, 2023; section
13 8-1120, Reissue Revised Statutes of Nebraska, as amended by Laws
14 2024, LB1074, section 48; section 81-550, Reissue Revised Statutes
15 of Nebraska, as amended by Laws 2024, LB1069, section 6; section
16 81-5,159, Reissue Revised Statutes of Nebraska, as amended by Laws
17 2024, LB1069, section 7; section 66-1519, Revised Statutes
18 Cumulative Supplement, 2022, as amended by Laws 2024, LB867, section
19 7; section 71-5318, Revised Statutes Cumulative Supplement, 2022, as
20 amended by Laws 2024, LB880, section 1; section 80-322.01, Revised
21 Statutes Cumulative Supplement, 2022, as amended by Laws 2024,
22 LB252, section 2; section 81-2,270, Revised Statutes Cumulative
23 Supplement, 2022, as amended by Laws 2024, LB262, section 39;

1 section 37-1804, Revised Statutes Supplement, 2023, as amended by
2 Laws 2024, LB1413, section 34; section 61-218, Revised Statutes
3 Supplement, 2023, as amended by Laws 2024, LB1368, section 9;
4 section 77-4025, Revised Statutes Supplement, 2023, as amended by
5 Laws 2024, LB1204, section 36; section 79-1021, Revised Statutes
6 Supplement, 2023, as amended by Laws 2024, LB1284, section 12;
7 section 81-1239, Revised Statutes Supplement, 2023, as amended by
8 Laws 2024, LB164, section 17; section 84-612, Revised Statutes
9 Supplement, 2023, as amended by Laws 2024, LB600, section 9, and
10 Laws 2024, LB1413, section 58; section 85-3112, Revised Statutes
11 Supplement, 2023, as amended by Laws 2024, LB1284, section 20;
12 section 86-324, Revised Statutes Supplement, 2023, as amended by
13 Laws 2024, LB1413, section 59; Laws 2024, LB164, section 10; Laws
14 2024, LB600, section 7; and Laws 2024, LB1284, section 16; to
15 provide for, change, and eliminate fund transfers; to create a fund;
16 to provide, change, and eliminate fees; to provide powers and
17 duties; to change the use of certain funds and the investment
18 earnings of certain funds; to eliminate obsolete provisions; to
19 harmonize provisions; to repeal the original sections; and to
20 declare an emergency.

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

1 Section 1. The State Treasurer shall transfer \$6,500,000 from the
2 Health and Human Services Cash Fund to the General Fund on or before June
3 30, 2025, on such dates and in such amounts as directed by the budget
4 administrator of the budget division of the Department of Administrative
5 Services.

6 Sec. 2. The State Treasurer shall transfer \$15,000,000 from the
7 Water Recreation Enhancement Fund to the State Park Cash Revolving Fund
8 on or before June 30, 2025, on such dates and in such amounts as directed
9 by the budget administrator of the budget division of the Department of
10 Administrative Services.

11 Sec. 3. The Agrability Cash Fund is created. The Department of
12 Agriculture shall administer the fund. The fund shall be used to support
13 programs that help individuals with disabilities overcome barriers to
14 continue in their chosen agricultural profession. The fund shall not be
15 used to pay for salaries. Any money in the fund available for investment
16 shall be invested by the state investment officer pursuant to the
17 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
18 Act.

19 Sec. 4. Section 2-1091.02, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 2-1091.02 (1) License fees for the Plant Protection and Plant Pest
22 Act are due on January 1 of each year. Except as otherwise provided in
23 subsection (2) of this section, the fees under the act shall be as
24 follows: , 2014, shall be the amount in column A of subsection (3) of
25 this section.

26 (a) The nursery stock distributor license fee as set forth in
27 section 2-1091.01 is one hundred eight dollars for the first acre and
28 four dollars and seventy cents per acre for each additional acre;

29 (b) The fee for distributing without obtaining a nursery stock
30 distributor license is twenty-five percent of the fee in subdivision (a)
31 of this subsection per month, up to a maximum of one hundred percent of

1 such fee;

2 (c) The certification fee for nursery stock growing acres as set
3 forth in section 2-1095 is included in the license fee;

4 (d) The fee for a late application for certification of nursery
5 stock growing acres is twenty-four dollars per hour and forty-two cents
6 per mile;

7 (e) The fee for a reinspection or a requested inspection for nursery
8 stock is twenty-four dollars per hour and forty-two cents per mile;

9 (f) The fee for a phytosanitary or export certificate set forth in
10 section 2-1091 is thirty dollars per certificate and seven dollars for
11 taking an application by telephone;

12 (g) The fee for a phytosanitary or export certificate inspection and
13 reinspection is twenty-four dollars per hour and forty-two cents per
14 mile;

15 (h) The fee for a European corn borer quarantine certification
16 license set forth in section 2-1091 is fifty dollars per license
17 annually;

18 (i) The fee for a European corn borer certificate is six dollars and
19 twenty-five cents for a packet of twenty-five;

20 (j) The fee for a quarantine compliance agreement as set forth in
21 section 2-1091 is fifty dollars per agreement annually; and

22 (k) The fee for a quarantine compliance agreement inspection and
23 reinspection is twenty-four dollars per hour and forty-two cents per
24 mile.

25 (2) The director may increase or decrease fees each year. The fees
26 shall be determined by increasing or decreasing annually by the
27 percentage difference between the Consumer Price Index for the most
28 recent year ending before the beginning of such year and the Consumer
29 Price Index for the year 1989 or as required to pay all reasonable direct
30 and indirect costs of administering the Plant Protection and Plant Pest
31 Act. For purposes of this section, Consumer Price Index means the change

1 in the price of goods and services for all urban consumers published by
2 the United States Department of Labor at the close of the twelve-month
3 period ending on August 31 of each year.

4 ~~(2) The license fees due January 1, 2015, and each January 1~~
5 ~~thereafter shall be set by the director on or before July 1 of each year.~~
6 ~~The director may raise or lower such fees each year to meet the criteria~~
7 ~~in this subsection, but the fee shall not be greater than the amount in~~
8 ~~column B of subsection (3) of this section. The same percentage shall be~~
9 ~~applied to each category for all fee increases or decreases. The director~~
10 ~~shall use the fees in column A of subsection (3) of this section as a~~
11 ~~base for future fee increases or decreases. The director shall determine~~
12 ~~the fees based on estimated annual revenue and fiscal year-end cash fund~~
13 ~~balances as follows:~~

14 ~~(a) The estimated annual revenue shall not be greater than one~~
15 ~~hundred seven percent of program cash fund appropriations allocated for~~
16 ~~the Plant Protection and Plant Pest Act; and~~

17 ~~(b) The estimated fiscal year end cash fund balance shall not be~~
18 ~~greater than seventeen percent of program cash fund appropriations~~
19 ~~allocated for the act.~~

20 ~~(3) License Fees.~~

License Fees	A	B
Nursery stock	—	—
distributor license	—	—
as set forth in	—	—
section 2-1091.01	—	—
for the first acre	\$115	\$140
Fee for additional acres	\$5.00 per acre	\$6.00 per acre
Distributing without	25% of the fee	—
obtaining a nursery	per month up to	—
stock distributor	100% of the	—
license fee	license fee	—

1 ~~(4) Other fees for the Plant Protection and Plant Pest Act under~~
 2 ~~subsection (5) of this section in effect on January 1, 2014, shall be the~~
 3 ~~amount in column A of such subsection. The department may increase or~~
 4 ~~decrease such fees by rules or regulations adopted and promulgated by the~~
 5 ~~department. Such increases shall not result in fees greater than the~~
 6 ~~amount in column B of subsection (5) of this section.~~

7 ~~(5) Other Fees.~~

8	Other Fees	A	B
9	Certification fee for	-	-
10	nursery stock growing	-	-
11	acres as set forth in	Included in	-
12	section 2-1095	license fee	-
13	Late applications for	-	-
14	certification of nursery	\$24 per hour	\$27 per hour
15	stock growing acres	\$0.42 per mile	\$0.50 per mile
16	Reinspections or	-	-
17	requested inspections	\$24 per hour	\$27 per hour
18	for nursery stock	\$0.42 per mile	\$0.50 per mile
19	Phytosanitary or	\$30 per certificate	\$40 per
20	export certificates	and \$7 for taking	certificate and
21	set forth in	an application	\$10 for taking
22	section 2-1091	by telephone	an application
23	-	-	by telephone
24	Phytosanitary or	-	-
25	export certificate	-	-
26	inspections and	\$24 per hour	\$27 per hour
27	reinspections	\$0.42 per mile	\$0.50 per mile
28	European corn borer	-	-
29	quarantine certification	-	-
30	license set forth in	\$50 per license,	\$65 per license,

1	section 2-1091	annually	annually
2	European corn borer	\$6.25 for	\$10.00 for
3	certificate	packet of 25	packet of 25
4	Quarantine compliance	-	-
5	agreements as set	\$50 per agreement	\$65 per agreement
6	forth in section 2-1091	annually	annually
7	Quarantine compliance	-	-
8	agreement inspections	\$24 per hour	\$27 per hour
9	and reinspections	\$0.42 per mile	\$0.50 per mile

10 (3) (6) Any fee remaining unpaid for more than one month shall be
11 considered delinquent and the person owing the fee shall pay an
12 additional administrative fee of twenty-five percent of the delinquent
13 amount for each month it remains unpaid, not to exceed one hundred
14 percent of the original amount due. The department may waive the
15 additional administrative fee based upon the existence and extent of any
16 mitigating circumstances that have resulted in the late payment of such
17 fee. The purpose of the additional administrative fee is to cover the
18 administrative costs associated with collecting fees, and all money
19 collected as an additional administrative fee shall be remitted to the
20 State Treasurer for credit to the Plant Protection and Plant Pest Cash
21 Fund.

22 Sec. 5. Section 2-1807, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 2-1807 (1) Beginning July 1, 1997, every potato shipper shall render
25 and have on file with the Department of Agriculture by the last day of
26 July an annual statement under oath, on forms prescribed by the
27 department, which shall set forth the number of pounds of potatoes grown
28 in Nebraska which were sold or shipped by him or her during the preceding
29 fiscal year beginning on July 1 and ending on June 30. For every potato
30 shipper who was required to file an annual statement for calendar year
31 1996, a short period statement covering January 1, 1997, through June 30,

1 1997, shall be filed and the excise taxes paid by July 31, 1997, as
2 required by this section. For every potato shipper who was required to
3 file a quarterly statement for the period of January 1, 1997, through
4 March 31, 1997, a final quarterly statement covering April 1, 1997,
5 through June 30, 1997, shall be filed and the excise taxes paid by July
6 31, 1997, as required by this section. At the time the sworn statement is
7 filed and in connection therewith, each such potato shipper shall pay and
8 remit to the department an excise tax ~~of not to exceed two cents per one~~
9 ~~hundred pounds upon the potatoes shown in such statement to have been~~
10 ~~sold, which tax is hereby levied and imposed.~~ The tax shall be set in the
11 manner prescribed in subsection (3) of this section. The department shall
12 transmit to the State Treasurer all money, checks, drafts, or other
13 mediums of exchange thus received. The department shall have authority to
14 adjust all errors in making payment. Any such potato shipper who shall
15 neglect or refuse to file such statement, or to pay the tax herein
16 imposed, within the time prescribed, shall be guilty of a Class IV
17 misdemeanor. No potatoes shall be subject to tax more than once under the
18 Nebraska Potato Development Act.

19 (2) All excise taxes imposed by this section are delinquent on
20 August 1 of the year due. The department shall impose an additional
21 administrative fee of five percent per month of the excise taxes for each
22 month or portion thereof such taxes are delinquent not to exceed one
23 hundred percent of such taxes. The purpose of the additional
24 administrative fee is to cover the administrative costs associated with
25 collecting the excise taxes. All money collected as an additional
26 administrative fee shall be remitted to the State Treasurer for credit to
27 the Nebraska Potato Development Fund.

28 (3) The department shall, ~~upon the recommendation of the committee,~~
29 have the power to set the excise tax prescribed in subsection (1) of this
30 section. The tax shall be one cent per one hundred pounds from July 19,
31 1980, until adjusted by the department. Adjusted rates shall be effective

1 for periods of not less than one year. The applicable rate of the excise
2 tax shall be determined by increasing or decreasing annually by the
3 percentage difference between the Consumer Price Index for the most
4 recent year ending before the beginning of such year and the Consumer
5 Price Index for the year 1989 or as required to pay all reasonable direct
6 and indirect costs of administering the Nebraska Potato Development Act.
7 For purposes of this section, Consumer Price Index means the change in
8 the price of goods and services for all urban consumers published by the
9 United States Department of Labor at the close of the twelve-month period
10 ending on August 31 of each year ~~prescribed in rules and regulations~~
11 adopted by the department in the manner prescribed by law.

12 Sec. 6. Section 2-2634, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 2-2634 (1) As a condition to registration or renewal of registration
15 as required by sections 2-2628 to 2-2633, an applicant shall pay to the
16 department a fee of one hundred sixty dollars for each pesticide to be
17 registered, except that the fee may be increased or decreased by the
18 director each year. The fees shall be determined by increasing or
19 decreasing annually by the percentage difference between the Consumer
20 Price Index for the most recent year ending before the beginning of such
21 year and the Consumer Price Index for the year 1989 or as required to pay
22 all reasonable direct and indirect costs of administering the Pesticide
23 Act. For purposes of this section, Consumer Price Index means the change
24 in the price of goods and services for all urban consumers published by
25 the United States Department of Labor at the close of the twelve-month
26 period ending on August 31 of each year ~~by rules and regulations adopted~~
27 and promulgated pursuant to the Pesticide Act. In no event shall such fee
28 exceed two hundred ten dollars for each pesticide to be registered.

29 (2) All fees collected under subsection (1) of this section shall be
30 remitted to the State Treasurer for credit as follows:

31 (a) Thirty dollars of such fee to the Noxious Weed Cash Fund as

1 provided in section 2-958;

2 (b) Fifty dollars of such fee to the Buffer Strip Incentive Fund as
3 provided in section 2-5106;

4 (c) Fifty-five dollars of such fee to the Natural Resources Water
5 Quality Fund; and

6 (d) The remainder of such fee to the Pesticide Administrative Cash
7 Fund.

8 (3) If a person fails to apply for renewal of registration before
9 January 1 of any year, such person, as a condition to renewal, shall pay
10 a late registration fee equal to twenty-five percent of the fee due and
11 owing per month, not to exceed one hundred percent, for each product to
12 be renewed in addition to the renewal fee. The purpose of the late
13 registration fee is to cover the administrative costs associated with
14 collecting fees, and all money collected as a late registration fee shall
15 be remitted to the State Treasurer for credit to the Pesticide
16 Administrative Cash Fund.

17 Sec. 7. Section 2-2635, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 2-2635 (1) Except as provided in subsection (2) of this section, a
20 person shall not distribute at wholesale or retail or possess pesticides
21 with an intent to distribute them without a pesticide dealer license for
22 each distribution location. Any manufacturer, registrant, or distributor
23 who has no pesticide dealer outlet licensed within this state and who
24 distributes such pesticides directly into this state shall obtain a
25 pesticide dealer license for his, her, or its principal out-of-state
26 location or outlet.

27 (2) The requirements of subsection (1) of this section shall not
28 apply to:

29 (a) A commercial applicator or noncommercial applicator licensed
30 under sections 2-2636 to 2-2642 who uses restricted-use pesticides only
31 as an integral part of a pesticide application service and does not

1 distribute any unapplied pesticide;

2 (b) A federal, state, county, or municipal agency using restricted-
3 use pesticides only for its own program; or

4 (c) Persons who sell only pesticide products in containers holding
5 fifty pounds or less by weight or one gallon or less by volume and do not
6 sell any restricted-use pesticides or bulk pesticides.

7 (3) A pesticide dealer may distribute restricted-use pesticides only
8 to:

9 (a) A licensed pesticide dealer;

10 (b) A licensed certified applicator issued a license with the
11 appropriate category for using the restricted-use pesticide being
12 distributed;

13 (c) An applicator issued a license by another state with the
14 appropriate category for using the restricted-use pesticide being
15 distributed;

16 (d) A noncertified applicator authorized by the Pesticide Act to
17 apply restricted-use pesticides if the licensed certified applicator
18 supervising the noncertified applicator is issued a license with the
19 appropriate category for using the restricted-use pesticide being
20 distributed; or

21 (e) Any other person if the pesticide dealer maintains records set
22 out in rules and regulations adopted and promulgated pursuant to the act
23 requiring the person to verify in writing that:

24 (i) The restricted-use pesticide will be delivered to an applicator
25 described in subdivision (3)(b), (c), or (d) of this section; and

26 (ii) The applicator receiving the restricted-use pesticide
27 acknowledges and agrees to the distribution.

28 (4) A pesticide dealer license shall expire on December 31 of each
29 year, unless it is suspended or revoked before that date. Such license
30 shall not be transferable to another person or location and shall be
31 prominently displayed to the public in the pesticide dealer's place of

1 business.

2 (5) If the pesticide dealer has had a license suspended or revoked,
3 or has otherwise had a history of violations of the Pesticide Act, the
4 department may require an additional demonstration of dealer
5 qualifications prior to issuance or renewal of a license to such person.

6 (6) Application for an initial pesticide dealer license shall be
7 submitted to the department prior to commencing business as a pesticide
8 dealer. Application for renewal of a pesticide dealer license shall be
9 submitted to the department by January 1 of each year. All applications
10 shall be accompanied by an annual license fee of twenty-five dollars. The
11 fee may be increased or decreased by the director each year. The fees
12 shall be determined by increasing or decreasing annually by the
13 percentage difference between the Consumer Price Index for the most
14 recent year ending before the beginning of such year and the Consumer
15 Price Index for the year 1989 or as required to pay all reasonable direct
16 and indirect costs of administering the Pesticide Act. For purposes of
17 this section, Consumer Price Index means the change in the price of goods
18 and services for all urban consumers published by the United States
19 Department of Labor at the close of the twelve-month period ending on
20 August 31 of each year by rules and regulations adopted and promulgated
21 pursuant to the act. The fee shall not exceed one hundred dollars per
22 license. Application shall be on a form prescribed by the department and
23 shall include the full name of the person applying for such license. If
24 such applicant is a partnership, limited liability company, association,
25 corporation, or organized group of persons, the full name of each member
26 of the firm, partnership, or limited liability company or of the
27 principal officers of the association or corporation shall be given on
28 the application. Such application shall further state the address of each
29 outlet to be licensed, the principal business address of the applicant,
30 the name of the person domiciled in this state authorized to receive and
31 accept service of summons of legal notices of all kinds for the

1 applicant, and any other necessary information prescribed by the
2 department.

3 An applicant located outside this state shall file with the
4 department either a written designation of a resident agent for service
5 of process or a written consent to the jurisdiction of this state for
6 actions taken in the administration and enforcement of the act.

7 If an application for renewal of a pesticide dealer license is not
8 filed before January 1 of the year for which the license is to be issued,
9 an additional fee equal to twenty-five percent of the fee due and owing
10 per month, not to exceed one hundred percent, shall be paid by the
11 applicant before the license may be issued. The purpose of the additional
12 fee is to cover the administrative costs associated with collecting fees.

13 All fees collected pursuant to this subsection shall be remitted to
14 the State Treasurer for credit to the Pesticide Administrative Cash Fund.

15 (7) Each licensed pesticide dealer shall be responsible for the acts
16 of each person employed by him or her in the solicitation and
17 distribution of pesticides and all claims and recommendations for use of
18 pesticides. The dealer's license shall be subject to denial, suspension,
19 modification, or revocation after a hearing for any violation of the act,
20 whether committed by the dealer or by the dealer's officer, agent, or
21 employee.

22 (8) The department shall require each pesticide dealer to maintain
23 records of the dealer's purchases and distribution of all restricted-use
24 pesticides and may require such records to be kept separate from other
25 business records. The department may prescribe by rules and regulations
26 the information to be included in the records. The dealer shall keep such
27 records for a period of three years and shall provide the department
28 access to examine such records and a copy of any record on request.

29 Sec. 8. Section 2-2638, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 2-2638 (1) An individual who uses restricted-use pesticides on the

1 property of another person in the State of Nebraska for hire or
2 compensation shall meet all certification requirements of the Pesticide
3 Act and the rules and regulations adopted and promulgated under the act
4 and shall be a commercial applicator license holder of a license issued
5 for the categories in which the pesticide use is to be made.

6 (2) Any person who uses lawn care or structural pest control
7 general-use pesticides on the property of another person in the State of
8 Nebraska for hire or compensation shall be a commercial applicator
9 license holder, except as provided in subsection (3) of section 2-2636,
10 regardless of whether such person uses any restricted-use pesticide.

11 (3) Application for an original or renewal commercial applicator
12 license shall be made to the department on forms prescribed by the
13 department. The application shall include information as required by the
14 director and be accompanied by a license fee of ninety dollars. The
15 application shall include the applicant's date of birth. The fee may be
16 increased or decreased by the director each year. The fees shall be
17 determined by increasing or decreasing annually by the percentage
18 difference between the Consumer Price Index for the most recent year
19 ending before the beginning of such year and the Consumer Price Index for
20 the year 1989 or as required to pay all reasonable direct and indirect
21 costs of administering the Pesticide Act. For purposes of this section,
22 Consumer Price Index means the change in the price of goods and services
23 for all urban consumers published by the United States Department of
24 Labor at the close of the twelve-month period ending on August 31 of each
25 year by rules and regulations adopted and promulgated pursuant to the
26 act. The fee shall not exceed one hundred fifty dollars per license. All
27 fees collected shall be remitted to the State Treasurer for credit to the
28 Natural Resources Water Quality Fund.

29 (4) The department may deny a commercial applicator license if it
30 has determined that:

31 (a) The applicant has had a license as a licensed certified

1 applicator issued by this state or another state revoked within the last
2 two years;

3 (b) The applicant has been unable to satisfactorily fulfill
4 certification or licensing requirements;

5 (c) The applicant for any other reason cannot be expected to be able
6 to fulfill the provisions of the Pesticide Act applicable to the category
7 for which application is made; or

8 (d) An applicant for an original commercial applicator license has
9 not passed an examination under sections 2-2637 and 2-2640.

10 (5) An individual to whom a commercial applicator license is issued
11 shall be a licensed certified applicator authorized to use restricted-use
12 pesticides in the categories in which the individual is licensed.

13 (6) As a condition to issuance of a commercial applicator license,
14 an applicant located outside this state shall file with the department
15 either a written designation of a resident agent for service of process
16 or a written consent to the jurisdiction of this state for actions taken
17 in the administration and enforcement of the act.

18 Sec. 9. Section 2-2656, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 2-2656 (1) An application for an initial or renewal Nebraska aerial
21 pesticide business license shall be submitted to the department prior to
22 the commencement of aerial spraying operations, and an application for
23 renewal of a Nebraska aerial pesticide business license shall be
24 submitted to the department before commencement of application of
25 pesticides. The application shall be accompanied by an annual license fee
26 of one hundred dollars. The license fee may be increased or decreased
27 by the director each year. The fees shall be determined by increasing or
28 decreasing annually by the percentage difference between the Consumer
29 Price Index for the most recent year ending before the beginning of such
30 year and the Consumer Price Index for the year 1989 or as required to pay
31 all reasonable direct and indirect costs of administering the Pesticide

1 Act. For purposes of this section, Consumer Price Index means the change
2 in the price of goods and services for all urban consumers published by
3 the United States Department of Labor at the close of the twelve-month
4 period ending on August 31 of each year after a public hearing is held
5 outlining the reason for any proposed change in the fee, except that the
6 fee shall not exceed one hundred fifty dollars. All fees collected
7 pursuant to this section shall be remitted to the State Treasurer for
8 credit to the Pesticide Administrative Cash Fund. The application shall
9 be on a form prescribed by the department and shall include the
10 following:

11 (a) The full name and permanent mailing address of the person
12 applying for such license. If such applicant is an individual, the
13 application shall include the applicant's personal mailing address. If
14 such applicant is not an individual, the full name of each partner or
15 member or the full name of the principal officers shall be given on the
16 application;

17 (b) The location of the applicant's principal departure location and
18 any additional departure locations utilized for aerial spraying
19 operations to be conducted within Nebraska identified by one of the
20 following: Global Positioning System coordinates, legal description,
21 local address of the site, or airport identifier;

22 (c) A copy of the applicant's agricultural aircraft operator
23 certificate issued pursuant to 14 C.F.R. part 137 or evidence the
24 applicant holds such a certificate issued by the Federal Aviation
25 Administration;

26 (d) The aircraft registration number issued by the Federal Aviation
27 Administration pursuant to 14 C.F.R. part 47 of all aircraft owned,
28 rented, or leased by the applicant to be utilized for aerial pesticide
29 applications and all other aircraft utilized in aerial spraying
30 operations conducted by the applicant;

31 (e) The Nebraska commercial applicator certificate number and

1 current Federal Aviation Administration commercial pilot certificate
2 number of all persons operating aircraft for the aerial application of
3 pesticides during any aerial spraying operations conducted by the
4 applicant; and

5 (f) Such other information as deemed necessary by the director to
6 determine the suitability of the applicant for licensure as an aerial
7 pesticide business.

8 (2) An applicant located outside this state shall file with the
9 department either a written designation of a resident agent for service
10 of process or a written consent to the jurisdiction of this state for
11 actions taken in the administration and enforcement of the Pesticide Act.

12 Sec. 10. Section 2-2705.01, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 2-2705.01 There is hereby imposed a fee of fifty dollars for each
15 application for any permit made to the board pursuant to sections 2-2701
16 to 2-2711, except that the director may increase or decrease the fee each
17 year. The fee shall be determined by increasing or decreasing annually by
18 the percentage difference between the Consumer Price Index for the most
19 recent year ending before the beginning of such year and the Consumer
20 Price Index for the year 1989 or as required to pay all reasonable direct
21 and indirect costs of administering sections 2-2701 to 2-2711. For
22 purposes of this section, Consumer Price Index means the change in the
23 price of goods and services for all urban consumers published by the
24 United States Department of Labor at the close of the twelve-month period
25 ending on August 31 of each year. Such fee shall be in addition to the
26 fees provided for in section 2-2705 and shall be paid to the department.
27 All fees collected by the department pursuant to this section shall be
28 remitted to the State Treasurer for credit to the Tractor Permit Cash
29 Fund, which fund is hereby created. The fund shall be used by the
30 department to defray the expenses of administering sections 2-2701 to
31 2-2711. Any money in the fund available for investment shall be invested

1 by the state investment officer pursuant to the Nebraska Capital
2 Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 11. Section 2-3408, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 2-3408 (1) There shall be paid to the director a fee of ~~not to~~
6 ~~exceed~~ five cents per case upon all commercial eggs sold through
7 commercial channels to carry out the intent and purposes of the Nebraska
8 Poultry and Egg Resources Act, except that the director may increase or
9 decrease the fee each year. The fee shall be determined by increasing or
10 decreasing annually by the percentage difference between the Consumer
11 Price Index for the most recent year ending before the beginning of such
12 year and the Consumer Price Index for the year 1989 or as required to pay
13 all reasonable direct and indirect costs of administering the Nebraska
14 Poultry and Egg Resources Act. For purposes of this section, Consumer
15 Price Index means the change in the price of goods and services for all
16 urban consumers published by the United States Department of Labor at the
17 close of the twelve-month period ending on August 31 of each year
18 ~~sections 2-3401 to 2-3416~~. The fee for commercial eggs produced in this
19 state shall be paid by the egg producer who owns the eggs and shall be
20 collected and remitted to the director by the first purchaser. The fee
21 for commercial eggs produced outside of this state and sold in this state
22 to retailers, wholesalers, distributors, or food purveyors shall be paid
23 to the director by the person importing such eggs into the state. Under
24 the Nebraska Poultry and Egg Resources Act ~~provisions of sections 2-3401~~
25 ~~to 2-3416~~, no eggs shall be subject to the fee more than once.

26 (2) There shall be paid to the director a fee of not to exceed three
27 cents per turkey grown in the State of Nebraska and sold through
28 commercial channels. The fee shall be paid by the turkey producer and
29 shall be collected by the first purchaser. Under the Nebraska Poultry and
30 Egg Resources Act ~~provisions of sections 2-3401 to 2-3416~~, no turkeys
31 shall be subject to the fee more than once.

1 (3) The director may, subject to the approval of a majority of the
2 members of the advisory committee, whenever he or she determines that the
3 fees provided by this section are yielding more than is required to carry
4 out the intent and purposes of the act sections 2-3401 to 2-3416, reduce
5 such fees for such period as the director shall deem justified. In the
6 event that the director, after reducing such fees, finds that sufficient
7 revenue is not being produced by such reduced fees, he or she may restore
8 in full or in part such fees to such rates as will in his or her judgment
9 produce sufficient revenue to carry out the intent and purposes of the
10 act sections 2-3401 to 2-3416.

11 Sec. 12. Section 2-3633, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 2-3633 The Nebraska Corn Development, Utilization, and Marketing
14 Fund is created. All fees collected pursuant to the Nebraska Corn
15 Resources Act and any repayments relating to the fund, including license
16 fees or royalties, shall be credited to the fund for the uses and
17 purposes of the act and its enforcement. Such fund shall be expended
18 solely for the administration of the act, except that the State Treasurer
19 shall transfer three hundred thousand dollars from the fund to the
20 Agrability Cash Fund on September 1 of each year, or as soon thereafter
21 as administratively possible, beginning in 2024. Any money in the
22 Nebraska Corn Development, Utilization, and Marketing Fund fund available
23 for investment shall be invested by the state investment officer pursuant
24 to the Nebraska Capital Expansion Act and the Nebraska State Funds
25 Investment Act.

26 Sec. 13. Section 2-3971, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 2-3971 (1)(a) As a condition precedent to the issuance of a permit
29 pursuant to the Nebraska Milk Act, the annual permit fees shall be paid
30 to the department on or before August 1 of each year. Except as otherwise
31 provided in subsection (3) of this section, the fees are as follows:

1 (i) Milk plant processing 100,000 or less pounds per month...
2 \$100.00;

3 (ii) Milk plant processing 100,001 to 2,000,000 pounds per month...
4 \$500.00;

5 (iii) Milk plant processing more than 2,000,000 pounds per month...
6 \$1,000.00;

7 (iv) Receiving station.....\$200.00;

8 (v) Plant fabricating single-service articles..\$300.00;

9 (vi) Milk distributor.....\$150.00;

10 (vii) Transfer station.....\$100.00;

11 (viii) Milk tank truck cleaning facility.....\$100.00;

12 (ix) Bulk milk hauler/sampler.....\$25.00;

13 (x) Field representative.....\$25.00;

14 (xi) Grade A Milk producer.....No Fee; and

15 (xii) Manufacturing milk producer.....No Fee.

16 (b) On or before each August 1 a Milk Transportation Company shall
17 pay twenty-five dollars for each milk tank truck in service on July 1 of
18 the current year, but in no case shall the fee be less than one hundred
19 dollars.

20 (2)(a) Except as otherwise provided in subsection (3) of this
21 section, all ~~All~~ milk or components of milk produced or processed in
22 Nebraska and milk or components of milk shipped in for processing shall
23 be subject to the payment of inspection fees as provided in this
24 subsection.

25 (b) There shall be three categories of inspection fees as follows:

26 (i) The inspection fee for raw milk purchased directly off the farm
27 by first purchasers shall be one and ninety-two hundredths ~~have a maximum~~
28 ~~inspection fee of two and five-tenths~~ cents per hundredweight for raw
29 milk and shall be paid by first purchasers;

30 (ii) The inspection fee for milk processed by a milk plant shall be
31 seventy-five percent of the fee paid by first purchasers and shall be

1 paid by the milk plant; and

2 (iii) The inspection fee for components of milk processed shall be
3 fifty percent of the fee paid by first purchasers and shall be paid by
4 the milk plant.

5 (c) All fees shall be paid on or before the last day of the month
6 for milk or components of milk produced or processed during the preceding
7 month. Any unpaid fee shall be increased one and one-half percent each
8 month beginning with the day following the date the fee was due. Any
9 remaining amount due, including any unpaid charges previously made
10 pursuant to this section, shall be increased at the same rate on the
11 corresponding day of each succeeding month until paid. The purpose of
12 increasing the fees is to cover the administrative costs associated with
13 collecting fees, and all money collected as increased fees shall be
14 remitted to the State Treasurer for credit to the Pure Milk Cash Fund.

15 (3) The director may increase or decrease fees each year. The fees
16 shall be determined by increasing or decreasing annually by the
17 percentage difference between the Consumer Price Index for the most
18 recent year ending before the beginning of such year and the Consumer
19 Price Index for the year 1989 or as required to pay all reasonable direct
20 and indirect costs of administering the Nebraska Milk Act. For purposes
21 of this section, Consumer Price Index means the change in the price of
22 goods and services for all urban consumers published by the United States
23 Department of Labor at the close of the twelve-month period ending on
24 August 31 of each year.

25 ~~(d) The director may raise or lower the inspection fees each year,~~
26 ~~but the fees shall not exceed the maximum fees set out in subdivision (b)~~
27 ~~of this subsection. The director shall determine the fees based on the~~
28 ~~estimated annual revenue and fiscal year-end fund balance determined as~~
29 ~~follows:~~

30 ~~(i) The estimated annual revenue shall not be greater than one~~
31 ~~hundred seven percent of the program cash fund appropriations allocated~~

1 ~~for the Nebraska Milk Act;~~

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

5 ~~(iii) All fee increases or decreases shall be equally distributed~~
6 ~~between categories to maintain the percentages set forth in subdivision~~
7 ~~(b) of this subsection.~~

8 ~~(4) (3)~~ If any person required to have a permit pursuant to the act
9 has been operating prior to applying for a permit, an additional fee of
10 one hundred dollars shall be paid upon application.

11 Sec. 14. Section 2-4323, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 2-4323 (1) Every retailer licensee shall file, not later than the
14 last day of January and July of each year, a semiannual tonnage report on
15 forms provided by the department, setting forth the number of net tons of
16 each agricultural liming material sold in Nebraska during the preceding
17 six-month period, which report shall cover the periods from July 1 to
18 December 31 and January 1 to June 30, and such other information as the
19 director shall deem necessary. All persons required to be licensed
20 pursuant to the Agricultural Liming Materials Act shall file such report
21 regardless of whether any inspection fee is due. Upon filing the report,
22 such person shall pay the inspection fee at the rate prescribed pursuant
23 to this section. The inspection fee shall be at the rate of fixed by the
24 director but not exceeding ten cents per ton, except that the director
25 may increase or decrease the fee each year. The fee shall be determined
26 by increasing or decreasing annually by the percentage difference between
27 the Consumer Price Index for the most recent year ending before the
28 beginning of such year and the Consumer Price Index for the year 1989 or
29 as required to pay all reasonable direct and indirect costs of
30 administering the Agricultural Liming Materials Act. For purposes of this
31 section, Consumer Price Index means the change in the price of goods and

1 services for all urban consumers published by the United States
2 Department of Labor at the close of the twelve-month period ending on
3 August 31 of each year . ~~The fee shall be set at an amount to cover the~~
4 ~~expenses of the inspection provided in section 2-4325 and the costs of~~
5 ~~administering this section.~~ The minimum inspection fee required pursuant
6 to this section shall be five dollars, and no inspection fee shall be
7 paid more than once for any one product. In the case of agricultural lime
8 slurry, the fee shall be paid on the base lime material only.

9 (2) If a person fails to report and pay the fee required by
10 subsection (1) of this section by January 31 and July 31, the fee shall
11 be considered delinquent and the person owing the fee shall pay an
12 additional administrative fee of twenty-five percent of the delinquent
13 amount for each month it remains unpaid, not to exceed one hundred
14 percent of the original amount due. The department may waive the
15 additional administrative fee based upon the existence and extent of any
16 mitigating circumstances that have resulted in the late payment of such
17 fee. The purpose of the additional administrative fee is to cover the
18 administrative costs associated with collecting fees, and all money
19 collected as an additional administrative fee shall be remitted to the
20 State Treasurer for credit to the Fertilizers and Soil Conditioners
21 Administrative Fund. Failure to make an accurate statement of tonnage or
22 to pay the inspection fee or comply as provided in this subsection shall
23 constitute sufficient cause for the cancellation of all product
24 registrations or licenses on file for such person.

25 (3) The director shall annually make information available in such
26 form as he or she may deem proper concerning the tons of agricultural
27 liming material sold in this state. Such report shall in no way divulge
28 the operation of any registrant or licensee.

29 Sec. 15. Section 3-126, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 3-126 The Aeronautics Cash Fund is created. All money received by

1 the division pursuant to the State Aeronautics Act shall be remitted to
2 the State Treasurer for credit to the fund. The division is authorized,
3 whether acting for this state, as the agent of any of its municipalities,
4 or as the agent of any person owning a privately owned public use
5 airport, or when requested by the United States Government or any agency
6 or department thereof, to disburse such money. Any money in the
7 Aeronautics Cash Fund available for investment shall be invested by the
8 state investment officer pursuant to the Nebraska Capital Expansion Act
9 and the Nebraska State Funds Investment Act. Any investment earnings from
10 investment of money in the fund shall be credited to the fund ~~The State~~
11 ~~Treasurer shall transfer any money in the Department of Aeronautics Cash~~
12 ~~Fund on July 1, 2017, to the Aeronautics Cash Fund.~~

13 Sec. 16. Section 8-1120, Reissue Revised Statutes of Nebraska, as
14 amended by Laws 2024, LB1074, section 48, is amended to read:

15 8-1120 (1) Except as otherwise provided in this section, the
16 Securities Act of Nebraska shall be administered by the Director of
17 Banking and Finance who may employ such deputies, examiners, assistants,
18 or counsel as may be reasonably necessary for the purpose thereof. The
19 employment of any person for the administration of the act is subject to
20 section 49-1499.07. The director may delegate to a deputy director or
21 counsel any powers, authority, and duties imposed upon or granted to the
22 director under the act, such as may be lawfully delegated under the
23 common law or the statutes of this state. The director may also employ
24 special counsel with respect to any investigation conducted by him or her
25 under the act or with respect to any litigation to which the director is
26 a party under the act.

27 (2) A security issued by and representing an interest in or a debt
28 of, or guaranteed by, any insurance company shall be registered, pursuant
29 to the provisions of sections 8-1104 to 8-1109, with the Director of
30 Insurance who shall as to such registrations administer and enforce the
31 act, and as pertains to the administration and enforcement of such

1 registration of such securities all references in the act to director
2 shall mean the Director of Insurance.

3 (3)(a) It shall be unlawful for the director or any of his or her
4 employees to use for personal benefit any information which is filed with
5 or obtained by the director and which is not made public. Neither the
6 director nor any of his or her employees shall disclose any confidential
7 information except among themselves, when necessary or appropriate in a
8 proceeding, examination, or investigation under the act, or as authorized
9 in subdivision (3)(b) of this subsection. No provision of the act shall
10 either create or derogate from any privilege which exists at common law
11 or otherwise when documentary or other evidence is sought under a
12 subpoena directed to the director or any of his or her employees.

13 (b)(i) In administering the act, the director may also:

14 (A) Enter into agreements or relationships with other government
15 officials, including, but not limited to, the securities administrator of
16 a foreign state and the Securities and Exchange Commission, or self-
17 regulatory organizations, to share resources, standardized or uniform
18 methods or procedures, and documents, records, and information; or

19 (B) Accept and rely on examination or investigation reports made by
20 other government officials, including, but not limited to, the securities
21 administrator of a foreign state and the Securities and Exchange
22 Commission, or self-regulatory organizations.

23 (ii) For purposes of this subdivision, foreign state means any state
24 of the United States, other than the State of Nebraska, any territory of
25 the United States, including Puerto Rico, Guam, American Samoa, the Trust
26 Territory of the Pacific Islands, or the Virgin Islands, and the District
27 of Columbia.

28 (4) The director may adopt and promulgate rules and regulations and
29 prescribe forms to carry out the act. No rule and regulation may be
30 adopted and promulgated or form may be prescribed unless the director
31 finds that the action is necessary or appropriate in the public interest

1 or for the protection of investors and consistent with the purposes
2 fairly intended by the policy and provisions of the act. In adopting and
3 promulgating rules and regulations and prescribing forms the director may
4 cooperate with the securities administrators of the other states and the
5 Securities and Exchange Commission with a view to effectuating the policy
6 of the Securities Act of Nebraska to achieve maximum uniformity in the
7 form and content of registration statements, applications, and reports
8 wherever practicable. All rules and regulations and forms of the director
9 shall be published and made available to any person upon request.

10 (5) No provision of the act imposing any liability shall apply to
11 any act done or omitted in good faith in conformity with any rule and
12 regulation, form, or order of the director, notwithstanding that the rule
13 and regulation or form may later be amended or rescinded or be determined
14 by judicial or other authority to be invalid for any reason.

15 (6) Every hearing in an administrative proceeding shall be public
16 unless the director in his or her discretion grants a request joined in
17 by all the respondents that the hearing be conducted privately.

18 (7)(a) ~~(7)~~ The Securities Act Cash Fund is created. All filing fees,
19 registration fees, and all other fees and all money collected by or paid
20 to the director under any of the provisions of the act shall be remitted
21 to the State Treasurer for credit to the fund, except that registration
22 fees collected by or paid to the Director of Insurance pursuant to the
23 provisions of the act shall be credited to the Department of Insurance
24 Cash Fund. The Securities Act Cash Fund shall be used for the purpose of
25 administering and enforcing the provisions of the act, except that
26 transfers may be made to the General Fund at the direction of the
27 Legislature. Any money in the Securities Act Cash Fund available for
28 investment shall be invested by the state investment officer pursuant to
29 the Nebraska Capital Expansion Act and the Nebraska State Funds
30 Investment Act. Any investment earnings from investment of money in the
31 fund shall be credited to the fund.

1 (b) The State Treasurer shall transfer thirty-six million dollars
2 from the Securities Act Cash Fund to the General Fund on or before June
3 30, 2026, on such dates and in such amounts as directed by the budget
4 administrator of the budget division of the Department of Administrative
5 Services. The State Treasurer shall transfer thirty-two million dollars
6 from the Securities Act Cash Fund to the General Fund on or before June
7 30, 2027, on such dates and in such amounts as directed by the budget
8 administrator of the budget division of the Department of Administrative
9 Services. The State Treasurer shall transfer thirty-two million dollars
10 from the Securities Act Cash Fund to the General Fund on or before June
11 30, 2028, on such dates and in such amounts as directed by the budget
12 administrator of the budget division of the Department of Administrative
13 Services. The State Treasurer shall transfer thirty-two million dollars
14 from the Securities Act Cash Fund to the General Fund on or before June
15 30, 2029, on such dates and in such amounts as directed by the budget
16 administrator of the budget division of the Department of Administrative
17 Services.

18 (8) A document is filed when it is received by the director. The
19 director shall keep a register of all applications for registration and
20 registration statements which are or have ever been effective under the
21 Securities Act of Nebraska and all denial, suspension, or revocation
22 orders which have ever been entered under the act. The register shall be
23 open for public inspection. The information contained in or filed with
24 any registration statement, application, or report may be made available
25 to the public under such conditions as the director may prescribe.

26 (9) The director may, by rule and regulation or order, authorize or
27 require the filing of any document required to be filed under the act by
28 electronic or other means, processes, or systems.

29 (10) Upon request and at such reasonable charges as he or she shall
30 prescribe, the director shall furnish to any person photostatic or other
31 copies, certified under his or her seal of office if requested, of any

1 entry in the register or any document which is a matter of public record.
2 In any proceeding or prosecution under the act, any copy so certified
3 shall be prima facie evidence of the contents of the entry or document
4 certified.

5 (11) The director in his or her discretion may honor requests from
6 interested persons for interpretative opinions.

7 Sec. 17. Section 23-2310.04, Reissue Revised Statutes of Nebraska,
8 is amended to read:

9 23-2310.04 (1) The County Employees Defined Contribution Retirement
10 Expense Fund is created. The fund shall be credited with money from the
11 retirement system assets and income sufficient to pay the pro rata share
12 of administrative expenses incurred as directed by the board for the
13 proper administration of the County Employees Retirement Act and
14 necessary in connection with the administration and operation of the
15 retirement system, except as provided in sections 23-2308.01, 23-2309.01,
16 and 23-2310.05. Any money in the fund available for investment shall be
17 invested by the state investment officer pursuant to the Nebraska Capital
18 Expansion Act and the Nebraska State Funds Investment Act.

19 (2) The County Employees Cash Balance Retirement Expense Fund is
20 created. The fund shall be credited with money forfeited pursuant to
21 section 23-2319.01 and with money from the retirement system assets and
22 income sufficient to pay the pro rata share of administrative expenses
23 incurred as directed by the board for the proper administration of the
24 County Employees Retirement Act and necessary in connection with the
25 administration and operation of the retirement system, except as provided
26 in sections 23-2308.01, 23-2309.01, and 23-2310.05. Any money in the fund
27 available for investment shall be invested by the state investment
28 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
29 State Funds Investment Act. Any investment earnings from investment of
30 money in the fund shall be credited to the fund.

31 (3) Forfeiture funds collected from members participating in the

1 defined contribution benefit shall be used to either pay expenses or
2 reduce employer contributions related to the defined contribution
3 benefit. Any unused funds shall be allocated as earnings of and
4 transferred to the accounts of the remaining members within twelve months
5 after receipt of the funds by the board.

6 Sec. 18. Section 23-2319.01, Reissue Revised Statutes of Nebraska,
7 is amended to read:

8 23-2319.01 (1) For a member who has terminated employment and is not
9 vested, the balance of the member's employer account or employer cash
10 balance account shall be forfeited. The forfeited account shall be
11 credited to the County Employees Retirement Fund and shall first be used
12 to meet the expense charges incurred by the retirement board in
13 connection with administering the retirement system, which charges shall
14 be credited to the County Employees Defined Contribution Retirement
15 Expense Fund, if the member participated in the defined contribution
16 option, or to the County Employees Cash Balance Retirement Expense Fund,
17 if the member participated in the cash balance option, and the remainder,
18 if any, shall then be used to restore employer accounts or employer cash
19 balance accounts. Except as provided in subsection (3) of section
20 23-2310.04 and subdivision (4)(c) of section 23-2317, no forfeited
21 amounts shall be applied to increase the benefits any member would
22 otherwise receive under the County Employees Retirement Act.

23 (2) If a member ceases to be an employee due to the termination of
24 his or her employment by the county and a grievance or other appeal of
25 the termination is filed, transactions involving forfeiture of his or her
26 employer account or employer cash balance account and transactions for
27 payment of benefits under sections 23-2315 and 23-2319 shall be suspended
28 pending the final outcome of the grievance or other appeal.

29 (3) The County Employer Retirement Expense Fund is created. The fund
30 shall be administered by the Public Employees Retirement Board. Prior to
31 July 1, 2012, the County Employer Retirement Expense Fund shall be used

1 to meet expenses of the retirement system whether such expenses are
2 incurred in administering the member's employer account or in
3 administering the member's employer cash balance account when the funds
4 available in the County Employees Defined Contribution Retirement Expense
5 Fund or County Employees Cash Balance Retirement Expense Fund make such
6 use reasonably necessary. The County Employer Retirement Expense Fund
7 shall consist of any reduction in a county contribution which would
8 otherwise be required to fund future service retirement benefits or to
9 restore employer accounts or employer cash balance accounts referred to
10 in subsection (1) of this section. On July 1, 2012, or as soon as
11 practicable thereafter, any money in the County Employer Retirement
12 Expense Fund shall be transferred by the State Treasurer to the County
13 Employees Retirement Fund and credited to the cash balance benefit
14 established in section 23-2308.01.

15 (4) Prior to July 1, 2012, expenses incurred as a result of a county
16 depositing amounts into the County Employer Retirement Expense Fund shall
17 be deducted prior to any additional expenses being allocated. Any
18 remaining amount shall be allocated in accordance with subsection (3) of
19 this section. Any money in the County Employer Retirement Expense Fund
20 available for investment shall be invested by the state investment
21 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
22 State Funds Investment Act. Any investment earnings from investment of
23 money in the fund shall be credited to the fund.

24 Sec. 19. Section 28-1246, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 28-1246 (1) It shall be unlawful for any person to sell, hold for
27 sale, or offer for sale as a distributor, jobber, or retailer any
28 fireworks in this state unless such person has first obtained a license
29 as a distributor, jobber, or retailer. Application for each such license
30 shall be made to the State Fire Marshal on forms prescribed by him or
31 her. Each application shall be accompanied by the required fee, which fee

1 shall be determined by the State Fire Marshal ~~five hundred dollars for a~~
2 ~~distributor's license, two hundred dollars for a jobber's license, and~~
3 ~~twenty-five dollars for a retailer's license.~~ Each application for a
4 retailer's license shall be received by the State Fire Marshal at least
5 ten business days prior to the sales period, as set forth in section
6 28-1249, in which the retailer wishes to sell consumer fireworks. A
7 retailer's license shall be good only for the specific sales period
8 listed on the application and within the calendar year in which issued.
9 The retailer's license shall at all times be displayed at the place of
10 business of the holder thereof.

11 (2) The funds received pursuant to this section shall be remitted to
12 the State Treasurer for credit to the State Fire Marshal Cash Fund.

13 Sec. 20. Section 28-1251, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 28-1251 (1) It shall be unlawful for any person, association,
16 partnership, limited liability company, or corporation to conduct fire
17 alarm tests and fire alarm inspections without prior written
18 certification by the State Fire Marshal as to the qualifications of such
19 persons conducting such tests and inspections.

20 (2) The State Fire Marshal shall formulate reasonable guidelines to
21 determine qualifications for fire alarm inspectors and shall administer
22 an examination pursuant to such guidelines prior to certification of
23 applicants.

24 (3) The State Fire Marshal may charge a fee ~~of one hundred dollars~~
25 to cover costs of administering such examinations.

26 (4) Unlawful testing or inspection of fire alarms is a Class III
27 misdemeanor.

28 Sec. 21. Section 37-323, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 37-323 (1) The secretary of the commission shall remit to the State
31 Treasurer all tax money and other funds received by him or her and shall

1 take the receipt of the treasurer therefor. The State Treasurer shall
2 credit such funds to the State Game Fund except as otherwise provided in
3 the Game Law.

4 (2) The State Game Fund is created. Any money in the State Game Fund
5 available for investment shall be invested by the state investment
6 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
7 State Funds Investment Act. Any investment earnings from investment of
8 money in the fund shall be credited to the fund.

9 (3) County clerks, other county officials, and the secretary of the
10 commission shall be liable upon their official bonds for failure to pay
11 over any of such funds coming into their hands. Any other agent who
12 receives permit fees under the Game Law or the rules and regulations of
13 the commission and who fails to remit the fees to the commission within a
14 reasonable time after demand by the commission shall be liable to the
15 commission in damages for double the amount of the funds wrongfully
16 withheld. Any agent who purposefully fails to remit such fees with the
17 intention of converting them is guilty of theft. The penalty for such
18 violation shall be determined by the amount converted as specified in
19 section 28-518.

20 Sec. 22. Section 37-327.01, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 37-327.01 (1) The Game Law Investigation Cash Fund is created. The
23 commission shall use the fund for the purpose of obtaining evidence for
24 enforcement of the Game Law. The fund shall be funded through revenue
25 collected under the Game Law and budgeted or allocated to the fund by the
26 commission, and through donations from persons, wildlife groups, and
27 other charitable sources. Any money in the fund available for investment
28 shall be invested by the state investment officer pursuant to the
29 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
30 Act. Any investment earnings from investment of money in the fund shall
31 be credited to the fund.

1 (2) For the purpose of establishing and maintaining legislative
2 oversight and accountability, the commission shall formulate record-
3 keeping procedures for all expenditures, disbursements, and transfers of
4 cash from the Game Law Investigation Cash Fund. Based on these record-
5 keeping procedures, the commission shall prepare and deliver
6 electronically to the Clerk of the Legislature by September 15 of each
7 year a detailed report of the previous fiscal year which includes, but is
8 not limited to: (a) The June 30 balance in the Game Law Investigation
9 Cash Fund and the amounts delivered to the commission for distribution to
10 agents and informants; (b) the total amount of expenditures; (c) the
11 purpose of the expenditures including: (i) Salaries and any expenses of
12 all agents and informants; (ii) front money for wildlife purchases; (iii)
13 type of wildlife and amount purchased; and (iv) amount of front money
14 recovered; (d) the total number of informants on payroll; and (e) the
15 results procured through such transactions. Each member of the
16 Legislature shall receive an electronic copy of such report by making a
17 request for it to the secretary of the commission.

18 (3) The commission shall adopt and promulgate rules and regulations
19 to carry out this section.

20 Sec. 23. Section 37-431, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 37-431 (1)(a) The Nebraska Habitat Fund is created. The commission
23 shall remit fees received for annual and multiple-year habitat stamps and
24 annual and multiple-year Nebraska migratory waterfowl stamps to the State
25 Treasurer for credit to the Nebraska Habitat Fund. Any money in the fund
26 available for investment shall be invested by the state investment
27 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
28 State Funds Investment Act. Up to twenty-five percent of the annual
29 receipts of the fund may be spent by the commission to provide access to
30 private wildlife lands and habitat areas, and the remainder of the fund
31 shall not be spent until the commission has presented a habitat plan to

1 the Committee on Appropriations of the Legislature for its approval.

2 (b) Fees received for lifetime habitat stamps and lifetime Nebraska
3 migratory waterfowl stamps under the Game Law shall be credited to the
4 Nebraska Habitat Fund. Twenty-five percent of the fees for such stamps
5 shall not be expended but may be invested by the state investment officer
6 pursuant to the Nebraska Capital Expansion Act and the Nebraska State
7 Funds Investment Act. Any investment earnings from investment of money in
8 the fund shall be credited to the fund. Income from such investments may
9 be expended by the commission pursuant to section 37-432.

10 (2)(a) The Nebraska Aquatic Habitat Fund is created. The commission
11 shall remit fees received for annual and multiple-year aquatic habitat
12 stamps and one dollar of the one-day fishing permit fee as provided in
13 section 37-426 to the State Treasurer for credit to the Nebraska Aquatic
14 Habitat Fund. Any money in the fund available for investment shall be
15 invested by the state investment officer pursuant to the Nebraska Capital
16 Expansion Act and the Nebraska State Funds Investment Act. Up to thirty
17 percent of the annual receipts of the fund may be spent by the commission
18 to provide public waters angler access enhancements and to provide
19 funding for the administration of programs related to aquatic habitat and
20 public waters angler access enhancements, and the remainder of the fund
21 shall not be spent until the commission has presented a habitat plan to
22 the Committee on Appropriations and the Committee on Natural Resources of
23 the Legislature for their approval.

24 (b) Fees received for lifetime aquatic habitat stamps shall be
25 credited to the Nebraska Aquatic Habitat Fund and shall not be expended
26 but may be invested by the state investment officer pursuant to the
27 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
28 Act. Any investment earnings from investment of money in the fund shall
29 be credited to the fund. Income from such investments may be expended by
30 the commission pursuant to section 37-432.

31 (3) The secretary of the commission and any county clerk or public

1 official designated to sell habitat stamps, aquatic habitat stamps, or
2 Nebraska migratory waterfowl stamps shall be liable upon their official
3 bonds or equivalent commercial insurance policy for failure to remit the
4 money from the sale of the stamps, as required by sections 37-426 to
5 37-433, coming into their hands. Any agent who receives stamp fees and
6 who fails to remit the fees to the commission within a reasonable time
7 after demand by the commission shall be liable to the commission in
8 damages for double the amount of the funds wrongfully withheld. Any agent
9 who purposefully fails to remit such fees with the intention of
10 converting them is guilty of theft. The penalty for such violation shall
11 be determined by the amount converted as specified in section 28-518.

12 Sec. 24. Section 37-811, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 37-811 There is hereby created the Wildlife Conservation Fund. The
15 fund shall be used to assist in carrying out the Nongame and Endangered
16 Species Conservation Act, to pay for research into and management of the
17 ecological effects of the release, importation, commercial exploitation,
18 and exportation of wildlife species pursuant to section 37-548, and to
19 pay any expenses incurred by the Department of Revenue or any other
20 agency in the administration of the income tax designation program
21 required by section 77-27,119.01. The fund shall consist of money
22 credited pursuant to section 60-3,238 and any other money as determined
23 by the Legislature. The fund shall also consist of money transferred from
24 the General Fund by the State Treasurer in an amount to be determined by
25 the Tax Commissioner which shall be equal to the total amount of
26 contributions designated pursuant to section 77-27,119.01. Any money in
27 the Wildlife Conservation Fund available for investment shall be invested
28 by the state investment officer pursuant to the Nebraska Capital
29 Expansion Act and the Nebraska State Funds Investment Act. Any investment
30 earnings from investment of money in the fund shall be credited to the
31 fund.

1 Sec. 25. Section 37-1804, Revised Statutes Supplement, 2023, as
2 amended by Laws 2024, LB1413, section 34, is amended to read:

3 37-1804 (1) The Water Recreation Enhancement Fund is created. The
4 fund shall be administered by the Game and Parks Commission. The State
5 Treasurer shall credit to the fund any money transferred to the fund by
6 the Legislature and such donations, gifts, bequests, or other money
7 received from any federal or state agency or public or private source.
8 Except as otherwise provided in subsection (2) ~~subsections (2) and (3)~~ of
9 this section, the fund shall be used for water and recreational projects
10 pursuant to the Water Recreation Enhancement Act. Transfers may be made
11 from the fund to the General Fund at the direction of the Legislature.
12 Any money in the Water Recreation Enhancement Fund available for
13 investment shall be invested by the state investment officer pursuant to
14 the Nebraska Capital Expansion Act and the Nebraska State Funds
15 Investment Act. ~~Any investment earnings from investment of money in the~~
16 ~~fund shall be credited to the fund.~~

17 ~~(2) For any amount credited to the fund from a source other than a~~
18 ~~transfer authorized by the Legislature, the State Treasurer shall~~
19 ~~transfer an equal amount from the Water Recreation Enhancement Fund to~~
20 ~~the Jobs and Economic Development Initiative Fund at the end of the~~
21 ~~fiscal year in which such funds were credited, on such dates as directed~~
22 ~~by the budget administrator of the budget division of the Department of~~
23 ~~Administrative Services to be used pursuant to section 61-405.~~

24 (2) ~~(3)~~ Transfers may be made from the investment earnings in the
25 Water Recreation Enhancement Fund to the Panhandle Improvement Project
26 Cash Fund at the direction of the Legislature. ~~The State Treasurer shall~~
27 ~~transfer one million dollars on July 1, 2023, or as soon thereafter as~~
28 ~~administratively possible, from the Water Recreation Enhancement Fund to~~
29 ~~the Panhandle Improvement Project Cash Fund.~~

30 Sec. 26. Section 43-3718, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 43-3718 The Court Appointed Special Advocate Fund is created. The
2 fund shall be under the control of the Supreme Court and administered by
3 the State Court Administrator. The fund shall be used for grants as
4 provided in section 43-3719. The fund shall consist of transfers, grants,
5 donations, gifts, devises, and bequests. Any money in the fund available
6 for investment shall be invested by the state investment officer pursuant
7 to the Nebraska Capital Expansion Act and the Nebraska State Funds
8 Investment Act. ~~Interest earned shall be credited back to the fund.~~

9 Sec. 27. Section 44-116, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 44-116 (1) All money collected by the Department of Insurance for
12 examination of the affairs of domestic, foreign, or alien insurance
13 companies and insurers as defined in and pursuant to the Insurers
14 Examination Act or any other provision of Chapter 44 or for valuing the
15 reserve liabilities of life insurance companies shall be remitted by the
16 department to the State Treasurer for credit to the Department of
17 Insurance Cash Fund, which fund is hereby created. Money in the
18 Department of Insurance Cash Fund may be used for transfers to the
19 General Fund at the direction of the Legislature. Any money in the
20 Department of Insurance Cash Fund available for investment shall be
21 invested by the state investment officer pursuant to the Nebraska Capital
22 Expansion Act and the Nebraska State Funds Investment Act. Any investment
23 earnings from investment of money in the fund shall be credited to the
24 fund.

25 (2) The State Treasurer shall transfer fourteen million dollars from
26 the Department of Insurance Cash Fund to the General Fund on or before
27 June 30, 2026, on such dates and in such amounts as directed by the
28 budget administrator of the budget division of the Department of
29 Administrative Services. The State Treasurer shall transfer eleven
30 million dollars from the Department of Insurance Cash Fund to the General
31 Fund on or before June 30, 2027, on such dates and in such amounts as

1 directed by the budget administrator of the budget division of the
2 Department of Administrative Services. The State Treasurer shall transfer
3 eleven million dollars from the Department of Insurance Cash Fund to the
4 General Fund on or before June 30, 2028, on such dates and in such
5 amounts as directed by the budget administrator of the budget division of
6 the Department of Administrative Services. The State Treasurer shall
7 transfer eleven million dollars from the Department of Insurance Cash
8 Fund to the General Fund on or before June 30, 2029, on such dates and in
9 such amounts as directed by the budget administrator of the budget
10 division of the Department of Administrative Services.

11 Sec. 28. Section 46-1,164, Revised Statutes Supplement, 2023, is
12 amended to read:

13 46-1,164 There is hereby created the Surface Water Irrigation
14 Infrastructure Fund to be administered by the Department of Natural
15 Resources. The fund shall be used to provide grants in accordance with
16 section 46-1,165 to irrigation districts. There shall be a one-time
17 transfer of fifty million dollars from the Cash Reserve Fund to the
18 Surface Water Irrigation Infrastructure Fund to carry out the purposes of
19 section 46-1,165. Any money in the Surface Water Irrigation
20 Infrastructure Fund available for investment shall be invested by the
21 state investment officer pursuant to the Nebraska Capital Expansion Act
22 and the Nebraska State Funds Investment Act. ~~Investment earnings from~~
23 ~~investment of money in the fund shall be credited to the fund.~~

24 Sec. 29. Section 54-627, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 54-627 (1) A person shall not operate as a commercial dog or cat
27 breeder, a dealer, a boarding kennel, an animal control facility, an
28 animal shelter, an animal rescue, or a pet shop unless the person obtains
29 the appropriate license. A pet shop shall only be subject to the
30 Commercial Dog and Cat Operator Inspection Act and the rules and
31 regulations adopted and promulgated pursuant thereto in any area or areas

1 of the establishment used for the keeping and selling of pet animals. If
2 a facility listed in this subsection is not located at the owner's
3 residence, the name and address of the owner shall be posted on the
4 premises.

5 (2) An applicant for a license shall submit an application for the
6 appropriate license to the department, on a form prescribed by the
7 department, together with a one-time license fee of one hundred twenty-
8 five dollars. Such fee is nonreturnable. Any license issued on or before
9 November 30, 2015, shall remain valid after expiration unless it lapses
10 pursuant to this section, is revoked pursuant to section 54-631, or is
11 voluntarily surrendered. Upon receipt of an application and the license
12 fee and upon completion of a qualifying inspection, the appropriate
13 license may be issued by the department. The department may enter the
14 premises of any applicant for a license to determine if the applicant
15 meets the requirements for licensure under the act. If an applicant does
16 not at the time of inspection harbor any dogs or cats, the inspection
17 shall be of the applicant's records and the planned housing facilities.
18 Such license shall not be transferable to another person or location and
19 shall lapse automatically upon a change of ownership or location.

20 (3)(a) In addition to the license fee required in subsection (2) of
21 this section, an annual fee shall also be charged. Except as otherwise
22 provided in this subsection, the annual fee shall be determined according
23 to the following fee schedule based upon the daily average number of dogs
24 or cats harbored by the licensee over the previous twelve-month period:

- 25 (i) Ten or fewer dogs or cats, one hundred seventy-five dollars;
- 26 (ii) Eleven to fifty dogs or cats, two hundred twenty-five dollars;
- 27 (iii) Fifty-one to one hundred dogs or cats, two hundred seventy-
28 five dollars;
- 29 (iv) One hundred one to one hundred fifty dogs or cats, three
30 hundred twenty-five dollars;
- 31 (v) One hundred fifty-one to two hundred dogs or cats, three hundred

1 seventy-five dollars;

2 (vi) Two hundred one to two hundred fifty dogs or cats, four hundred
3 twenty-five dollars;

4 (vii) Two hundred fifty-one to three hundred dogs or cats, four
5 hundred seventy-five dollars;

6 (viii) Three hundred one to three hundred fifty dogs or cats, five
7 hundred twenty-five dollars;

8 (ix) Three hundred fifty-one to four hundred dogs or cats, five
9 hundred seventy-five dollars;

10 (x) Four hundred one to four hundred fifty dogs or cats, six hundred
11 twenty-five dollars;

12 (xi) Four hundred fifty-one to five hundred dogs or cats, six
13 hundred seventy-five dollars; and

14 (xii) More than five hundred dogs or cats, two thousand one hundred
15 dollars.

16 (b) If a person operates with more than one type of license at the
17 same location, the person shall pay only one annual fee based on the
18 primary licensed activity occurring at that location as determined by the
19 number of dogs or cats affected by the licensed activity.

20 (c) The annual fee for a licensee that does not own or harbor dogs
21 or cats shall be one hundred fifty dollars.

22 (d) The annual fee for an animal rescue shall be one hundred fifty
23 dollars.

24 (e) The annual fee for a commercial dog or cat breeder shall be
25 determined according to the fee schedule set forth in subdivision (a) of
26 this subsection based upon the total number of breeding dogs or cats
27 owned or harbored by the commercial breeder over the previous twelve-
28 month period.

29 (f) In addition to the fee as prescribed in the fee schedule set
30 forth in subdivision (a) of this subsection, the annual fee for a
31 commercial dog or cat breeder, pet shop, dealer, or boarding kennel shall

1 include a fee of two dollars times the daily average number of dogs or
2 cats owned or harbored by the licensee over the previous twelve-month
3 period numbering more than ten dogs or cats subject to subdivision (g) of
4 this subsection.

5 (g) The director may increase or decrease fees each year. The fees
6 shall be determined by increasing or decreasing annually by the
7 percentage difference between the Consumer Price Index for the most
8 recent year ending before the beginning of such year and the Consumer
9 Price Index for the year 1989 or as required to pay all reasonable direct
10 and indirect costs of administering the Commercial Dog and Cat Operator
11 Inspection Act. For purposes of this section, Consumer Price Index means
12 the change in the price of goods and services for all urban consumers
13 published by the United States Department of Labor at the close of the
14 twelve-month period ending on August 31 of each year ~~The fees charged~~
15 ~~under subdivision (a) of this subsection may be increased or decreased by~~
16 ~~rule and regulation as adopted and promulgated by the department, but the~~
17 ~~maximum fee that may be charged shall not result in a fee for any license~~
18 ~~category that exceeds the annual fee set forth in subdivision (a) of this~~
19 ~~subsection by more than one hundred dollars. The fee charged under~~
20 ~~subdivision (f) of this subsection may be increased or decreased by rule~~
21 ~~and regulation as adopted and promulgated by the department, but such fee~~
22 ~~shall not exceed three dollars times the number of dogs or cats harbored~~
23 ~~by the licensee over the previous twelve-month period numbering more than~~
24 ~~ten dogs or cats.~~

25 (4) A commercial dog or cat breeder, dealer, boarding kennel, or pet
26 shop shall pay the annual fee to the department on or before April 1 of
27 each year. An animal control facility, animal rescue, or animal shelter
28 shall pay the annual fee to the department on or before October 1 of each
29 year. Failure to pay the annual fee by the due date shall result in a
30 late fee equal to twenty percent of the annual fee due and payable each
31 month, not to exceed one hundred percent of such fee, in addition to the

1 annual fee. The purpose of the late fee is to pay for the administrative
2 costs associated with the collection of fees under this section. The
3 assessment of the late fee shall not prohibit the director from taking
4 any other action as provided in the act.

5 (5) An applicant, a licensee, or a person the department has reason
6 to believe is an operator and required to obtain a license under this
7 section shall make any applicable premises available for inspection
8 pursuant to section 54-628 during normal business hours.

9 (6) The state or any political subdivision of the state which
10 contracts out its animal control duties to a facility not operated by the
11 state or any political subdivision of the state may be exempted from the
12 licensing requirements of this section if such facility is licensed as an
13 animal control facility, animal rescue, or animal shelter for the full
14 term of the contract with the state or its political subdivision.

15 (7) Any fees collected pursuant to this section shall be remitted to
16 the State Treasurer for credit to the Commercial Dog and Cat Operator
17 Inspection Program Cash Fund.

18 Sec. 30. Section 54-856, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 54-856 (1) There shall be paid to the director an inspection fee of
21 six and one-half ~~ten~~ cents per ton on all commercial feed distributed in
22 the State of Nebraska, except that the director may increase or decrease
23 the fee each year. The fee shall be determined by increasing or
24 decreasing annually by the percentage difference between the Consumer
25 Price Index for the most recent year ending before the beginning of such
26 year and the Consumer Price Index for the year 1989 or as required to pay
27 all reasonable direct and indirect costs of administering the Commercial
28 Feed Act. For purposes of this section, Consumer Price Index means the
29 change in the price of goods and services for all urban consumers
30 published by the United States Department of Labor at the close of the
31 twelve-month period ending on August 31 of each year during the six-month

1 ~~period following January 1, 1987. After the first six months of~~
2 ~~operation, the fee may be raised or lowered by the director after a~~
3 ~~public hearing is held outlining the reason for any proposed change in~~
4 ~~the rate. The maximum rate fixed by the director shall not exceed fifteen~~
5 ~~cents per ton. The inspection fee shall be paid on commercial feed~~
6 ~~distributed by the person whose name appears on the label as the~~
7 ~~manufacturer, guarantor, or distributor, except that a person other than~~
8 ~~the manufacturer, guarantor, or distributor may assume liability for the~~
9 ~~inspection fee, subject to the following:~~

10 (a) No fee shall be paid on a commercial feed if the payment has
11 been made by a previous distributor;

12 (b) No fee shall be paid on customer-formula feed if the inspection
13 fee is paid on the commercial feed which is used as ingredients therein;

14 (c) No fee shall be paid on commercial feed used as ingredients for
15 the manufacture of other commercial feed. If the fee has already been
16 paid, credit shall be given for such payment;

17 (d) In the case of a commercial feed which is distributed in the
18 state only in packages of ten pounds or less, an annual fee fixed by the
19 director, not to exceed twenty-five dollars, shall be paid in lieu of the
20 inspection fee. The annual fee shall be paid not later than the last day
21 of January each year; and

22 (e) The minimum inspection fee shall be five dollars for any six-
23 month reporting period.

24 (2) If the director determines that it is necessary to adjust the
25 rate of the inspection fee being paid to the department, all persons
26 holding a valid license issued pursuant to section 54-850 shall be so
27 notified and shall be given an opportunity to offer comment at a public
28 hearing which shall be required prior to any inspection fee rate change.

29 (3) Each person who is liable for the payment of such fee shall:

30 (a) File, not later than January 31 and July 31 of each year, a
31 semiannual statement setting forth the number of tons of commercial feed

1 distributed in this state during the preceding six-month period, which
2 statement shall cover the periods from July 1 to December 31 and January
3 1 to June 30, and upon filing such statement, pay the inspection fee at
4 the rate specified by this section. Any person who holds a valid license
5 issued pursuant to section 54-850 and whose name appears on the label as
6 the manufacturer, guarantor, or distributor shall file such statement
7 regardless of whether any inspection fee is due. Inspection fees which
8 are due and owing and have not been remitted to the director within
9 fifteen days following the date due shall have an administrative fee of
10 twenty-five percent of the fees due added to the amount due when payment
11 is made, and an additional administrative fee of twenty-five percent of
12 the fees due shall be added if such inspection and administrative fees
13 are not paid within thirty days of the due date. The purpose of the
14 additional administrative fees is to cover the administrative costs
15 associated with collecting fees. All money collected as an additional
16 administrative fee shall be remitted to the State Treasurer for credit to
17 the Commercial Feed Administration Cash Fund. The assessment of this
18 administrative fee shall not prevent the director from taking other
19 actions as provided in the Commercial Feed Act; and

20 (b) Keep such records as may be necessary or required by the
21 director to indicate accurately the tonnage of commercial feed
22 distributed in this state. The director shall have the right to examine
23 such records to verify statements of tonnage. Failure to make an accurate
24 statement, to pay the inspection fee, or to comply as provided in this
25 section shall constitute sufficient cause for the cancellation of all
26 licenses on file.

27 Sec. 31. Section 54-1165, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 54-1165 Every livestock auction market operator shall pay annually,
30 on or before August 1, a market license fee of one hundred fifty dollars
31 to the department for each livestock auction market operated by him or

1 her, except that the director may increase or decrease the fee each year.
2 The fee shall be determined by increasing or decreasing annually by the
3 percentage difference between the Consumer Price Index for the most
4 recent year ending before the beginning of such year and the Consumer
5 Price Index for the year 1989 or as required to pay all reasonable direct
6 and indirect costs of administering the Livestock Auction Market Act. For
7 purposes of this section, Consumer Price Index means the change in the
8 price of goods and services for all urban consumers published by the
9 United States Department of Labor at the close of the twelve-month period
10 ending on August 31 of each year ~~which payment shall constitute a renewal~~
11 ~~for one year.~~ Fees so paid shall be remitted to the State Treasurer for
12 credit to the Livestock Auction Market Fund for the expenses of
13 administration of the Livestock Auction Market Act.

14 Sec. 32. Section 54-1704, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 54-1704 No person as defined in the Nebraska Livestock Dealer
17 Licensing Act as a livestock dealer shall:

18 (1) Engage in the business of buying, selling, or otherwise dealing
19 in livestock in this state without a valid and effective license issued
20 by the Director of Agriculture under the provisions of this section. All
21 applications for a livestock dealer license or renewal of such license
22 shall be made on forms prescribed for that purpose by the State
23 Veterinarian. The department may by rule and regulation prescribe
24 additional information to be contained in such application. The
25 application shall be filed annually with the department on or before
26 October 1 of each year with the applicable fee of fifty dollars, except
27 that the director may increase or decrease the fee each year. The fee
28 shall be determined by increasing or decreasing annually by the
29 percentage difference between the Consumer Price Index for the most
30 recent year ending before the beginning of such year and the Consumer
31 Price Index for the year 1989 or as required to pay all reasonable direct

1 and indirect costs of administering the Nebraska Livestock Dealer
2 Licensing Act. For purposes of this section, Consumer Price Index means
3 the change in the price of goods and services for all urban consumers
4 published by the United States Department of Labor at the close of the
5 twelve-month period ending on August 31 of each year. The license fees
6 collected as provided by the Nebraska Livestock Dealer Licensing Act
7 shall be deposited in the state treasury, and by the State Treasurer
8 placed in the Livestock Auction Market Fund. All money so collected shall
9 be appropriated to the uses of the Department of Agriculture for the
10 purpose of administering the provisions of the Nebraska Livestock Dealer
11 Licensing Act;

12 (2)(a) Engage in the business of buying, selling, or otherwise
13 dealing in livestock in this state without filing with the department, in
14 connection with his or her application for a license, a fully executed
15 duplicate of a valid and effective bond: (i) If he or she is registered
16 and bonded under the provisions of the federal Packers and Stockyards Act
17 of 1921, 7 U.S.C. 181 et seq., he or she shall file a statement in the
18 form prescribed by the department evidencing that he or she is
19 maintaining a valid and effective bond or its equivalent under such act;
20 or (ii) if he or she is not registered and bonded under the provisions of
21 the federal Packers and Stockyards Act, he or she shall furnish in
22 connection with his or her application for a license a fully executed
23 duplicate of a valid and effective bond in the amount of five thousand
24 dollars or such larger amount as may be specified by regulations
25 promulgated by the department.

26 (b) The bond shall contain the following conditions: (i) That the
27 principal shall pay when due to the person or persons entitled thereto
28 the purchase price of all livestock purchased by such principal for his
29 or her own account or for the accounts of others and such principal shall
30 safely keep and properly disburse all funds, if any, which come into his
31 or her hands for the purpose of paying for livestock purchased for the

1 accounts of others; (ii) that any person damaged by failure of the
2 principal to comply with the condition clause of the bond may maintain
3 suit to recover on the bond; and (iii) that at least thirty days' notice
4 in writing shall be given to the department by the party terminating the
5 bond; or

6 (3) Continue in the business of a dealer after his or her license or
7 bond has expired, or has been suspended or revoked.

8 Sec. 33. Section 54-1904, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 54-1904 It shall be unlawful for any person to operate or maintain
11 any establishment unless first licensed by the department. A license may
12 be obtained by application to the director upon forms prescribed by him
13 or her for that purpose. The license shall authorize and restrict the
14 licensee to the operation or operations requested in his or her
15 application and approved by the director.

16 Application for a livestock establishment or a poultry establishment
17 license shall be accompanied by a fee of fifty dollars for each
18 establishment, and a .—A license application for a rendering
19 establishment or for a pet feed establishment shall be accompanied by a
20 fee of three hundred dollars for each establishment, except that the
21 director may increase or decrease such fees each year. The fees shall be
22 determined by increasing or decreasing annually by the percentage
23 difference between the Consumer Price Index for the most recent year
24 ending before the beginning of such year and the Consumer Price Index for
25 the year 1989 or as required to pay all reasonable direct and indirect
26 costs of administering the Nebraska Meat and Poultry Inspection Law. For
27 purposes of this section, Consumer Price Index means the change in the
28 price of goods and services for all urban consumers published by the
29 United States Department of Labor at the close of the twelve-month period
30 ending on August 31 of each year. Such fee shall be deposited in the
31 state treasury and deposited in the Livestock Auction Market Fund.

1 No license shall be issued until an inspection of the facilities
2 described in the license application is completed showing the proposed
3 facilities to be in conformity with the Nebraska Meat and Poultry
4 Inspection Law and the rules and regulations adopted and promulgated
5 thereunder by the director.

6 Licenses shall be renewable annually on or before their expiration.
7 No license shall be transferable with respect to licensee or location.
8 The renewal fee shall be the same as the application fee for each
9 license.

10 Each license shall by order be summarily suspended whenever an
11 inspection reveals that conditions in any establishment constitute a
12 menace to the public health and shall remain suspended until such
13 conditions are corrected, subject to review by the department and courts
14 as is provided for in the Nebraska Meat and Poultry Inspection Law.

15 In addition, the director may, upon ten days' notice in writing,
16 suspend or revoke any license issued hereunder or refuse to renew the
17 same for violation of any of the provisions of the Nebraska Meat and
18 Poultry Inspection Law or any rule or regulation duly adopted and
19 promulgated by the director. The notice shall specify in writing the
20 charges relied on, and the hearings, disposition, and court review shall
21 be as prescribed by the Nebraska Meat and Poultry Inspection Law.

22 Sec. 34. Section 54-2306, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 54-2306 (1) On and after August 1, 1999, any person required to
25 obtain a permit under section 54-2305 shall file an application with the
26 department in the manner established by the department. Such application
27 shall include:

28 (a) The name, residence, and place of business of the applicant;

29 (b) The exact description of the land upon which the domesticated
30 cervine animal facility is to be located and the nature of the
31 applicant's title to the land, whether in fee or under lease; and

1 (c) The kind and number of domesticated cervine animals authorized
2 to be kept or reared in such facility.

3 (2) The department may by rule and regulation prescribe additional
4 information to be contained in such application. The application shall be
5 filed annually with the department on or before October 1 of each year.
6 The annual fee for a domesticated cervine animal facility permit shall be be
7 two dollars and fifty cents per animal twelve months of age or older,
8 except that the director may increase or decrease the fee each year. The
9 fee shall be determined by increasing or decreasing annually by the
10 percentage difference between the Consumer Price Index for the most
11 recent year ending before the beginning of such year and the Consumer
12 Price Index for the year 1989 or as required to pay all reasonable direct
13 and indirect costs of administering the Domesticated Cervine Animal Act.
14 For purposes of this section, Consumer Price Index means the change in
15 the price of goods and services for all urban consumers published by the
16 United States Department of Labor at the close of the twelve-month period
17 ending on August 31 of each year not be less than ten dollars nor more
18 than two hundred dollars, as established by the department.

19 (3) Permittees not filing by October 1 shall be considered
20 delinquent. The department may assess an administrative fee for
21 delinquency, not to exceed one hundred dollars per month or a portion of
22 a month, in addition to the permit fees. The purpose of the additional
23 administrative fee is to cover the administrative costs associated with
24 collecting fees. Such permits shall expire on December 31 of the year of
25 issuance.

26 Sec. 35. Section 61-218, Revised Statutes Supplement, 2023, as
27 amended by Laws 2024, LB1368, section 9, is amended to read:

28 61-218 (1) The Water Resources Cash Fund is created. The fund shall
29 be administered by the Department of Natural Resources. Any money in the
30 fund available for investment shall be invested by the state investment
31 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska

1 State Funds Investment Act.

2 (2) The State Treasurer shall credit to the fund such money as is
3 (a) transferred to the fund by the Legislature, (b) paid to the state as
4 fees, deposits, payments, and repayments relating to the fund, both
5 principal and interest, (c) donated as gifts, bequests, or other
6 contributions to such fund from public or private entities, (d) made
7 available by any department or agency of the United States if so directed
8 by such department or agency, (e) allocated pursuant to section
9 81-15,175, and (f) received by the state for settlement of claims
10 relating to interstate river compacts or decrees regarding Colorado's
11 past use of water under the Republican River Compact.

12 (3)(a) ~~(3)~~ The fund shall be expended by the department in any area
13 that has adopted an integrated management plan as provided in section
14 46-715.

15 (b) The fund shall be used in any such area:

16 (i) To ~~(a) to~~ aid management actions taken to reduce consumptive
17 uses of water;

18 (ii) To ~~or to~~ enhance streamflows or ground water recharge;

19 (iii) For any other activity deemed necessary by the department in
20 the development and implementation of an integrated management plan;

21 (iv) For purposes of the Resilient Soils and Water Quality Act; or

22 (v) For ~~in river basins, subbasins, or reaches which are deemed by~~
23 ~~the department overappropriated pursuant to section 46-713 or fully~~
24 ~~appropriated pursuant to section 46-714 or are bound by an interstate~~
25 ~~compact or decree or a formal state contract or agreement, (b) for~~
26 purposes of projects or proposals described in the grant application as
27 set forth in subdivision (2)(h) of section 81-15,175.

28 (c) To ~~, and (c) to~~ the extent funds are not expended pursuant to
29 subdivision ~~subdivisions (a) and (b) of this subsection,~~ the department
30 may conduct a statewide assessment of short-term and long-term water
31 management activities and funding needs to meet statutory requirements in

1 sections 46-713 to 46-718 and 46-739 and any requirements of an
2 interstate compact or decree or formal state contract or agreement.

3 (d) The fund shall not be used to pay for administrative expenses or
4 any salaries for ~~the department~~ or any political subdivision.

5 (4) It is the intent of the Legislature that three million three
6 hundred thousand dollars be transferred each fiscal year from the General
7 Fund to the Water Resources Cash Fund for FY2011-12 through FY2022-23,
8 except that for FY2012-13 it is the intent of the Legislature that four
9 million seven hundred thousand dollars be transferred from the General
10 Fund to the Water Resources Cash Fund. It is the intent of the
11 Legislature that the State Treasurer credit any money received from any
12 Republican River Compact settlement to the Water Resources Cash Fund in
13 the fiscal year in which it is received.

14 (5)(a) Expenditures from the Water Resources Cash Fund may be made
15 to natural resources districts eligible under subsection (3) of this
16 section for activities to either achieve a sustainable balance of
17 consumptive water uses or assure compliance with an interstate compact or
18 decree or a formal state contract or agreement and shall require a match
19 of local funding in an amount equal to or greater than forty percent of
20 the total cost of carrying out the eligible activity. The department
21 shall, no later than August 1 of each year, beginning in 2007, determine
22 the amount of funding that will be made available to natural resources
23 districts from the Water Resources Cash Fund and notify natural resources
24 districts of this determination. The department shall adopt and
25 promulgate rules and regulations governing application for and use of the
26 Water Resources Cash Fund by natural resources districts. Such rules and
27 regulations shall, at a minimum, include the following components:

28 (i) Require an explanation of how the planned activity will achieve
29 a sustainable balance of consumptive water uses or will assure compliance
30 with an interstate compact or decree or a formal state contract or
31 agreement as required by section 46-715 and the controls, rules, and

1 regulations designed to carry out the activity; and

2 (ii) A schedule of implementation of the activity or its components,
3 including the local match as set forth in subdivision (5)(a) of this
4 section.

5 (b) Any natural resources district that fails to implement and
6 enforce its controls, rules, and regulations as required by section
7 46-715 shall not be eligible for funding from the Water Resources Cash
8 Fund until it is determined by the department that compliance with the
9 provisions required by section 46-715 has been established.

10 (6) The Department of Natural Resources shall submit electronically
11 an annual report to the Legislature no later than October 1 of each year,
12 beginning in the year 2007, that shall detail the use of the Water
13 Resources Cash Fund in the previous year. The report shall provide:

14 (a) Details regarding the use and cost of activities carried out by
15 the department; and

16 (b) Details regarding the use and cost of activities carried out by
17 each natural resources district that received funds from the Water
18 Resources Cash Fund.

19 (7)(a) Prior to the application deadline for fiscal year 2011-12,
20 the Department of Natural Resources shall apply for a grant of nine
21 million nine hundred thousand dollars from the Nebraska Environmental
22 Trust Fund, to be paid out in three annual installments of three million
23 three hundred thousand dollars. The purposes listed in the grant
24 application shall be consistent with the uses of the Water Resources Cash
25 Fund provided in this section and shall be used to aid management actions
26 taken to reduce consumptive uses of water, to enhance streamflows, to
27 recharge ground water, or to support wildlife habitat in any river basin
28 determined to be fully appropriated pursuant to section 46-714 or
29 designated as overappropriated pursuant to section 46-713.

30 (b) If the application is granted, funds received from such grant
31 shall be remitted to the State Treasurer for credit to the Water

1 Resources Cash Fund for the purpose of supporting the projects set forth
2 in the grant application. The department shall include in its grant
3 application documentation that the Legislature has authorized a transfer
4 of three million three hundred thousand dollars from the General Fund
5 into the Water Resources Cash Fund for each of fiscal years 2011-12 and
6 2012-13 and has stated its intent to transfer three million three hundred
7 thousand dollars to the Water Resources Cash Fund for fiscal year
8 2013-14.

9 (c) It is the intent of the Legislature that the department apply
10 for an additional three-year grant that would begin in fiscal year
11 2014-15, an additional three-year grant from the Nebraska Environmental
12 Trust Fund that would begin in fiscal year 2017-18, and an additional
13 three-year grant from the Nebraska Environmental Trust Fund that would
14 begin in fiscal year 2020-21 if the criteria established in subsection
15 (4) of section 81-15,175 are achieved.

16 (8) The department shall establish a subaccount within the Water
17 Resources Cash Fund for the accounting of all money received as a grant
18 from the Nebraska Environmental Trust Fund as the result of an
19 application made pursuant to subsection (7) of this section. At the end
20 of each calendar month, the department shall calculate the amount of
21 interest earnings accruing to the subaccount and shall notify the State
22 Treasurer who shall then transfer a like amount from the Water Resources
23 Cash Fund to the Nebraska Environmental Trust Fund.

24 (9) Any funds transferred from the Nebraska Environmental Trust Fund
25 to the Water Resources Cash Fund shall be expended in accordance with
26 section 81-15,168.

27 (10) The State Treasurer shall transfer one million dollars from the
28 Water Resources Cash Fund to the Nitrogen Reduction Incentive Cash Fund
29 as soon as administratively possible after the effective date of this
30 act, but before June 30, 2025, on such dates and in such amounts as
31 directed by the budget administrator of the budget division of the

1 Department of Administrative Services.

2 Sec. 36. Section 61-222, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 61-222 The Water Sustainability Fund is created in the Department of
5 Natural Resources. The fund shall be used in accordance with the
6 provisions established in sections 2-1506 to 2-1513 and for costs
7 directly related to the administration of the fund. The Legislature shall
8 not appropriate or transfer money from the Water Sustainability Fund for
9 any other purpose, except that transfers may be made from the Water
10 Sustainability Fund to the Department of Natural Resources Cash Fund and
11 as a one-time transfer to the General Fund as described in this section.

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

22 It is the intent of the Legislature that twenty-one million dollars
23 be transferred from the General Fund to the Water Sustainability Fund in
24 fiscal year 2014-15 and that eleven million dollars be transferred from
25 the General Fund to the Water Sustainability Fund each fiscal year
26 beginning in fiscal year 2015-16.

27 The State Treasurer shall transfer one hundred seventy-five thousand
28 dollars from the Water Sustainability Fund to the Department of Natural
29 Resources Cash Fund on or before June 30, 2021, on such dates and in such
30 amounts as directed by the budget administrator of the budget division of
31 the Department of Administrative Services.

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

11 The State Treasurer shall transfer four hundred seventy-five
12 thousand dollars from the Water Sustainability Fund to the Department of
13 Natural Resources Cash Fund on or before June 30, 2022, on such dates and
14 in such amounts as directed by the budget administrator of the budget
15 division of the Department of Administrative Services.

16 The State Treasurer shall transfer four hundred seventy-five
17 thousand dollars from the Water Sustainability Fund to the Department of
18 Natural Resources Cash Fund on or before June 30, 2023, on such dates and
19 in such amounts as directed by the budget administrator of the budget
20 division of the Department of Administrative Services.

21 Sec. 37. Section 66-1519, Revised Statutes Cumulative Supplement,
22 2022, as amended by Laws 2024, LB867, section 7, is amended to read:

23 66-1519 (1) There is hereby created the Petroleum Release Remedial
24 Action Cash Fund to be administered by the department. Revenue from the
25 following sources shall be remitted to the State Treasurer for credit to
26 the fund:

27 (a) The fees imposed by sections 66-1520 and 66-1521;

28 (b) Money paid under an agreement, stipulation, cost-recovery award
29 under section 66-1529.02, or settlement; and

30 (c) Money received by the department in the form of gifts, grants,
31 reimbursements, property liquidations, or appropriations from any source

1 intended to be used for the purposes of the fund.

2 (2) Money in the fund may be spent for: (a) Reimbursement for the
3 costs of remedial action by a responsible person or his or her designated
4 representative and costs of remedial action undertaken by the department
5 in response to a release first reported after July 17, 1983, and on or
6 before June 30, 2028, including reimbursement for damages caused by the
7 department or a person acting at the department's direction while
8 investigating or inspecting or during remedial action on property other
9 than property on which a release or suspected release has occurred; (b)
10 payment of any amount due from a third-party claim; (c) fee collection
11 expenses incurred by the State Fire Marshal; (d) direct expenses incurred
12 by the department in carrying out the Petroleum Release Remedial Action
13 Act; (e) other costs related to fixtures and tangible personal property
14 as provided in section 66-1529.01; (f) interest payments as allowed by
15 section 66-1524; (g) claims approved by the State Claims Board authorized
16 under section 66-1531; (h) the direct and indirect costs incurred by the
17 department in responding to spills and other environmental emergencies
18 related to petroleum or petroleum products; and (i) up to one million
19 five hundred thousand dollars each fiscal year of the department's cost-
20 share obligations and operation and maintenance obligations under the
21 federal Comprehensive Environmental Response, Compensation, and Liability
22 Act of 1980, 42 U.S.C. 9601 et seq.

23 (3) Transfers may be made from the Petroleum Release Remedial Action
24 Cash Fund to the Superfund Cost Share Cash Fund at the direction of the
25 Legislature.

26 (4) Any money in the Petroleum Release Remedial Action Cash Fund
27 available for investment shall be invested by the state investment
28 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
29 State Funds Investment Act. ~~Investment earnings on and after the~~
30 ~~operative date of this section shall be credited to the fund.~~

31 Sec. 38. Section 68-1804, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 68-1804 (1) The ICF/DD Reimbursement Protection Fund is created. Any
3 money in the fund available for investment shall be invested by the state
4 investment officer pursuant to the Nebraska Capital Expansion Act and the
5 Nebraska State Funds Investment Act. ~~Interest and income earned by the~~
6 ~~fund shall be credited to the fund.~~

7 (2) Beginning July 1, 2014, the department shall use the ICF/DD
8 Reimbursement Protection Fund, including the matching federal financial
9 participation under Title XIX of the Social Security Act, as amended, for
10 purposes of enhancing rates paid under the medical assistance program to
11 intermediate care facilities for persons with developmental disabilities
12 and for an annual contribution to community-based programs for persons
13 with developmental disabilities as specified in subsection (4) of this
14 section, exclusive of the reimbursement paid under the medical assistance
15 program and any other state appropriations to intermediate care
16 facilities for persons with developmental disabilities.

17 (3) For FY2011-12 through FY2013-14, proceeds from the tax imposed
18 pursuant to section 68-1803 shall be remitted to the State Treasurer for
19 credit to the ICF/DD Reimbursement Protection Fund for allocation as
20 follows:

21 (a) First, fifty-five thousand dollars for administration of the
22 fund;

23 (b) Second, the amount needed to reimburse intermediate care
24 facilities for persons with developmental disabilities for the cost of
25 the tax;

26 (c) Third, three hundred twelve thousand dollars for community-based
27 services for persons with developmental disabilities;

28 (d) Fourth, six hundred thousand dollars or such lesser amount as
29 may be available in the fund for non-state-operated intermediate care
30 facilities for persons with developmental disabilities, in addition to
31 any continuation appropriations percentage increase provided by the

1 Legislature to nongovernmental intermediate care facilities for persons
2 with developmental disabilities under the medical assistance program,
3 subject to approval by the federal Centers for Medicare and Medicaid
4 Services of the department's annual application amending the medicaid
5 state plan reimbursement methodology for intermediate care facilities for
6 persons with developmental disabilities; and

7 (e) Fifth, the remainder of the proceeds to the General Fund.

8 (4) For FY2016-17 and each fiscal year thereafter, the ICF/DD
9 Reimbursement Protection Fund shall be used as follows:

10 (a) First, fifty-five thousand dollars to the department for
11 administration of the fund;

12 (b) Second, payment to the intermediate care facilities for persons
13 with developmental disabilities for the cost of the tax;

14 (c) Third, three hundred twelve thousand dollars, in addition to any
15 federal medicaid matching funds, for payment to providers of community-
16 based services for persons with developmental disabilities;

17 (d) Fourth, one million dollars to the General Fund; and

18 (e) Fifth, rebase rates under the medical assistance program in
19 accordance with the medicaid state plan as defined in section 68-907. In
20 calculating rates, the proceeds of the tax provided for in section
21 68-1803 and not utilized under subdivisions (a), (b), (c), and (d) of
22 this subsection shall be used to enhance rates in non-state-operated
23 intermediate care facilities for persons with developmental disabilities
24 by increasing the annual inflation factor to the extent allowed to ensure
25 federal financial participation for the department's payments to
26 intermediate care facilities for persons with developmental disabilities.

27 (5) The Division of Medicaid and Long-Term Care of the Department of
28 Health and Human Services shall report electronically, no later than
29 December 1 of each year, to the Health and Human Services Committee of
30 the Legislature and the Revenue Committee of the Legislature the amounts
31 collected from each payer of the tax pursuant to section 68-1803 and the

1 amount of each disbursement from the ICF/DD Reimbursement Protection
2 Fund.

3 Sec. 39. Section 71-5318, Revised Statutes Cumulative Supplement,
4 2022, as amended by Laws 2024, LB880, section 1, is amended to read:

5 71-5318 (1) The Drinking Water Facilities Loan Fund is created. The
6 fund shall be held as a trust fund for the purposes and uses described in
7 the Drinking Water State Revolving Fund Act.

8 The fund shall consist of federal capitalization grants, state
9 matching appropriations, proceeds of state match bond issues credited to
10 the fund, repayments of principal and interest on loans, transfers made
11 pursuant to section 71-5327, and other money designated for the fund. The
12 director may make loans from the fund pursuant to the Drinking Water
13 State Revolving Fund Act and may conduct activities related to financial
14 administration of the fund, administration or provision of technical
15 assistance through public water system source water assessment programs,
16 and implementation of a source water petition program under the Safe
17 Drinking Water Act. The state investment officer shall invest any money
18 in the fund available for investment pursuant to the Nebraska Capital
19 Expansion Act and the Nebraska State Funds Investment Act, except that
20 any bond proceeds in the fund shall be invested in accordance with the
21 terms of the documents under which the bonds are issued. The state
22 investment officer may direct that the bond proceeds shall be deposited
23 with the bond trustee for investment. Investment earnings shall be
24 credited to the fund.

25 The department may create or direct the creation of accounts within
26 the fund as the department determines to be appropriate and useful in
27 administering the fund and in providing for the security, investment, and
28 repayment of bonds.

29 The fund and the assets thereof may be used, to the extent permitted
30 by the Safe Drinking Water Act and the regulations adopted and
31 promulgated pursuant to such act, to (a) pay or to secure the payment of

1 bonds and the interest thereon, except that amounts deposited into the
2 fund from state appropriations and the earnings on such appropriations
3 may not be used to pay or to secure the payment of bonds or the interest
4 thereon, and (b) buy or refinance the debt obligation of any municipality
5 for a public water supply system if the debt was incurred and
6 construction began after July 1, 1993.

7 The director may transfer any money in the Drinking Water Facilities
8 Loan Fund to the Wastewater Treatment Facilities Construction Loan Fund
9 to meet the purposes of section 71-5327. The director shall identify any
10 such transfer in the intended use plan presented to the council for
11 annual review and adoption pursuant to section 71-5321.

12 (2) The Land Acquisition and Source Water Loan Fund is created. The
13 fund shall be held as a trust for the purposes and uses described in the
14 Drinking Water State Revolving Fund Act.

15 The fund shall consist of federal capitalization grants, state
16 matching appropriations, proceeds of state match bond issues credited to
17 the fund, repayments of principal and interest on loans, and other money
18 designated for the fund. The director may make loans from the fund
19 pursuant to the Drinking Water State Revolving Fund Act and may conduct
20 activities other than the making of loans permitted under section 1452(k)
21 of the Safe Drinking Water Act. The state investment officer shall invest
22 any money in the fund available for investment pursuant to the Nebraska
23 Capital Expansion Act and the Nebraska State Funds Investment Act, except
24 that any bond proceeds in the fund shall be invested in accordance with
25 the terms of the documents under which the bonds are issued. The state
26 investment officer may direct that the bond proceeds shall be deposited
27 with the bond trustee for investment. Investment earnings shall be
28 credited to the fund.

29 The department may create or direct the creation of accounts within
30 the fund as the department determines to be appropriate and useful in
31 administering the fund and in providing for security, investment, and

1 repayment of bonds.

2 The fund and assets thereof may be used, to the extent permitted by
3 the Safe Drinking Water Act and the regulations adopted and promulgated
4 pursuant to such act, to pay or secure the payment of bonds and the
5 interest thereon, except that amounts credited to the fund from state
6 appropriations and the earnings on such appropriations may not be used to
7 pay or to secure the payment of bonds or the interest thereon.

8 The director may transfer any money in the Land Acquisition and
9 Source Water Loan Fund to the Drinking Water Facilities Loan Fund.

10 (3) There is hereby created the Drinking Water Administration Fund.
11 Any funds available for administering loans or fees collected pursuant to
12 the Drinking Water State Revolving Fund Act shall be remitted to the
13 State Treasurer for credit to such fund. The fund shall be administered
14 by the department for the purposes of the act. The state investment
15 officer shall invest any money in the fund available for investment
16 pursuant to the Nebraska Capital Expansion Act and the Nebraska State
17 Funds Investment Act. ~~Investment earnings shall be credited to the fund.~~

18 The fund and assets thereof may be used, to the extent permitted by
19 the Safe Drinking Water Act and the regulations adopted and promulgated
20 pursuant to such act, to fund subdivisions (9), (11), and (12) of section
21 71-5322. The annual obligation of the state pursuant to subdivisions (9)
22 and (12) of section 71-5322 shall not exceed sixty-five percent of the
23 revenue from administrative fees collected pursuant to section 71-5321 in
24 the prior fiscal year.

25 The director may transfer any money in the Drinking Water
26 Administration Fund to the Drinking Water Facilities Loan Fund to meet
27 the state matching appropriation requirements of any applicable federal
28 capitalization grants or to meet the purposes of subdivision (9) of
29 section 71-5322.

30 Sec. 40. Section 72-1248, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 72-1248 ~~Except as otherwise provided by law, interest~~ Interest,
2 premium, and other income received from investments pursuant to sections
3 72-1244 and 72-1267 shall be credited to the General Fund for cash funds
4 and revolving funds as so designated by the Accounting Administrator of
5 the accounting division of the Department of Administrative Services and
6 to the fund from which the investment was made for all other fund types
7 as so designated by the Accounting Administrator of the accounting
8 division of the Department of Administrative Services ~~except as otherwise~~
9 ~~provided by law.~~

10 Sec. 41. Section 77-4025, Revised Statutes Supplement, 2023, as
11 amended by Laws 2024, LB1204, section 36, is amended to read:

12 77-4025 (1) There is hereby created a cash fund in the Department of
13 Revenue to be known as the Tobacco Products Administration Cash Fund. All
14 revenue collected or received by the Tax Commissioner from the license
15 fees, certification fees, and taxes imposed by the Tobacco Products Tax
16 Act shall be remitted to the State Treasurer for credit to the Tobacco
17 Products Administration Cash Fund, except that all such revenue relating
18 to electronic nicotine delivery systems shall be remitted to the State
19 Treasurer for credit to the General Fund.

20 (2) All costs required for administration of the Tobacco Products
21 Tax Act shall be paid from the Tobacco Products Administration Cash Fund.
22 Credits and refunds allowed under the act shall be paid from the Tobacco
23 Products Administration Cash Fund. Any receipts, after credits and
24 refunds, in excess of the amounts sufficient to cover the costs of
25 administration may be transferred to the General Fund at the direction of
26 the Legislature.

27 (3) The State Treasurer shall transfer nine million dollars from the
28 Tobacco Products Administration Cash Fund to the General Fund on or
29 before June 30, 2026, on such dates and in such amounts as directed by
30 the budget administrator of the budget division of the Department of
31 Administrative Services. The State Treasurer shall transfer nine million

1 dollars from the Tobacco Products Administration Cash Fund to the General
2 Fund on or before June 30, 2027, on such dates and in such amounts as
3 directed by the budget administrator of the budget division of the
4 Department of Administrative Services. The State Treasurer shall transfer
5 nine million dollars from the Tobacco Products Administration Cash Fund
6 to the General Fund on or before June 30, 2028, on such dates and in such
7 amounts as directed by the budget administrator of the budget division of
8 the Department of Administrative Services. The State Treasurer shall
9 transfer nine million dollars from the Tobacco Products Administration
10 Cash Fund to the General Fund on or before June 30, 2029, on such dates
11 and in such amounts as directed by the budget administrator of the budget
12 division of the Department of Administrative Services.

13 (4) ~~(3)~~ Any money in the Tobacco Products Administration Cash Fund
14 available for investment shall be invested by the state investment
15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act. Any investment earnings from investment of
17 money in the fund shall be credited to the fund.

18 Sec. 42. Section 77-4211, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 77-4211 The Property Tax Credit Cash Fund is created. The fund shall
21 only be used pursuant to the Property Tax Credit Act. Any money in the
22 fund available for investment shall be invested by the state investment
23 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act. Any investment earnings from investment of
25 money in the fund shall be credited to the fund.

26 Sec. 43. Section 79-968, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 79-968 All assets of the retirement system shall be credited,
29 according to the purpose for which they are held, to the Expense Fund, to
30 the School Retirement Fund, or to the Contingent Account. Any money in
31 the account or funds available for investment shall be invested by the

1 state investment officer pursuant to the Nebraska Capital Expansion Act
2 and the Nebraska State Funds Investment Act.

3 Any investment earnings from investment of money in the Expense Fund
4 shall be credited to the fund.

5 Sec. 44. Section 79-9,115.02, Revised Statutes Cumulative
6 Supplement, 2022, is amended to read:

7 79-9,115.02 Beginning September 1, 2024, all assets of the
8 retirement system shall be credited, according to the purpose for which
9 they are held, to the Class V School Expense Fund or to the Class V
10 School Employees Retirement Fund. Any money in the funds available for
11 investment shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act. Any investment earnings from investment of money in such
14 funds shall be credited to such funds.

15 Sec. 45. Section 79-1021, Revised Statutes Supplement, 2023, as
16 amended by Laws 2024, LB1284, section 12, is amended to read:

17 79-1021 (1) The Education Future Fund is created. The fund shall be
18 administered by the department and shall consist of money transferred to
19 the fund by the Legislature. Transfers may be made from the Education
20 Future Fund to the Computer Science and Technology Education Fund at the
21 direction of the Legislature. Any money in the Education Future Fund
22 available for investment shall be invested by the state investment
23 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act. Any investment earnings from investment of
25 money in the fund shall be credited to the fund.

26 (2) The fund shall be used only for the following purposes, in order
27 of priority:

28 (a) To fully fund equalization aid under the Tax Equity and
29 Educational Opportunities Support Act;

30 (b) To fund reimbursements related to special education under
31 section 79-1142;

1 (c) To fund foundation aid under the Tax Equity and Educational
2 Opportunities Support Act;

3 (d) To increase funding for school districts in a way that results
4 in direct property tax relief, which means a dollar-for-dollar
5 replacement of property taxes by a state funding source;

6 (e) To provide funding for a grant program created by the
7 Legislature to address teacher turnover rates and keep existing teachers
8 in classrooms;

9 (f) To provide funding to increase career and technical educational
10 classroom opportunities for students, including, but not limited to,
11 computer science education. Such funding must provide students with the
12 academic and technical skills, knowledge, and training necessary to
13 succeed in future careers;

14 (g) To provide funding for a grant program created by the
15 Legislature to provide students the opportunity to have a mentor who will
16 continuously engage with the student directly to aid in the student's
17 professional growth and give ongoing support and encouragement to the
18 student;

19 (h) To provide funding for extraordinary increases in special
20 education expenditures to allow school districts with large, unexpected
21 special education expenditures to more easily meet the needs of all
22 students;

23 (i) To provide funding to help recruit teachers throughout the state
24 by utilizing apprenticeships through a teacher apprenticeship program and
25 an alternative certification process;

26 (j) To provide funding to develop and implement a professional
27 learning system to help provide sustained professional learning and
28 training regarding evidence-based reading instruction and for a grant
29 program relating to dyslexia research; and

30 (k) To provide funding for a pilot project administered by the State
31 Department of Education to provide menstrual products to school

1 districts.

2 (3)(a) The State Treasurer shall transfer one billion dollars from
3 the General Fund to the Education Future Fund in fiscal year 2023-24, on
4 such dates and in such amounts as directed by the budget administrator of
5 the budget division of the Department of Administrative Services.

6 (b) The State Treasurer shall transfer two hundred fifty million
7 dollars from the General Fund to the Education Future Fund in fiscal year
8 2024-25, on such dates and in such amounts as directed by the budget
9 administrator of the budget division of the Department of Administrative
10 Services.

11 (c) It is the intent of the Legislature that two hundred fifty
12 million dollars be transferred from the General Fund to the Education
13 Future Fund in fiscal year 2025-26 and each fiscal year thereafter.

14 Sec. 46. Section 80-322.01, Revised Statutes Cumulative Supplement,
15 2022, as amended by Laws 2024, LB252, section 2, is amended to read:

16 80-322.01 The Department of Veterans' Affairs Cash Fund is created.
17 The fund shall include any transfers by the Legislature, any gifts,
18 grants, bequests, contributions, or donations received by the department,
19 and money transferred pursuant to section 80-322. The department shall
20 administer the fund. Disbursements from the fund shall be used by the
21 department for the purposes of supporting veteran services, carrying out
22 the duties and functions of the department, paying administrative costs
23 of the department, or for the specific purposes designated by acceptance
24 of any gift, grant, bequest, contribution, or donation. Any money in the
25 fund available for investment shall be invested by the state investment
26 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
27 State Funds Investment Act. Any investment earnings from investment of
28 money in the fund shall be credited to the fund.

29 Sec. 47. Section 81-2,147.10, Revised Statutes Cumulative
30 Supplement, 2022, is amended to read:

31 81-2,147.10 (1) No person who labels for sale in Nebraska

1 agricultural, vegetable, or flower seeds shall sell such seeds in
 2 Nebraska unless he or she holds a valid seed permit. Application for the
 3 permit shall be made to the Department of Agriculture on forms prescribed
 4 and furnished by the department. Application forms shall be submitted to
 5 the department accompanied by an annual registration fee based on the
 6 number of pounds of agricultural, vegetable, or flower seed the applicant
 7 labeled and sold during the preceding calendar year. Registrations shall
 8 be renewed on or before January 1 of each year. If a person fails to
 9 renew the registration by January 31 of each year, such person shall also
 10 be required to pay a delinquency fee of twenty percent per month of the
 11 amount of the fee due, not to exceed one hundred percent of the annual
 12 registration fee. The purpose of the additional delinquency fee is to
 13 cover the administrative costs associated with collecting fees. All money
 14 collected as a delinquency fee shall be remitted to the State Treasurer
 15 for credit to the Nebraska Seed Administrative Cash Fund.

16 (2) Except as otherwise provided in subsection (3) of this section,
 17 the ~~The~~ annual registration fee shall be:

18 Fee:	Applicant sold:
19 Twenty-five dollars	Less than ten thousand pounds of
20	agricultural seed (other than
21	lawn and turf seed);
22 Fifty dollars	Ten thousand or more pounds of
23	agricultural seed (other than lawn
24	and turf seed) and less than two
25	hundred fifty thousand pounds of
26	any kind of seed;
27 One hundred dollars	Two hundred fifty thousand or
28	more pounds and less than five
29	hundred thousand pounds of seeds;
30 Two hundred fifty dollars	Five hundred thousand or more
31	pounds and less than one

1 million pounds of seeds;
2 Three hundred fifty dollars One million or more pounds
3 and less than five million
4 pounds of seeds;
5 Seven hundred fifty dollars Five million or more pounds of seeds.

6 (3) The director may increase or decrease fees each year. The fees
7 shall be determined by increasing or decreasing annually by the
8 percentage difference between the Consumer Price Index for the most
9 recent year ending before the beginning of such year and the Consumer
10 Price Index for the year 1989 or as required to pay all reasonable direct
11 and indirect costs of administering the Nebraska Seed Law. For purposes
12 of this section, Consumer Price Index means the change in the price of
13 goods and services for all urban consumers published by the United States
14 Department of Labor at the close of the twelve-month period ending on
15 August 31 of each year.

16 (4) (2) Subsection (1) of this section shall not apply if the
17 agricultural, vegetable, or flower seeds being labeled and sold are of
18 the breeder or foundation seed classes of varieties developed by publicly
19 financed research agencies intended for the purpose of increasing the
20 quantity of seed available.

21 (5) (3) The director shall refuse to issue a permit when the
22 application for such permit is not in compliance with the Nebraska Seed
23 Law or any rules and regulations adopted and promulgated pursuant to such
24 law and may cancel any permit when it is subsequently found to be in
25 violation of any provision of such law, rule, or regulation or when the
26 director has satisfactory evidence that the person has used fraudulent or
27 deceptive practices in an attempted evasion of the law, rule, or
28 regulation, except that no permit shall be refused or canceled until the
29 person shall have been given an opportunity to be heard before the
30 director.

31 Sec. 48. Section 81-2,162.06, Revised Statutes Cumulative

1 Supplement, 2022, is amended to read:

2 81-2,162.06 (1) There shall be paid to the director, for all
3 commercial fertilizers and soil conditioners distributed in this state to
4 the ultimate user, except custom-blended products, an inspection fee of
5 ten at the rate fixed by the director but not exceeding fifteen cents per
6 ton, except that the director may increase or decrease the fee each year.
7 The fee shall be determined by increasing or decreasing annually by the
8 percentage difference between the Consumer Price Index for the most
9 recent year ending before the beginning of such year and the Consumer
10 Price Index for the year 1989 or as required to pay all reasonable direct
11 and indirect costs of administering the Nebraska Commercial Fertilizer
12 and Soil Conditioner Act. For purposes of this section, Consumer Price
13 Index means the change in the price of goods and services for all urban
14 consumers published by the United States Department of Labor at the close
15 of the twelve-month period ending on August 31 of each year. The fee
16 shall be paid by the person distributing the product to the ultimate
17 user.

18 ~~(2) The director may increase or decrease the inspection fee each~~
19 ~~July 1, but such fee shall not exceed the maximum rate established in~~
20 ~~subsection (1) of this section. The director shall determine the fee~~
21 ~~based on the estimated annual revenue and fiscal year-end fund balance~~
22 ~~determined as follows:~~

23 ~~(a) The estimated annual revenue shall not be greater than one~~
24 ~~hundred seven percent of the program cash fund appropriations allocated~~
25 ~~for the Nebraska Commercial Fertilizer and Soil Conditioner Act; and~~

26 ~~(b) The estimated fiscal year-end cash fund balance shall not be~~
27 ~~greater than seventeen percent of the program cash fund appropriations~~
28 ~~allocated for the Nebraska Commercial Fertilizer and Soil Conditioner~~
29 ~~Act.~~

30 ~~(2) (3)~~ Payment of the inspection fee shall be evidenced by a
31 statement made with documents showing that fees corresponding to the

1 tonnage were received by the director.

2 ~~(3)~~ ~~(4)~~ Every person who distributes commercial fertilizer or soil
3 conditioners to the ultimate user in this state shall file, not later
4 than the last day of January and July of each year, a semiannual tonnage
5 report on forms provided by the department setting forth the number of
6 net tons of commercial fertilizer and soil conditioners distributed in
7 this state during the preceding six-month period, which report shall
8 cover the periods from July 1 to December 31 and January 1 to June 30,
9 and such other information as the director shall deem necessary. All
10 persons required to be licensed pursuant to the Nebraska Commercial
11 Fertilizer and Soil Conditioner Act shall file such report regardless of
12 whether any inspection fee is due. Upon filing the report, such person
13 shall pay the inspection fee at the rate prescribed pursuant to
14 subsection (1) of this section. The minimum inspection fee required
15 pursuant to this section shall be five dollars, and no inspection fee
16 shall be paid more than once for any one product.

17 ~~(4)~~ ~~(5)~~ If a person fails to report and pay the fee required by
18 subsection ~~(3)~~ ~~(4)~~ of this section by January 31 and July 31, the fee
19 shall be considered delinquent and the person owing the fee shall pay an
20 additional administrative fee of twenty-five percent of the delinquent
21 amount for each month it remains unpaid, not to exceed one hundred
22 percent of the original amount due. The department may waive the
23 additional administrative fee based upon the existence and extent of any
24 mitigating circumstances that have resulted in the late payment of such
25 fee. The purpose of the additional administrative fee is to cover the
26 administrative costs associated with collecting fees and all money
27 collected as an additional administrative fee shall be remitted to the
28 State Treasurer for credit to the Fertilizers and Soil Conditioners
29 Administrative Fund. Failure to make an accurate statement of tonnage or
30 to pay the inspection fee or comply as provided in this subsection shall
31 constitute sufficient cause for the cancellation of all product

1 registrations, licenses, or both on file for such person.

2 ~~(5) (6)~~ No information furnished to the department under this
3 section shall be disclosed in such a way as to reveal the operation of
4 any person.

5 Sec. 49. Section 81-2,162.23, Revised Statutes Cumulative
6 Supplement, 2022, is amended to read:

7 81-2,162.23 (1) No person shall manufacture or distribute commercial
8 fertilizers or soil conditioners in this state unless such person holds a
9 valid license for each manufacturing and distribution facility in this
10 state. Any out-of-state manufacturer or distributor who has no
11 distribution facility within this state shall obtain a license for his or
12 her principal out-of-state office if he or she markets or distributes
13 commercial fertilizer or soil conditioners in the State of Nebraska.

14 (2) An applicant for a license shall make application to the
15 department on forms furnished by the department. Application forms shall
16 be submitted to the department accompanied by an annual license fee of
17 fifteen dollars, except that the director may increase or decrease the
18 fee each year. The fee shall be determined by increasing or decreasing
19 annually by the percentage difference between the Consumer Price Index
20 for the most recent year ending before the beginning of such year and the
21 Consumer Price Index for the year 1989 or as required to pay all
22 reasonable direct and indirect costs of administering the Nebraska
23 Commercial Fertilizer and Soil Conditioner Act. For purposes of this
24 section, Consumer Price Index means the change in the price of goods and
25 services for all urban consumers published by the United States
26 Department of Labor at the close of the twelve-month period ending on
27 August 31 of each year. Licenses shall be renewed on or before January 1
28 of each year.

29 (3) A copy of the valid license shall be posted in a conspicuous
30 place in each manufacturing or distribution facility.

31 (4) Persons distributing custom-blended products shall maintain

1 records of purchase orders received for custom-blended products from the
2 date such orders are received until such products are distributed, which
3 records shall be sufficient to show the product ordered, date of such
4 order, purchaser, and quantity of product ordered.

5 (5) The provisions of this section shall not apply to any retail
6 store which sells or offers for sale less than a five-ton volume of
7 commercial fertilizer or soil conditioners annually.

8 Sec. 50. Section 81-2,174, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 81-2,174 Upon issuing a certificate to a beekeeper after an
11 inspection as provided in section 81-2,173, the department shall collect
12 a certificate fee in as set forth in rules and regulations adopted and
13 promulgated pursuant to the Nebraska Apiary Act not to exceed the
14 following amounts: Two hundred dollars for the inspection of two hundred
15 fifty colonies or less; two hundred fifty dollars for the inspection of
16 two hundred fifty-one through five hundred colonies; three hundred fifty
17 dollars for the inspection of five hundred one through one thousand
18 colonies; and four hundred fifty dollars for the inspection of more than
19 one thousand colonies, except that the director may increase or decrease
20 such fees each year. The fees shall be determined by increasing or
21 decreasing annually by the percentage difference between the Consumer
22 Price Index for the most recent year ending before the beginning of such
23 year and the Consumer Price Index for the year 1989 or as required to pay
24 all reasonable direct and indirect costs of administering the Nebraska
25 Apiary Act. For purposes of this section, Consumer Price Index means the
26 change in the price of goods and services for all urban consumers
27 published by the United States Department of Labor at the close of the
28 twelve-month period ending on August 31 of each year. The certification
29 fee shall be paid prior to the issuance of certificates by the
30 department. All fees and any gifts, grants, or donations from any source
31 shall be remitted to the State Treasurer for credit to the State Apiary

1 Cash Fund which is hereby created. The fund shall be used to defray the
2 expenses of administering the Nebraska Apiary Act. Any money in the fund
3 available for investment shall be invested by the state investment
4 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
5 State Funds Investment Act.

6 Sec. 51. Section 81-2,270, Revised Statutes Cumulative Supplement,
7 2022, as amended by Laws 2024, LB262, section 39, is amended to read:

8 81-2,270 (1) No person shall operate without a valid permit:

9 (a) A food establishment conducting those food handling activities
10 authorized by such permit;

11 (b) A food processing plant; or

12 (c) A salvage operation.

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 (a) the applicant's full name and mailing address and the names
16 and addresses of any partners, members, or corporate officers, (b)
17 whether the applicant is an individual, partnership, limited liability
18 company, corporation, or other legal entity, (c) the location and type of
19 proposed establishment or operation, and (d) the signature of the
20 applicant. Application for a permit shall be made prior to the operation
21 of a food establishment, food processing plant, or salvage operation. The
22 application shall be accompanied by an initial permit fee and an initial
23 inspection fee in the same amount as the annual inspection fee if
24 inspections are required to be done by the department. If any food
25 establishment, food processing plant, or salvage operation is operating
26 without a valid permit, such establishment, plant, or operation shall pay
27 an additional fee of sixty dollars prior to the issuance of a valid
28 permit.

29 (3) Payment of the initial permit fee, the initial inspection fee,
30 and the fee for operating without a valid permit shall not preclude
31 payment of the annual inspection fees due on August 1 of each year.

1 Except as provided in subsections (7) through (10) of this section and
2 subsection (2) of section 81-2,281, a permitholder shall pay annual
3 inspection fees on or before August 1 of each year regardless of when the
4 initial permit was obtained.

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

22			Secondary	
23			or	
24			Additional	
25			Food	Secondary
26			Preparation	Unit
27			Area	Or
28		Base	Annual	Units
29		Initial	Annual	Inspection
30		Permit	Inspection	Fee
31	Permit Type	Fee	Fee	(per area) Fee

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

23 (b) The director may increase or decrease fees each year. The fees
 24 shall be determined by increasing or decreasing annually by the
 25 percentage difference between the Consumer Price Index for the most
 26 recent year ending before the beginning of such year and the Consumer
 27 Price Index for the year 1989 or as required to pay all reasonable direct
 28 and indirect costs of administering the Nebraska Pure Food Act. For
 29 purposes of this section, Consumer Price Index means the change in the
 30 price of goods and services for all urban consumers published by the

1 United States Department of Labor at the close of the twelve-month period
2 ending on August 31 of each year.

3 (5) For a food establishment, a base inspection fee includes one
4 food preparation area and one food handling activity based upon the
5 primary food handling activity conducted within the food establishment as
6 determined by the department. The annual inspection fee shall also
7 include any fees assessed for each additional food preparation area
8 within the primary establishment and any applicable secondary food
9 handling activity as determined by the department. Any mobile food
10 establishment that does not return to a commissary each day shall obtain
11 a separate permit and pay the base inspection fee for the mobile food
12 establishment.

13 (6) If a person fails to pay the inspection fee for more than one
14 month after the fee is due, such person shall pay a late fee equal to
15 fifty percent of the total fee for the first month that the fee is late
16 and one hundred percent for the second month that the fee is late. The
17 purpose of the late fee is to cover the administrative costs associated
18 with collecting fees. All money collected as a late fee shall be remitted
19 to the State Treasurer for credit to the Pure Food Cash Fund. If the
20 total fees due remain unpaid ninety days after the original due date, the
21 permit shall no longer be valid.

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

26 (8) A food establishment which produces eggs and only stores,
27 packages, sells, delivers, or otherwise provides for human consumption
28 the eggs it produces, or only stores, packages, sells, delivers, or
29 otherwise provides for human consumption eggs produced from no more than
30 four producers at the same time, is exempt from the requirements of
31 subsections (1) through (6) of this section.

1 (9) A food establishment or food processing plant holding a permit
2 under the Nebraska Milk Act is exempt from the requirements of
3 subsections (1) through (6) of this section.

4 (10) A single event food vendor or a religious, charitable, or
5 fraternal organization operating any type of temporary food
6 establishment, mobile food unit, or pushcart is exempt from the
7 requirements of subsections (1) through (6) of this section. Any such
8 organization operating any nontemporary food establishment prior to July
9 1, 1985, is exempt from the requirements of subsection (2) of this
10 section.

11 (11) A permitholder may sell food prepared by the permitholder at
12 the location of another permitholder without obtaining a separate permit
13 at such location so long as the permitholder preparing the food is not a
14 food processing plant. Both the permitholder preparing the food and the
15 permitholder selling the food are responsible for compliance with the
16 Nebraska Pure Food Act.

17 Sec. 52. Section 81-503.01, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 81-503.01 (1) The State Fire Marshal shall adopt and promulgate
20 rules and regulations constituting a State Fire Code. At a minimum, the
21 State Fire Code shall cover:

22 (a) The prevention of fires;

23 (b) The storage, sale, and use of flammable liquids, combustibles,
24 and fireworks;

25 (c) Electrical wiring and heating, protection equipment devices,
26 materials, furnishings, and other safeguards within structures necessary
27 to promote safety and reduce loss by fire;

28 (d) The means and adequacy of exits, in case of fire, in assembly,
29 educational, institutional, residential, mercantile, office, storage, and
30 industrial-type occupancies as such structures are defined in the State
31 Fire Code;

1 (e) All other buildings, structures, and enclosures in which numbers
2 of persons congregate from time to time for any purpose, whether
3 privately or publicly owned;

4 (f) Design, construction, location, installation, and operation of
5 equipment for storing, handling, and utilization of liquefied petroleum
6 gases, specifying the odorization of such gases and the degree thereof;

7 (g) Chemicals, prozylin plastics, X-ray nitrocellulose films, or any
8 other hazardous material that may now or hereafter exist;

9 (h) Tanks used for the storage of regulated substances pursuant to
10 the Petroleum Products and Hazardous Substances Storage and Handling Act;
11 and

12 (i) Accessibility standards and specifications adopted pursuant to
13 section 81-5,147.

14 (2) Not later than July 1, 2019, the rules and regulations adopted
15 and promulgated as part of the State Fire Code shall conform generally to
16 the standards recommended by the National Fire Protection Association,
17 Pamphlet Number 1, known as the Fire Code, 2012 edition, the National
18 Fire Protection Association, Pamphlet Number 101, known as the Life
19 Safety Code, 2012 edition, and associated pamphlets, but not when doing
20 so would impose an unduly severe or costly burden without substantially
21 contributing to the safety of persons or property.

22 (3) The State Fire Marshal shall enforce the State Fire Code through
23 inspections, code compliance, and orders. Plans for compliance with the
24 State Fire Code shall be reviewed by the State Fire Marshal.—Plans
25 ~~submitted after remodeling or construction has begun shall be accompanied~~
26 ~~by a penalty of fifty dollars in addition to the plan review fee~~
27 ~~established pursuant to subdivision (4)(a) of section 81-505.01.~~

28 (4) Rules and regulations adopted and promulgated as part of the
29 State Fire Code shall apply to sites or structures in public ownership
30 listed on the National Register of Historic Places but without destroying
31 the historic quality thereof.

1 Sec. 53. Section 81-505.01, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-505.01 (1) The State Fire Marshal shall establish and assess fees
4 not to exceed the actual costs for the performance of services by the
5 State Fire Marshal or by qualified local fire prevention personnel to
6 whom the State Fire Marshal has delegated authority to perform such
7 services. Prior to establishing or altering such fees, the State Fire
8 Marshal shall hold a public hearing on the question of the adoption of or
9 change in fees. Notice of such hearing shall be given at least thirty
10 days prior thereto (a) by publication in a newspaper having general
11 circulation in the state and (b) by notifying in writing the head of any
12 agency or department having jurisdiction over facilities that would be
13 subject to the fees. Fees for services performed by the State Fire
14 Marshal shall be paid to the State Fire Marshal and shall be remitted to
15 the State Treasurer for credit to the State Fire Marshal Cash Fund. Fees
16 for services performed by local fire prevention personnel shall be paid
17 directly to the office of the local fire prevention personnel.

18 ~~(2) The fee for inspection for fire safety of any premises or~~
19 ~~facility pursuant to section 81-502 or 81-503.01 shall be not less than~~
20 ~~twenty-five nor more than one hundred fifty dollars and shall be paid by~~
21 ~~the licensee or applicant for a license. The fee for inspection for fire~~
22 ~~safety of the same premises or facility made within twelve months after~~
23 ~~the last prior inspection shall be not less than twenty-five nor more~~
24 ~~than one hundred fifty dollars and shall be paid by the licensee or~~
25 ~~applicant for a license. The fees for inspection for fire safety of~~
26 ~~foster family homes as defined in section 71-1901 may be paid by the~~
27 ~~Department of Health and Human Services.~~

28 ~~(3) The fee for providing investigation reports to insurance~~
29 ~~companies shall not exceed three dollars for each report provided. The~~
30 ~~State Fire Marshal may charge an amount not to exceed the actual cost of~~
31 ~~preparation for any other approved information release.~~

1 ~~(2)(a) (4)(a)~~ The State Fire Marshal shall charge a fee for
2 reviewing plans, blueprints, and shop drawings to determine compliance
3 with rules and regulations adopted and promulgated pursuant to section
4 81-503.01 or 81-5,147. The State Fire Marshal shall establish such fee in
5 rules and regulations adopted and promulgated to be effective on January
6 1, 2022. ~~Such fee shall meet the costs of administering the plan review~~
7 ~~requirement found in sections 81-503.01 and 81-5,147 but shall not exceed~~
8 ~~five hundred dollars. The fee schedule as it existed prior to August 28,~~
9 ~~2021, shall be used through December 31, 2021.~~

10 (b) The fees established pursuant to subdivision (a) of this
11 subsection shall not be assessed or collected by any political
12 subdivision to which the State Fire Marshal has delegated the authority
13 to conduct such review and which reviews plans, blueprints, or shop
14 drawings to determine compliance with such political subdivision's own
15 fire safety regulations. Nothing in this subdivision shall be construed
16 to prohibit such political subdivision from assessing or collecting a fee
17 set by its governing board for such review.

18 ~~(c) An additional fee equal to fifty percent of the fee charged~~
19 ~~pursuant to subdivision (a) of this subsection shall be assessed for~~
20 ~~reviewing plans, blueprints, and shop drawings to determine compliance~~
21 ~~with the accessibility standards and specifications adopted pursuant to~~
22 ~~section 81-5,147, except that the additional fee assessed pursuant to~~
23 ~~this subdivision shall not exceed two hundred fifty dollars.~~

24 Sec. 54. Section 81-550, Reissue Revised Statutes of Nebraska, as
25 amended by Laws 2024, LB1069, section 6, is amended to read:

26 81-550 (1) The Nebraska Natural Gas Pipeline Safety Cash Fund is
27 created. The fund shall consist of money received from assessments
28 pursuant to this section which shall be remitted to the State Treasurer
29 for credit to the fund. The Nebraska Natural Gas Pipeline Safety Cash
30 Fund shall be used for purposes of administering the Nebraska Natural Gas
31 Pipeline Safety Act of 1969. The fund shall be administered by the State

1 Fire Marshal. Any money in the fund available for investment shall be
2 invested by the state investment officer pursuant to the Nebraska Capital
3 Expansion Act and the Nebraska State Funds Investment Act.

4 (2) To defray the cost of administering the Nebraska Natural Gas
5 Pipeline Safety Act of 1969, the State Fire Marshal shall on March 1 of
6 each year make an assessment against persons having pipeline facilities
7 in this state subject to the act, which assessment shall be paid within
8 thirty days thereafter.

9 (3) The assessment against each such person shall be based on the
10 number of meters such person has in service for the retail sale of gas in
11 this state at the end of the calendar year next preceding such
12 assessment. ~~The amount of such assessment shall be set by the State Fire
13 Marshal in an amount not to exceed fifty cents multiplied by the number
14 of such meters for each such person.~~

15 (4) It shall be the duty of the State Fire Marshal to make timely
16 application each year to the United States Government for the maximum
17 funds to which this state may be entitled from the United States
18 Government for the administration of the act.

19 Sec. 55. Section 81-5,152, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 81-5,152 The training program as set out in section 81-5,151 for
22 volunteer fire departments and career fire departments shall be free,
23 except that the State Fire Marshal may charge for such books and
24 materials given to the students, testing, or specialized courses.

25 ~~The State Fire Marshal may charge a fee for providing to private
26 fire departments training, books, materials, testing, or specialized
27 courses.~~

28 ~~The State Fire Marshal shall charge a fee for providing to
29 industrial fire brigades training, books, materials, testing, and
30 specialized courses.~~

31 Sec. 56. Section 81-5,159, Reissue Revised Statutes of Nebraska, as

1 amended by Laws 2024, LB1069, section 7, is amended to read:

2 81-5,159 (1) Any water-based fire protection system contractor who
3 installs, repairs, alters, adds to, maintains, or inspects water-based
4 fire protection systems in this state shall first obtain a contractor
5 certificate.

6 (2) A water-based fire protection system contractor may apply to the
7 State Fire Marshal for a contractor certificate. The application shall be
8 made on a form prescribed by the State Fire Marshal and shall include a
9 certificate fee ~~of up to one hundred dollars~~. Each applicant must
10 designate a responsible managing employee on the application, and such
11 individual's name shall appear on the certificate with that of the water-
12 based fire protection system contractor upon issuance. Proof of insurance
13 required by section 81-5,160 shall also accompany the application.

14 (3) Upon receipt of a complete application, proof of insurance, and
15 certificate fee, the State Fire Marshal shall schedule a time for an
16 examination of the responsible managing employee to demonstrate that he
17 or she is familiar with the procedures and rules of the State Fire
18 Marshal relating to water-based fire protection systems. If the
19 responsible managing employee passes the examination, the State Fire
20 Marshal shall issue the certificate to the water-based fire protection
21 system contractor within thirty days.

22 (4) A certificate shall expire on September 30 of the year following
23 issuance. An application for renewal shall be filed at least ten days
24 prior to expiration and shall be accompanied by a renewal fee ~~of up to~~
25 ~~one hundred dollars~~ and a sworn affidavit that the responsible managing
26 employee is currently employed by the water-based fire protection system
27 contractor. A water-based fire protection system contractor who fails to
28 apply for renewal within the time stated in this subsection must make a
29 new application for a certificate.

30 (5) A responsible managing employee may only act as such for one
31 water-based fire protection system contractor at a time. When a

1 responsible managing employee terminates his or her association with a
2 water-based fire protection system contractor, the water-based fire
3 protection system contractor shall notify the State Fire Marshal within
4 thirty days after termination. The responsible managing employee shall
5 not be designated as the responsible managing employee for more than two
6 water-based fire protection system contractors in any twelve-month
7 period. The State Fire Marshal shall revoke the certificate of a water-
8 based fire protection system contractor whose responsible managing
9 employee has terminated his or her association with the water-based fire
10 protection system contractor unless an application designating a new
11 responsible managing employee is filed within six months after
12 termination or prior to expiration of the current certificate, whichever
13 is earlier.

14 Sec. 57. Section 81-5,170, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 81-5,170 ~~(1)~~ Upon making an inspection of any boilers required to
17 be inspected by the Boiler Inspection Act and upon receipt of the
18 inspection fee and certificate fee or registration fee, the boiler
19 inspector shall give to the owner or user of the boilers a certificate of
20 inspection or certificate of registration upon forms prescribed by the
21 State Fire Marshal. The certificate shall be posted in a place near the
22 location of such boiler.

23 ~~(2) The State Fire Marshal shall establish the amount of the~~
24 ~~inspection fee, certificate fee, and registration fee by rule or~~
25 ~~regulation at the level necessary to meet the costs of administering the~~
26 ~~act.~~

27 Sec. 58. Section 81-5,199, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 81-5,199 The State Fire Marshal may ~~shall~~ establish ~~by rules and~~
30 ~~regulations a schedule of permit fees not to exceed fifty dollars for~~
31 ~~each amusement ride. Such permit fees shall be established with due~~

1 ~~regard for the costs of~~ administering the Nebraska Amusement Ride Act.
2 Such fees ~~and~~ shall be remitted to the State Treasurer for credit to the
3 Mechanical Safety Inspection Fund.

4 Sec. 59. Section 81-5,201, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 81-5,201 (1) The State Fire Marshal may establish by rules and
7 regulations a schedule of reasonable inspections fees for each amusement
8 ride. The cost of obtaining the certificate of inspection from a
9 qualified inspector shall be borne by the owner of the amusement ride.

10 (2) A separate schedule of fees shall be established for the
11 inspection of bungee jumping operations, including the inspection of
12 cranes used for bungee jumping. The fees shall be established taking into
13 consideration the cost of such inspections.

14 Sec. 60. Section 81-5,214, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 ~~81-5,214 (1) The State Fire Marshal shall, after a public hearing~~
17 ~~conducted by the State Fire Marshal or his or her designee, establish a~~
18 ~~reasonable schedule of fees for licenses, permits, certificates, and~~
19 ~~inspections authorized under the Conveyance Safety Act. The State Fire~~
20 ~~Marshal shall establish the fees at a level necessary to meet the costs~~
21 ~~of administering the act. Inspection fee schedules relating to the~~
22 inspection of conveyances adopted prior to January 1, 2008, shall
23 continue to be effective until they are amended or repealed by the State
24 Fire Marshal.

25 (2) The State Fire Marshal shall administer the Conveyance Safety
26 Act. It is the intent of the Legislature that the funding for the
27 administration of the act shall be entirely from cash funds remitted to
28 the Mechanical Safety Inspection Fund that are fees collected in the
29 administration of the act.

30 Sec. 61. Section 81-1117, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 81-1117 (1) As used in this section, unless the context otherwise
2 requires, information management includes, but is not limited to:

3 (a) Mainframe computers, minicomputers, microprocessors, word
4 processors, and desktop computers;

5 (b) Any peripheral device to be used with the equipment listed in
6 subdivision (1)(a) of this section for such purposes as data input and
7 output, data storage, or data communications;

8 (c) Any code or program to control the operation of the equipment or
9 devices listed in subdivision (1)(a) or (1)(b) of this section; and

10 (d) Employment of professional expertise for computer system design,
11 operations, or program development.

12 (2) Subject to review and approval by the Chief Information Officer,
13 the information management services administrator shall have the
14 following powers, duties, and responsibilities:

15 (a) He or she may review the accounting and other records and
16 reporting systems of all divisions within the Department of
17 Administrative Services and within every other department and agency of
18 the state;

19 (b) He or she shall systematically review the potential application
20 of information management to any work performed outside the information
21 management services division or by any department or agency of the state
22 or any subdivision of any department or agency of the state, and if the
23 costs of mechanizing such work will not exceed present costs or if
24 efficiencies may be achieved, he or she may accept responsibility for the
25 performance of such work. He or she may also review computer applications
26 being used to determine if revision or deletion of computer applications
27 would be beneficial. The findings of reviews made pursuant to this
28 subdivision shall be reported to the Governor and the Legislative Fiscal
29 Analyst. The findings submitted to the Legislative Fiscal Analyst shall
30 be submitted electronically;

31 (c) He or she may, with the approval of the Chief Information

1 Officer, make such revisions to internal systems for production of
2 accounting and other reports as may be necessary to permit economical
3 undertaking of work to be performed by the information management
4 services division for any agency or department of the state;

5 (d) He or she shall organize the information management services
6 division to provide system review, system design, feasibility studies,
7 and machine reviews;

8 (e) He or she may review the operations of information management
9 installations as may exist in any department or agency of the state and
10 may cause such operations to be merged with those of the information
11 management services division in the event that a cost analysis shows that
12 economic advantage may be achieved. He or she may permit the
13 establishment of departmental or agency information management operations
14 in any department or agency of the state if his or her analysis of
15 feasibility shows a potential economy or a substantial convenience for
16 the state incident to such separate establishment. No state agency shall
17 hire, purchase, lease, or rent any information management item listed in
18 subsection (1) of this section without the written approval of the
19 information management services administrator. All new computer programs
20 developed or acquired for use with information management equipment of
21 any state agency shall be documented according to standards developed or
22 approved by the information management services administrator;

23 (f) He or she shall prepare a budget in sufficient time in advance
24 of the statutory date for submittal of budget requests by departments and
25 agencies of the state as to permit each department and agency for which
26 services are performed, or are to be performed during the request budget
27 period, to be informed of the cost of maintaining the current fiscal
28 year's production work for inclusion within their respective budget
29 requests;

30 (g) He or she shall provide for a system of charges for services
31 rendered by the information management services division or the Nebraska

1 Information Technology Commission to any other department or agency of
2 the state when these charges are allocable to a particular project
3 carried on by such department or division. Such standard rate charges
4 shall, as nearly as may be practical, reflect the actual costs incurred
5 in the performance of services for such department or agency. Such system
6 of charges shall be annually reviewed by the Legislature's Committee on
7 Appropriations. Rates planned for the coming fiscal year shall be
8 included in the instructions for completion of budget request forms as
9 annually prepared by the Department of Administrative Services budget
10 division. If rate revisions are required during the fiscal year to
11 reflect changes in the information management services division's
12 operating costs, these revisions shall be announced to state agencies at
13 least thirty days prior to their use in billing these agencies for
14 service. Miscellaneous supplies shall be billed to using agencies at
15 actual cost. Equipment used primarily by one agency for special
16 applications shall be billed to that agency at actual cost. In the event
17 of saturation of the information management services division with the
18 resulting need for contractual support to be furnished by another
19 information management installation, agencies shall be billed at actual
20 cost. The charges received by the department for information management
21 services shall be credited to a fund hereby created which shall be known
22 as the Information Management Revolving Fund. Expenditures shall be made
23 from such fund to finance the operations of the information management
24 services division or the Nebraska Information Technology Commission in
25 accordance with appropriations made by the Legislature. Any money in the
26 Information Management Revolving Fund available for investment shall be
27 invested by the state investment officer pursuant to the Nebraska Capital
28 Expansion Act and the Nebraska State Funds Investment Act;

29 (h) He or she may provide information management services and
30 technical assistance to any subdivision of government as provided for
31 under the Interlocal Cooperation Act or the Joint Public Agency Act;

1 (i) He or she shall provide for the centralization of all
2 administrative work, including that of educational institutions, into the
3 information management services division;

4 (j) He or she shall provide definitions of standards and common data
5 elements, coordinate the collection of data, consolidate data files or
6 data banks, and review and approve or disapprove the establishment of
7 separate data banks; and

8 (k) He or she shall provide assistance as requested by the Nebraska
9 Information Technology Commission to support the technical panel created
10 in section 86-521.

11 Each member of the Legislature shall receive an electronic copy of
12 the report required by subdivision (2)(b) of this section by making a
13 request for it to the administrator.

14 Sec. 62. Section 81-1213.05, Revised Statutes Supplement, 2023, is
15 amended to read:

16 81-1213.05 The Youth Outdoor Education Innovation Fund is created.
17 The fund shall consist of transfers made by the Legislature and any
18 gifts, grants, bequests, donations, or money remitted pursuant to section
19 81-1213.04 for credit to the fund. The Department of Economic Development
20 shall administer the fund for the purposes described in section
21 81-1213.04. Any money in the fund available for investment shall be
22 invested by the state investment officer pursuant to the Nebraska Capital
23 Expansion Act and the Nebraska State Funds Investment Act.—~~Investment~~
24 ~~earnings from investment of money in the fund shall be credited to the~~
25 ~~fund.~~

26 Sec. 63. Section 81-1230, Revised Statutes Cumulative Supplement,
27 2022, is amended to read:

28 81-1230 (1) The Rural Workforce Housing Investment Fund is created.
29 Funding for the grant program described in section 81-1229 shall come
30 from the Rural Workforce Housing Investment Fund. The Rural Workforce
31 Housing Investment Fund may include revenue from appropriations from the

1 Legislature, grants, private contributions, and other sources. In
2 addition, the State Treasurer shall make a one-time transfer of seven
3 million three hundred thousand dollars on or before October 1, 2017, from
4 the Affordable Housing Trust Fund to the Rural Workforce Housing
5 Investment Fund. Any money in the Rural Workforce Housing Investment Fund
6 available for investment shall be invested by the state investment
7 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
8 State Funds Investment Act.

9 (2) The department shall administer the Rural Workforce Housing
10 Investment Fund and may seek additional private or nonstate funds to use
11 in the grant program, including, but not limited to, contributions from
12 the Nebraska Investment Finance Authority and other interested parties.

13 ~~(3) Interest earned by the department on grant funds shall be~~
14 ~~applied to the grant program.~~

15 (3) ~~(4)~~ If a nonprofit development organization fails to engage in
16 the initial qualified activity within twenty-four months after receiving
17 initial grant funding, the nonprofit development organization shall
18 return the grant funds to the department for credit to the General Fund.

19 (4) ~~(5)~~ If a nonprofit development organization fails to allocate
20 any remaining initial grant funding on a qualified activity within
21 twenty-four months after engaging in the initial qualified activity, the
22 nonprofit development organization shall return such unallocated grant
23 funds to the department for credit to the Rural Workforce Housing
24 Investment Fund.

25 (5) ~~(6)~~ Beginning July 1, 2027, any funds held by the department in
26 the Rural Workforce Housing Investment Fund shall be transferred to the
27 General Fund.

28 Sec. 64. Section 81-1239, Revised Statutes Supplement, 2023, as
29 amended by Laws 2024, LB164, section 17, is amended to read:

30 81-1239 (1) The Middle Income Workforce Housing Investment Fund is
31 created. Funding for the grant program described in section 81-1238 shall

1 come from the Middle Income Workforce Housing Investment Fund. The Middle
2 Income Workforce Housing Investment Fund may include revenue from
3 appropriations from the Legislature, grants, private contributions, and
4 other sources. Any money in the Middle Income Workforce Housing
5 Investment Fund available for investment shall be invested by the state
6 investment officer pursuant to the Nebraska Capital Expansion Act and the
7 Nebraska State Funds Investment Act.

8 (2) The department shall establish a subaccount within the Middle
9 Income Workforce Housing Investment Fund that shall be used to fund
10 affordable housing and related land parcel preparation activities under
11 the Economic Recovery Act as described in subdivisions (4)(d) and (e) of
12 section 81-12,241.

13 (3) The department shall administer the Middle Income Workforce
14 Housing Investment Fund and may seek additional private or nonstate funds
15 to use in the grant program, including, but not limited to, contributions
16 from the Nebraska Investment Finance Authority and other interested
17 parties.

18 ~~(4) Interest earned by the department on grant funds shall be~~
19 ~~applied to the grant program.~~

20 (4) ~~(5)~~ If a nonprofit development organization, or a recipient of
21 subaccount funds described in subsection (2) of this section, fails to
22 engage in a qualified activity within twenty-four months after receiving
23 initial grant funding, the nonprofit development organization or
24 recipient of subaccount funds shall return the grant proceeds to the
25 department for credit to the General Fund.

26 (5) ~~(6)~~ Beginning July 1, 2029, any funds held by the department in
27 the Middle Income Workforce Housing Investment Fund shall be transferred
28 to the General Fund.

29 Sec. 65. Section 81-15,151, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 81-15,151 (1)(a) The Wastewater Treatment Facilities Construction

1 Loan Fund is hereby created. The fund shall be held as a trust fund for
2 the purposes and uses described in the Wastewater Treatment Facilities
3 Construction Assistance Act.

4 (b) The fund shall consist of federal capitalization grants, state
5 matching appropriations, repayments of principal and interest on loans,
6 transfers made pursuant to section 71-5327, and other money designated
7 for the fund. The director may make loans from the fund pursuant to the
8 act and may use (i) up to four percent of all federal capitalization
9 grant awards to the fund, (ii) up to four hundred thousand dollars per
10 year, or (iii) the equivalent of one-fifth percent per year of the
11 current valuation of the fund for the reasonable cost of administering
12 the fund and conducting activities under Title VI of the federal Clean
13 Water Act.

14 (c) The state investment officer shall invest any money in the fund
15 available for investment pursuant to the Nebraska Capital Expansion Act
16 and the Nebraska State Funds Investment Act, except that (i) amounts
17 designated by the director for use in the linked deposit program shall be
18 deposited with eligible financial institutions by the director and (ii)
19 any bond proceeds in the fund shall be invested in accordance with the
20 terms of the documents under which the bonds are issued. The state
21 investment officer may direct that the bond proceeds shall be deposited
22 with the bond trustee for investment. Investment earnings shall be
23 credited to the fund.

24 (d) The department may create or direct the creation of accounts
25 within the fund as the department determines to be appropriate and useful
26 in administering the fund and in providing for the security, investment,
27 and repayment of bonds.

28 (e) The fund and the assets thereof may be used, to the extent
29 permitted by the Clean Water Act, as amended, and the regulations adopted
30 and promulgated pursuant to such act, (i) to pay or to secure the payment
31 of bonds and the interest thereon, except that amounts deposited into the

1 fund from state appropriations and the earnings on such appropriations
2 may not be used to pay or to secure the payment of bonds or the interest
3 thereon, (ii) to deposit as provided by the linked deposit program, and
4 (iii) to buy or refinance the debt obligation of municipalities for
5 wastewater treatment works if the debt was incurred and construction was
6 begun after March 7, 1985. Eligibility and terms of such refinancing
7 shall be in accordance with the Wastewater Treatment Facilities
8 Construction Assistance Act.

9 (f) The director may transfer any money in the Wastewater Treatment
10 Facilities Construction Loan Fund to the Drinking Water Facilities Loan
11 Fund to meet the purposes of section 71-5327. The director shall identify
12 any such transfer in the intended use plan presented to the council for
13 annual review and adoption pursuant to section 71-5321.

14 (2)(a) There is hereby created the Construction Administration Fund.
15 Any funds available for administering loans or fees collected pursuant to
16 the Wastewater Treatment Facilities Construction Assistance Act shall be
17 deposited in such fund. The fund shall be administered by the department
18 for the purposes of the act. The state investment officer shall invest
19 any money in the fund available for investment pursuant to the Nebraska
20 Capital Expansion Act and the Nebraska State Funds Investment Act.
21 ~~Investment earnings shall be credited to the fund.~~

22 (b) The Construction Administration Fund and assets thereof may be
23 used, to the extent permitted by the Clean Water Act and the regulations
24 adopted and promulgated pursuant to such act, to fund subdivisions (11),
25 (12), and (13) of section 81-15,153. The annual obligation of the state
26 pursuant to subdivisions (11) and (13) of such section shall not exceed
27 sixty-five percent of the revenue from administrative fees collected
28 pursuant to this section in the prior fiscal year.

29 (c) The director may transfer any money in the Construction
30 Administration Fund to the Wastewater Treatment Facilities Construction
31 Loan Fund to meet the nonfederal match requirements of any applicable

1 federal capitalization grants or to meet the purposes of subdivision (11)
2 of section 81-15,153.

3 Sec. 66. Section 81-15,174.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 81-15,174.01 (1) The Nebraska Environmental Endowment Fund is
6 created. The fund shall be used to carry out the purposes of the Nebraska
7 Environmental Trust Act. The fund shall include proceeds designated by
8 the board pursuant to section 81-15,173, including grants from the
9 Nebraska Environmental Trust Fund. Grants from the Nebraska Environmental
10 Trust Fund to the Nebraska Environmental Endowment Fund shall be no more
11 than twice the total of any other proceeds received by the Nebraska
12 Environmental Endowment Fund for the same year. Such grants, considered
13 in the aggregate, shall in no case exceed fifty percent of the total
14 proceeds credited to the Nebraska Environmental Trust Fund pursuant to
15 section 9-812 for that year.

16 (2) Any money in the fund available for investment shall be invested
17 by the state investment officer pursuant to the Nebraska Capital
18 Expansion Act and the Nebraska State Funds Investment Act. Any investment
19 earnings from investment of money in the fund shall be credited to the
20 fund.

21 (3) Allocations received by the Nebraska Environmental Endowment
22 Fund from the Nebraska Environmental Trust Fund shall not be reallocated
23 by the board, but shall remain invested. Any interest income earned by
24 the Nebraska Environmental Endowment Fund shall be available for
25 allocation by the board as provided in section 81-15,175.

26 Sec. 67. Section 81-1835, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 81-1835 The Victim's Compensation Fund is created. The fund shall be
29 used to pay awards or judgments under the Nebraska Crime Victim's
30 Reparations Act other than distributions from the Community Trust. The
31 fund shall include deposits pursuant to sections 29-2286, 33-157,

1 81-1836, 83-183.01, and 83-184 and donations or contributions from public
2 or private sources and shall be in such amount as the Legislature shall
3 determine to be reasonably sufficient to meet anticipated claims. When
4 the amount of money in the fund is not sufficient to pay any awards or
5 judgments under the act, the Director of Administrative Services shall
6 immediately advise the Legislature and request an emergency appropriation
7 to satisfy such awards and judgments. Any money in the fund available for
8 investment shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act. Any investment earnings from investment of money in the
11 fund shall be credited to the fund.

12 Sec. 68. Section 84-612, Revised Statutes Supplement, 2023, as
13 amended by Laws 2024, LB600, section 9, and Laws 2024, LB1413, section
14 58, is amended to read:

15 84-612 (1) There is hereby created within the state treasury a fund
16 known as the Cash Reserve Fund which shall be under the direction of the
17 State Treasurer. The fund shall only be used pursuant to this section.

18 (2) The State Treasurer shall transfer funds from the Cash Reserve
19 Fund to the General Fund upon certification by the Director of
20 Administrative Services that the current cash balance in the General Fund
21 is inadequate to meet current obligations. Such certification shall
22 include the dollar amount to be transferred. Any transfers made pursuant
23 to this subsection shall be reversed upon notification by the Director of
24 Administrative Services that sufficient funds are available.

25 (3) In addition to receiving transfers from other funds, the Cash
26 Reserve Fund shall receive federal funds received by the State of
27 Nebraska for undesignated general government purposes, federal revenue
28 sharing, or general fiscal relief of the state.

29 (4) The State Treasurer shall transfer fifteen million eight hundred
30 forty-one thousand dollars from the Governor's Emergency Cash Fund to the
31 Cash Reserve Fund on or before June 30, 2024, on such dates and in such

1 amounts as directed by the budget administrator of the budget division of
2 the Department of Administrative Services.

3 (5) The State Treasurer shall transfer one hundred sixty-six million
4 six hundred seventy-three thousand five hundred eighty dollars from the
5 Cash Reserve Fund to the Nebraska Capital Construction Fund on or after
6 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
7 as directed by the budget administrator of the budget division of the
8 Department of Administrative Services.

9 (6) No funds shall be transferred from the Cash Reserve Fund to
10 fulfill the obligations created under the Nebraska Property Tax Incentive
11 Act unless the balance in the Cash Reserve Fund after such transfer will
12 be at least equal to five hundred million dollars.

13 (7) The State Treasurer shall transfer ten million dollars from the
14 Cash Reserve Fund to the School Safety and Security Fund as soon as
15 administratively possible after September 2, 2023, on such dates and in
16 such amounts as directed by the budget administrator of the budget
17 division of the Department of Administrative Services.

18 (8) The State Treasurer shall transfer three million dollars from
19 the Cash Reserve Fund to the Risk Loss Trust on or before June 30, 2024,
20 on such dates and in such amounts as directed by the budget administrator
21 of the budget division of the Department of Administrative Services.

22 (9) The State Treasurer shall transfer eleven million three hundred
23 twenty thousand dollars from the Cash Reserve Fund to the Health and
24 Human Services Cash Fund on or after July 1, 2023, but on or before June
25 30, 2024, on such dates and in such amounts as directed by the budget
26 administrator of the budget division of the Department of Administrative
27 Services.

28 (10) The State Treasurer shall transfer five hundred seventy-four
29 million five hundred thousand dollars from the Cash Reserve Fund to the
30 Perkins County Canal Project Fund on or before June 30, 2024, on such
31 dates and in such amounts as directed by the budget administrator of the

1 budget division of the Department of Administrative Services.

2 (11) The State Treasurer shall transfer one million one hundred
3 fifteen thousand dollars from the Cash Reserve Fund to the Public Safety
4 Cash Fund on or after July 1, 2023, but before June 30, 2024, on such
5 dates and in such amounts as directed by the budget administrator of the
6 budget division of the Department of Administrative Services.

7 (12) The State Treasurer shall transfer five million dollars from
8 the Cash Reserve Fund to the Nebraska Public Safety Communication System
9 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
10 such dates and in such amounts as directed by the budget administrator of
11 the budget division of the Department of Administrative Services.

12 (13) The State Treasurer shall transfer two million four hundred
13 twenty-five thousand dollars from the Cash Reserve Fund to the Nebraska
14 Public Safety Communication System Revolving Fund on or after July 1,
15 2024, but before June 30, 2025, on such dates and in such amounts as
16 directed by the budget administrator of the budget division of the
17 Department of Administrative Services.

18 (14) The State Treasurer shall transfer seventy million dollars from
19 the Cash Reserve Fund to the Shovel-Ready Capital Recovery and Investment
20 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
21 and in such amounts as directed by the budget administrator of the budget
22 division of the Department of Administrative Services.

23 (15) The State Treasurer shall transfer two million dollars from the
24 Cash Reserve Fund to the Site and Building Development Fund on or after
25 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
26 as directed by the budget administrator of the budget division of the
27 Department of Administrative Services.

28 (16) The State Treasurer shall transfer twenty million dollars from
29 the Cash Reserve Fund to the Economic Development Cash Fund on or after
30 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
31 as directed by the budget administrator of the budget division of the

1 Department of Administrative Services.

2 (17) The State Treasurer shall transfer two hundred forty million
3 dollars from the Cash Reserve Fund to the Economic Recovery Contingency
4 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
5 and in such amounts as directed by the budget administrator of the budget
6 division of the Department of Administrative Services.

7 (18) The State Treasurer shall transfer ten million dollars from the
8 Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund on
9 or after July 1, 2023, but before June 30, 2024, on such dates and in
10 such amounts as directed by the budget administrator of the budget
11 division of the Department of Administrative Services.

12 (19) The State Treasurer shall transfer four hundred forty million
13 dollars from the General Fund to the Cash Reserve Fund on or after July
14 1, 2023, but before June 30, 2024, on such dates and in such amounts as
15 directed by the budget administrator of the budget division of the
16 Department of Administrative Services.

17 (20) The State Treasurer shall transfer four million dollars from
18 the Cash Reserve Fund to the General Fund on or after July 1, 2024, but
19 before June 30, 2025, on such dates and in such amounts as directed by
20 the budget administrator of the budget division of the Department of
21 Administrative Services.

22 (21) The State Treasurer shall transfer twenty-nine million four
23 hundred fifty-eight thousand eight hundred dollars from the Cash Reserve
24 Fund to the Nebraska Capital Construction Fund on or after July 1, 2024,
25 but before June 30, 2025, on such dates and in such amounts as directed
26 by the budget administrator of the budget division of the Department of
27 Administrative Services.

28 (22) The State Treasurer shall transfer two million five hundred
29 thousand dollars from the Cash Reserve Fund to the Materiel Division
30 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
31 such dates and in such amounts as directed by the budget administrator of

1 the budget division of the Department of Administrative Services.

2 (23) The State Treasurer shall transfer ten million dollars from the
3 Cash Reserve Fund to the Youth Outdoor Education Innovation Fund on or
4 after July 1, 2023, but before June 30, 2024, on such dates and in such
5 amounts as directed by the budget administrator of the budget division of
6 the Department of Administrative Services.

7 (24) The State Treasurer shall transfer twenty-eight million dollars
8 from the Jobs and Economic Development Initiative Fund to the Cash
9 Reserve Fund on or before June 30, 2024, on such dates and in such
10 amounts as directed by the budget administrator of the budget division of
11 the Department of Administrative Services.

12 (25) The State Treasurer shall transfer five million dollars from
13 the Cash Reserve Fund to the State Insurance Fund on or before July 10,
14 2024, on such dates and in such amounts as directed by the budget
15 administrator of the budget division of the Department of Administrative
16 Services.

17 (26) The State Treasurer shall transfer three million five hundred
18 thousand dollars from the Cash Reserve Fund to the Health and Human
19 Services Cash Fund on or after July 1, 2024, but on or before June 30,
20 2025, on such dates and in such amounts as directed by the budget
21 administrator of the budget division of the Department of Administrative
22 Services.

23 (27) The State Treasurer shall transfer three million two hundred
24 fifty thousand dollars from the Cash Reserve Fund to the State Insurance
25 Fund as soon as possible after the effective date of this act, on such
26 dates and in such amounts as directed by the budget administrator of the
27 budget division of the Department of Administrative Services.

28 (28) The State Treasurer shall transfer five million dollars from
29 the Cash Reserve Fund to the Municipality Infrastructure Aid Fund on or
30 after July 1, 2024, but before July 15, 2024, on such dates and in such
31 amounts as directed by the budget administrator of the budget division of

1 the Department of Administrative Services.

2 (29) The State Treasurer shall transfer twenty-five million dollars
3 from the Cash Reserve Fund to the Governor's Emergency Cash Fund on or
4 before June 30, 2025, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services.

7 (30) The State Treasurer shall transfer ten million dollars from the
8 Cash Reserve Fund to the Governor's Emergency Cash Fund on or before June
9 30, 2026, on such dates and in such amounts as directed by the budget
10 administrator of the budget division of the Department of Administrative
11 Services.

12 (31) The State Treasurer shall transfer two hundred million dollars
13 from the Cash Reserve Fund to the General Fund on or before June 30,
14 2027, on such dates and in such amounts as directed by the budget
15 administrator of the budget division of the Department of Administrative
16 Services.

17 Sec. 69. Section 84-1314, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 84-1314 (1) The State Employees Defined Contribution Retirement
20 Expense Fund is created. The fund shall be credited with money from the
21 retirement system assets and income sufficient to pay the pro rata share
22 of administrative expenses incurred as directed by the board for the
23 proper administration of the State Employees Retirement Act and necessary
24 in connection with the administration and operation of the retirement
25 system, except as provided in sections 84-1309.02, 84-1310.01, and
26 84-1311.03. Any money in the fund available for investment shall be
27 invested by the state investment officer pursuant to the Nebraska Capital
28 Expansion Act and the Nebraska State Funds Investment Act. Any investment
29 earnings from investment of money in the fund shall be credited to the
30 fund.

31 (2) The State Employees Cash Balance Retirement Expense Fund is

1 created. The fund shall be credited with money forfeited pursuant to
2 section 84-1321.01 and with money from the retirement system assets and
3 income sufficient to pay the pro rata share of administrative expenses
4 incurred as directed by the board for the proper administration of the
5 State Employees Retirement Act and necessary in connection with the
6 administration and operation of the retirement system, except as provided
7 in sections 84-1309.02, 84-1310.01, and 84-1311.03. Any money in the 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. Any investment earnings from investment of
11 money in the fund shall be credited to the fund.

12 (3) Forfeiture funds collected from members participating in the
13 defined contribution benefit shall be used to either pay expenses or
14 reduce employer contributions related to the defined contribution
15 benefit. Any unused funds shall be allocated as earnings of and
16 transferred to the accounts of the remaining members within twelve months
17 after receipt of the funds by the board.

18 Sec. 70. Section 84-1321.01, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 84-1321.01 (1) For a member who has terminated employment and is not
21 vested, the balance of the member's employer account or employer cash
22 balance account shall be forfeited. The forfeited account shall be
23 credited to the State Employees Retirement Fund and shall first be used
24 to meet the expense charges incurred by the retirement board in
25 connection with administering the retirement system, which charges shall
26 be credited to the State Employees Defined Contribution Retirement
27 Expense Fund, if the member participated in the defined contribution
28 option, or to the State Employees Cash Balance Retirement Expense Fund,
29 if the member participated in the cash balance option, and the remainder,
30 if any, shall then be used to restore employer accounts or employer cash
31 balance accounts. Except as provided in subsection (3) of section 84-1314

1 and subdivision (4)(c) of section 84-1319, no forfeited amounts shall be
2 applied to increase the benefits any member would otherwise receive under
3 the State Employees Retirement Act.

4 (2) If a member ceases to be an employee due to the termination of
5 his or her employment by the state and a grievance or other appeal of the
6 termination is filed, transactions involving forfeiture of his or her
7 employer account or employer cash balance account and transactions for
8 payment of benefits under sections 84-1317 and 84-1321 shall be suspended
9 pending the final outcome of the grievance or other appeal.

10 (3) The State Employer Retirement Expense Fund is created. The fund
11 shall be administered by the Public Employees Retirement Board. Prior to
12 July 1, 2012, the fund shall be used to meet expenses of the State
13 Employees Retirement System of the State of Nebraska whether such
14 expenses are incurred in administering the member's employer account or
15 in administering the member's employer cash balance account when the
16 funds available in the State Employees Defined Contribution Retirement
17 Expense Fund or State Employees Cash Balance Retirement Expense Fund make
18 such use reasonably necessary. On July 1, 2012, or as soon as practicable
19 thereafter, any money in the State Employer Retirement Expense Fund shall
20 be transferred by the State Treasurer to the State Employees Retirement
21 Fund and credited to the cash balance benefit established in section
22 84-1309.02.

23 (4) Prior to July 1, 2012, the director of the Nebraska Public
24 Employees Retirement Systems shall certify to the Accounting
25 Administrator of the Department of Administrative Services when
26 accumulated employer account forfeiture funds are available to reduce the
27 state contribution which would otherwise be required to fund future
28 service retirement benefits or to restore employer accounts or employer
29 cash balance accounts referred to in subsection (1) of this section.
30 Following such certification, the Accounting Administrator shall transfer
31 the amount reduced from the state contribution from the Imprest Payroll

1 Distributive Fund to the State Employer Retirement Expense Fund. Expenses
2 incurred as a result of the state depositing amounts into the State
3 Employer Retirement Expense Fund shall be deducted prior to any
4 additional expenses being allocated. Any remaining amount shall be
5 allocated in accordance with subsection (3) of this section. Any money in
6 the State Employer Retirement Expense Fund available for investment shall
7 be invested by the state investment officer pursuant to the Nebraska
8 Capital Expansion Act and the Nebraska State Funds Investment Act. Any
9 investment earnings from investment of money in the fund shall be
10 credited to the fund.

11 Sec. 71. Section 84-1506.01, Reissue Revised Statutes of Nebraska,
12 is amended to read:

13 84-1506.01 All expenses necessary in connection with the
14 administration and operation of the deferred compensation plan authorized
15 in section 84-1504 shall be paid from the Deferred Compensation Expense
16 Fund which is hereby created. The fund shall be credited with the
17 proportionate share of administration expenses from the deferred
18 compensation plan assets and income as directed by the Public Employees
19 Retirement Board for the proper administration of the plan. Any money in
20 the fund available for investment shall be invested by the state
21 investment officer pursuant to the Nebraska Capital Expansion Act and the
22 Nebraska State Funds Investment Act. Any investment earnings from
23 investment of money in the fund shall be credited to the fund.

24 Sec. 72. Section 85-1654, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 85-1654 The Tuition Recovery Cash Fund is hereby established. The
27 fund shall be a cash fund used to receive assessments imposed under
28 section 85-1656 and to pay claims authorized under section 85-1657. Any
29 money in the fund available for investment shall be invested by the state
30 investment officer pursuant to the Nebraska Capital Expansion Act and the
31 Nebraska State Funds Investment Act. ~~Any interest earned by the fund~~

1 ~~shall accrue to the fund.~~

2 Sec. 73. Section 85-1920, Revised Statutes Supplement, 2023, is
3 amended to read:

4 85-1920 The Nebraska Opportunity Grant Fund is created. Money in the
5 fund shall include amounts transferred pursuant to section 79-3501 from
6 the State Lottery Operation Trust Fund or, until June 30, 2024, the
7 Nebraska Education Improvement Fund. All amounts accruing to the Nebraska
8 Opportunity Grant Fund shall be used to carry out the Nebraska
9 Opportunity Grant Act. Any money in the fund available for investment
10 shall be invested by the state investment officer pursuant to the
11 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
12 Act. Any investment earnings from investment of money in the fund shall
13 be credited to the fund.

14 Sec. 74. Section 85-3112, Revised Statutes Supplement, 2023, as
15 amended by Laws 2024, LB1284, section 20, is amended to read:

16 85-3112 (1) The Excellence in Teaching Cash Fund is created. The
17 fund shall consist of transfers by the Legislature, transfers pursuant to
18 section 79-3501, and loan repayments, penalties, and interest payments
19 received in the course of administering the Attracting Excellence to
20 Teaching Program and the Enhancing Excellence in Teaching Program.

21 (2)(a) For all fiscal years beginning on and after July 1, 2024, the
22 commission shall allocate on an annual basis up to two hundred fifty
23 thousand dollars of the funds transferred pursuant to section 79-3501 for
24 grants to teachers pursuant to the Career-Readiness and Dual-Credit
25 Education Grant Program.

26 (b) For all fiscal years beginning on and after July 1, 2024, the
27 commission shall allocate on an annual basis up to five hundred thousand
28 dollars of the funds transferred pursuant to section 79-3501 exclusively
29 for loans to any eligible student who is enrolling in a student-teaching
30 semester during the award year pursuant to the Attracting Excellence to
31 Teaching Program. The funds shall be distributed to all eligible

1 institutions according to the distribution formula as determined by rule
2 and regulation. The eligible institutions shall act as agents of the
3 commission in the distribution of the funds to any eligible student for a
4 student-teaching semester.

5 (c) Of the funds remaining in the Excellence in Teaching Cash Fund
6 after the distributions pursuant to subdivisions (a) and (b) of this
7 subsection, for all fiscal years, the commission shall allocate on an
8 annual basis up to four hundred thousand dollars in the aggregate of the
9 funds to be distributed for the Attracting Excellence to Teaching Program
10 to all eligible institutions according to the distribution formula as
11 determined by rule and regulation. The eligible institutions shall act as
12 agents of the commission in the distribution of the funds for the
13 Attracting Excellence to Teaching Program to eligible students. The
14 commission shall allocate on an annual basis up to eight hundred thousand
15 dollars of the remaining available funds to be distributed to eligible
16 students for the Enhancing Excellence in Teaching Program. Funding
17 amounts granted in excess of one million two hundred thousand dollars
18 shall be evenly divided for distribution between the two programs.

19 (3) Any money in the Excellence in Teaching Cash Fund available for
20 investment shall be invested by the state investment officer pursuant to
21 the Nebraska Capital Expansion Act and the Nebraska State Funds
22 Investment Act. Any investment earnings from investment of money in the
23 fund shall be credited to the fund.

24 Sec. 75. Section 85-3211, Revised Statutes Supplement, 2023, is
25 amended to read:

26 85-3211 The Door to College Scholarship Fund is created. The
27 commission shall administer the fund, which shall consist of amounts
28 transferred from the State Lottery Operation Trust Fund pursuant to
29 section 79-3501 prior to July 1, 2029, as well as any money transferred
30 by the Legislature and gifts, grants, or bequests from any source,
31 including federal, state, public, and private sources. All amounts

1 accruing to the Door to College Scholarship Fund shall be used to carry
2 out the Door to College Scholarship Act. Any money in the fund available
3 for investment shall be invested by the state investment officer pursuant
4 to the Nebraska Capital Expansion Act and the Nebraska State Funds
5 Investment Act. Any investment earnings from investment of money in the
6 fund shall be credited to the fund.

7 Sec. 76. Section 86-324, Revised Statutes Supplement, 2023, as
8 amended by Laws 2024, LB1413, section 59, is amended to read:

9 86-324 (1) The Nebraska Telecommunications Universal Service Fund is
10 hereby created. The fund shall provide the assistance necessary to make
11 universal access to telecommunications services available to all persons
12 in the state consistent with the policies set forth in the Nebraska
13 Telecommunications Universal Service Fund Act. Only eligible
14 telecommunications companies designated by the commission shall be
15 eligible to receive support to serve high-cost areas from the fund. A
16 telecommunications company that receives such support shall use that
17 support only for the provision, maintenance, and upgrading of facilities
18 and services for which the support is intended. Any such support should
19 be explicit and sufficient to achieve the purpose of the act.

20 (2) Notwithstanding the provisions of section 86-124, in addition to
21 other provisions of the act, and to the extent not prohibited by federal
22 law, the commission:

23 (a) Shall have authority and power to subject eligible
24 telecommunications companies to service quality, customer service, and
25 billing regulations. Such regulations shall apply only to the extent of
26 any telecommunications services or offerings made by an eligible
27 telecommunications company which are eligible for support by the fund.
28 The commission shall be reimbursed from the fund for all costs related to
29 drafting, implementing, and enforcing the regulations and any other
30 services provided on behalf of customers pursuant to this subdivision;

31 (b) Shall have authority and power to issue orders carrying out its

1 responsibilities and to review the compliance of any eligible
2 telecommunications company receiving support for continued compliance
3 with any such orders or regulations adopted pursuant to the act;

4 (c) May withhold all or a portion of the funds to be distributed
5 from any telecommunications company failing to continue compliance with
6 the commission's orders or regulations;

7 (d) Shall withhold support distributed from the fund from any
8 telecommunications company using or providing any communications
9 equipment or service deemed to pose a threat to national security
10 identified on the Covered List developed pursuant to 47 C.F.R. 1.50002,
11 as such regulation existed on January 1, 2023, and published by the
12 Public Safety and Homeland Security Bureau of the Federal Communications
13 Commission pursuant to the federal Secure and Trusted Communications
14 Networks Act of 2019, 47 U.S.C. 1601 et seq., as such act existed on
15 January 1, 2023, and the rules adopted pursuant to such act by the
16 Federal Communications Commission on November 11, 2022, in its Report and
17 Order FCC 22-84. Any telecommunications company that removes,
18 discontinues, or replaces any communications equipment or service
19 identified on the Covered List described in this subdivision in
20 compliance with federal law shall not be required to obtain any
21 additional permits from any state agency or political subdivision in the
22 removal, discontinuance, or replacement of such communications equipment
23 or service as long as the state agency or political subdivision is
24 properly notified of the necessary replacements and the replacement of
25 any communications equipment is similar to the existing communications
26 equipment;

27 (e) Shall require every telecommunications company to contribute to
28 any universal service mechanism established by the commission pursuant to
29 state law. The commission shall require, as reasonably necessary, an
30 annual audit of any telecommunications company to be performed by a
31 third-party certified public accountant to insure the billing,

1 collection, and remittance of a surcharge for universal service. The
2 costs of any audit required pursuant to this subdivision shall be paid by
3 the telecommunications company being audited;

4 (f) Shall require an audit of information provided by a
5 telecommunications company to be performed by a third-party certified
6 public accountant for purposes of calculating universal service fund
7 payments to such telecommunications company. The costs of any audit
8 required pursuant to this subdivision shall be paid by the
9 telecommunications company being audited; and

10 (g) May administratively fine pursuant to section 75-156 any person
11 who violates the Nebraska Telecommunications Universal Service Fund Act.

12 (3) Any money in the fund available for investment shall be invested
13 by the state investment officer pursuant to the Nebraska Capital
14 Expansion Act and the Nebraska State Funds Investment Act.

15 (4)(a) Transfers may be made from earnings on the Nebraska
16 Telecommunications Universal Service Fund to the 211 Cash Fund or the
17 General Fund at the direction of the Legislature.

18 (b) The State Treasurer shall transfer one million two hundred
19 seventy-five thousand dollars on July 1, 2023, from the earnings on the
20 Nebraska Telecommunications Universal Service Fund to the 211 Cash Fund.
21 The State Treasurer shall transfer one million four hundred fifty-five
22 thousand dollars on July 1, 2024, from the earnings on the Nebraska
23 Telecommunications Universal Service Fund to the 211 Cash Fund.

24 (c) Any investment earnings from investment of money in the Nebraska
25 Telecommunications Universal Service Fund remaining after transfers to
26 the 211 Cash Fund shall be credited to the General Fund. On June 30,
27 2025, the State Treasurer shall transfer all earnings on the Nebraska
28 Telecommunications Universal Service Fund, less any transfers made to the
29 211 Cash Fund in such fiscal year, to the General Fund.

30 Sec. 77. Section 89-187, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 89-187 For purposes of administering and enforcing the Weights and
2 Measures Act, the director is authorized to:

3 (1) Maintain traceability of the primary standards to the National
4 Institute of Standards and Technology;

5 (2) Enforce the provisions of the Weights and Measures Act;

6 (3) Adopt and promulgate reasonable rules and regulations for the
7 enforcement of the act including the following:

8 (a) Requirements for the voluntary registration of sales and repair
9 personnel for commercial weighing and measuring devices including:

10 (i) Registration fees for such personnel which shall not exceed the
11 actual cost to defray the operation of the voluntary registration
12 program;

13 (ii)(A) Qualifications for registration, which may include
14 examinations, (B) performance standards to maintain registration, (C)
15 types of equipment necessary for the work to be performed by the
16 personnel, (D) responsibilities and privileges of registration, and (E)
17 revocation and suspension of such registration and probation of the
18 registrant; and

19 (iii) Minimum standards for the installation and maintenance of
20 commercial weighing and measuring devices;

21 (b) Additional standards not specifically provided for in the act;

22 (c) Standards for (i) attachments or parts entering into the
23 construction or installation of commercial weighing and measuring devices
24 which shall tend to secure correct results in the use of such devices and

25 (ii) the setting of laboratory fees which shall not exceed the actual
26 cost for testing, correcting, calibrating, and verifying secondary
27 standards and the establishment of standard laboratory operating
28 procedures;

29 (d) Requirements for the suitable use of commercial weighing and
30 measuring devices; and

31 (e) Guidelines for the appropriate method of weighing or measuring

1 whenever the director determines that such guidelines would further the
2 purpose of the act;

3 (4) Establish standards of weight, measure, or count, reasonable
4 standards of fill, and standards for the presentation of cost-per-unit
5 information for any commodity;

6 (5) Upon an application filed with the department by the applicant,
7 grant exemptions, including specific exemptions for single-use commercial
8 weighing and measuring devices, from the provisions of the act or the
9 rules and regulations when the applicant on such application provides
10 assurances, acceptable to the director, that such exemption is
11 appropriate to the maintenance of good commercial practices within the
12 state. Notwithstanding any other provision of the act, meters used by a
13 public utility system for the measurement of electricity, natural or
14 manufactured gas, water, or the usage of communication services, the
15 appliances or accessories associated with such meters, and all weighing
16 and measuring devices inspected or tested by the Public Service
17 Commission shall be exempt from the registration, inspection, and testing
18 requirements of the act, except that this exemption shall not apply to
19 meters which determine the weight or measurement of motor fuel;

20 (6) Conduct investigations to insure compliance with the act;

21 (7) Delegate to appropriate personnel any of these responsibilities
22 for the proper administration of the director's office;

23 (8) In his or her discretion, inspect and test weighing and
24 measuring devices kept for sale or sold;

25 (9) Inspect and test annually and from time to time, as in the
26 director's judgment seems necessary, to ascertain whether commercial
27 weighing and measuring devices are correct;

28 (10) Register and test as far as practical all commercial weighing
29 and measuring devices used in checking the receipt or disbursement of
30 supplies in every institution for which funds are appropriated by the
31 Legislature;

1 (11) Test annually and at the request of the Nebraska State Patrol
2 all weighing and measuring devices used for the enforcement of sections
3 60-3,144, 60-3,147, and 60-6,294. The agency responsible for such
4 weighing and measuring devices shall pay the department for the actual
5 cost of such tests. The department shall bill test fees to such agency
6 upon completion of the test;

7 (12) Approve for use and may mark commercial weighing and measuring
8 devices which the director finds to be correct and shall reject and mark
9 or tag as rejected such commercial weighing and measuring devices which
10 the director finds to be not correct or not registered and inspected in
11 accordance with the Weights and Measures Act. Commercial weighing and
12 measuring devices that have been rejected may be seized if not made
13 correct within the time specified or if used or disposed of in a manner
14 not specifically authorized. The director shall condemn and may seize
15 commercial weighing and measuring devices which are found not to be
16 correct and not capable of being made correct;

17 (13) Weigh, measure, or inspect commodities kept for sale, sold, or
18 in the process of delivery to determine whether they contain the amounts
19 represented and whether they are kept for sale or sold in accordance with
20 the act or the rules and regulations. When commodities are found not to
21 contain the amounts represented or are found to be kept for sale, sold,
22 or in the process of delivery in violation of the act, the director may
23 issue stop-sale, hold, or removal orders and may mark or tag such
24 commodities as being in violation of the act. In carrying out the
25 provisions of this section, the director shall employ recognized
26 procedures pursuant to subdivisions (1)(b) through (d) of section 89-186;

27 (14) Provide for the weights and measures training of inspection
28 personnel and adopt and promulgate by rule and regulation minimum
29 training requirements which shall be met by all inspection personnel;

30 (15) Adopt and promulgate rules and regulations prescribing the
31 appropriate term or unit of measurement to be used whenever the director

1 determines in the case of a specific commodity that an existing practice
2 of declaring the quantity by weight, measure, numerical count, or
3 combination thereof does not facilitate value comparisons by consumers or
4 offers an opportunity for consumer confusion;

5 (16) Allow reasonable variations from the stated quantity of
6 contents which shall include those caused by loss or gain of moisture
7 during the course of good distribution practice or by unavoidable
8 deviations in good manufacturing practice only after the commodity has
9 entered intrastate commerce;

10 (17) Verify advertised prices, price representations, and point-of-
11 sale systems, as deemed necessary, to determine: (a) The accuracy of
12 prices, quantity, and computations; (b) the correct use of the equipment;
13 and (c) if such systems utilize scanning or coding means in lieu of
14 manual entry, the accuracy of prices and quantity printed or recalled
15 from a database;

16 (18) On or before July 1 of each year, notify all persons who have
17 registered any commercial weighing or measuring device of the amount of
18 fees which are due and that the fees are due on August 1 and shall be
19 delinquent after such date;

20 (19) Require all persons who operate a weighing and measuring
21 establishment to obtain a permit to operate such establishment pursuant
22 to section 89-187.01 and to pay to the department an application permit
23 fee pursuant to section 89-187.02;

24 (20) Require all persons who operate a weighing and measuring
25 establishment to, on or before August 1 of each year:

26 (a) Register each commercial weighing and measuring device with the
27 department upon forms furnished by the director;

28 (b) Pay to the department a registration fee of four dollars; and

29 (c) Pay to the department a device inspection fee. The device
30 inspection fee shall be due each August 1.

31 (i) Except as otherwise provided in subdivision (ii) of this

1 subdivision, the fees shall be as follows:

2 (A) For scales:

3 Up through 35 pounds capacity: \$14.34

4 Multiunit Scales: \$80.37

5 Over 35 through 1,000 pounds capacity: \$25.35

6 Over 1,000 through 4,000 pounds capacity: \$51.03

7 Over 4,000 through 50,000 pounds capacity: \$58.36

8 Over 50,000 through 150,000 pounds capacity: \$62.03

9 Over 150,000 pounds capacity: \$135.40

10 (B) For Length Measure Devices:

11 Cordage or fabric: \$27.55

12 (C) For Pumps:

13 Service Station Dispensers—per measuring element: \$9.94

14 High-capacity service station dispensers over 20 gallons per minute—
15 per dispensing element: \$29.02

16 Compressed natural gas—per dispensing element: \$142.74

17 (D) For Meters:

18 Vehicle tank meters: \$23.88

19 Loading rack meters: \$51.03

20 Liquid petroleum gas meters: \$63.50

21 Liquid fertilizer and herbicide meters: \$58.36

22 Liquid feed meters: \$58.36

23 Cryogenic: \$84.04

24 (E) For Mass Flow Metering Systems:

25 Mass flow meters (all liquid): \$122.19; and

26 (ii) The director may increase or decrease fees each year. The fees
27 shall be determined by increasing or decreasing annually by the
28 percentage difference between the Consumer Price Index for the most
29 recent year ending before the beginning of such year and the Consumer
30 Price Index for the year 1989 or as required to pay all reasonable direct
31 and indirect costs of administering the Weights and Measures Act. For

1 purposes of this section, Consumer Price Index means the change in the
2 price of goods and services for all urban consumers published by the
3 United States Department of Labor at the close of the twelve-month period
4 ending on August 31 of each year; and

5 ~~(i) The device inspection fee shall be due each August 1 and shall~~
6 ~~be set by the director on or before July 1 of each year. The director may~~
7 ~~raise or lower the device inspection fees each year to meet the criteria~~
8 ~~in this subdivision, but the fee shall not be greater than the amount in~~
9 ~~column B of subdivision (20)(c)(ii) of this section. The same percentage~~
10 ~~shall be applied to each device category for all device inspection fee~~
11 ~~increases or decreases. The director shall use the amounts in column A of~~
12 ~~subdivision (20)(c)(ii) of this section as a base for future fee~~
13 ~~increases or decreases. The director shall determine the fees based on~~
14 ~~estimated annual revenue and fiscal year-end cash fund balances as~~
15 ~~follows:~~

16 ~~(A) The estimated annual revenue shall not be greater than one~~
17 ~~hundred seven percent of program cash fund appropriations allocated for~~
18 ~~the Weights and Measures Act; and~~

19 ~~(B) The estimated fiscal year-end cash fund balance shall not be~~
20 ~~greater than seventeen percent of program cash fund appropriations~~
21 ~~allocated for the act.~~

22	(ii)	—	—
23	Scales:	A	B
24	Up through 35 pounds capacity	7.96	14.34
25	Multiunit Scales	51.00	80.37
26	Over 35 through 1,000 pounds capacity	15.13	25.35
27	Over 1,000 through 4,000 pounds capacity	31.87	51.03
28	Over 4,000 through 50,000 pounds capacity	36.65	58.36
29	Over 50,000 through 150,000 pounds capacity	39.04	62.03
30	Over 150,000 pounds capacity	86.87	135.40
31	Length Measuring Devices:	—	—

1	Cordage or fabric	16.56	27.55
2	Pumps:	-	-
3	Service Station Dispensers per	-	-
4	measuring element	5.09	9.94
5	High-capacity service station	-	-
6	dispensers over 20 gallons per	-	-
7	minute per dispensing element	17.52	29.02
8	Compressed natural gas per	-	-
9	dispensing element	91.65	142.74
10	Meters:	-	-
11	Vehicle tank meters	14.17	23.88
12	Loading rack meters	31.87	51.03
13	Liquid petroleum gas meters	40.00	63.50
14	Liquid fertilizer and herbicide meters	36.65	58.36
15	Liquid feed meters	36.65	58.36
16	Cryogenic	53.39	84.04
17	Mass Flow Metering Systems:	-	-
18	Mass flow meters (all liquid)	78.26	122.19;
19	and	-	-

20 (21) Require persons delinquent under subdivision (20) of this
21 section to pay an administrative fee of twenty-five percent of the annual
22 fees due for each month any such fees are delinquent not to exceed one
23 hundred percent of such fees. Such administrative fees paid shall be in
24 addition to the annual fees due. The purpose of the additional
25 administrative fee is to cover the administrative costs associated with
26 collecting fees. All money collected as an additional administrative fee
27 shall be remitted to the State Treasurer for credit to the Weights and
28 Measures Administrative Fund.

29 Sec. 78. Laws 2024, LB164, section 10, is amended to read:

30 Sec. 10. The Inland Port Authority Fund is created. The fund shall

1 be used by the State Treasurer to carry out section 11 of this act. The
2 fund shall consist of transfers by the Legislature and any federal funds
3 which may become available for the purposes of the Municipal Inland Port
4 Authority Act. Any money in the fund available for investment shall be
5 invested by the state investment officer pursuant to the Nebraska Capital
6 Expansion Act and the Nebraska State Funds Investment Act. ~~Any investment~~
7 ~~earnings from investment of money in the fund shall be credited to the~~
8 ~~fund.~~

9 Sec. 79. Laws 2024, LB600, section 7, is amended to read:

10 Sec. 7. The Municipality Infrastructure Aid Fund is created. The
11 fund shall be administered by the Department of Economic Development and
12 shall be used for the purposes of the Municipality Infrastructure Aid
13 Act. The Municipality Infrastructure Aid Fund shall consist of money
14 transferred by the Legislature and money that was recouped under the
15 Municipality Infrastructure Aid Act. Any money in the fund available for
16 investment shall be invested by the state investment officer pursuant to
17 the Nebraska Capital Expansion Act and the Nebraska State Funds
18 Investment Act. ~~Investment earnings from investment of money in the fund~~
19 ~~shall be credited to the fund.~~

20 Sec. 80. Laws 2024, LB1284, section 16, is amended to read:

21 Sec. 16. (1) The Computer Science and Technology Education Fund is
22 created. The fund shall be administered by the State Department of
23 Education and consist of money transferred by the Legislature, federal
24 funds, and gifts, grants, bequests, or other contributions or donations
25 from public or private entities that have been accepted by the State
26 Board of Education. The fund shall be used to provide computer science
27 and technology training, support, and incentive and stipend payments
28 pursuant to section 15 of this act. Any money in the fund available for
29 investment shall be invested by the state investment officer pursuant to
30 the Nebraska Capital Expansion Act and the Nebraska State Funds
31 Investment Act. ~~Any interest earned by the fund shall accrue to the fund.~~

1 (2)(a) It is the intent of the Legislature to transfer one million
2 dollars for fiscal year 2024-25 and one million dollars for fiscal year
3 2025-26 from the Education Future Fund to the Computer Science and
4 Technology Education Fund to provide computer science and technology
5 education training, support, and incentive and stipend payments pursuant
6 to section 15 of this act.

7 (b) It is the intent of the Legislature to transfer an additional
8 five hundred thousand dollars for fiscal year 2024-25 and each fiscal
9 year thereafter from the Education Future Fund to the Computer Science
10 and Technology Education Fund contingent upon the receipt of matching
11 private funds of such amount. The State Department of Education shall
12 provide written notification to the State Treasurer relating to the
13 receipt of private funds that would trigger a state match.

14 Sec. 81. Original sections 2-1091.02, 2-1807, 2-2634, 2-2635,
15 2-2638, 2-2656, 2-2705.01, 2-3408, 2-3633, 2-3971, 2-4323, 3-126,
16 23-2310.04, 23-2319.01, 28-1246, 28-1251, 37-323, 37-327.01, 37-431,
17 43-3718, 44-116, 54-627, 54-856, 54-1165, 54-1704, 54-1904, 54-2306,
18 68-1804, 72-1248, 77-4211, 79-968, 81-2,174, 81-5,152, 81-1117,
19 81-15,174.01, 81-1835, 84-1314, 84-1506.01, and 85-1654, Reissue Revised
20 Statutes of Nebraska; sections 37-811, 61-222, 79-9,115.02, 81-2,147.10,
21 81-2,162.06, 81-2,162.23, 81-503.01, 81-505.01, 81-5,170, 81-5,199,
22 81-5,201, 81-5,214, 81-1230, 81-15,151, 84-1321.01, and 89-187, Revised
23 Statutes Cumulative Supplement, 2022; sections 46-1,164, 81-1213.05,
24 85-1920, and 85-3211, Revised Statutes Supplement, 2023; section 8-1120,
25 Reissue Revised Statutes of Nebraska, as amended by Laws 2024, LB1074,
26 section 48; section 81-550, Reissue Revised Statutes of Nebraska, as
27 amended by Laws 2024, LB1069, section 6; section 81-5,159, Reissue
28 Revised Statutes of Nebraska, as amended by Laws 2024, LB1069, section 7;
29 section 66-1519, Revised Statutes Cumulative Supplement, 2022, as amended
30 by Laws 2024, LB867, section 7; section 71-5318, Revised Statutes
31 Cumulative Supplement, 2022, as amended by Laws 2024, LB880, section 1;

1 section 80-322.01, Revised Statutes Cumulative Supplement, 2022, as
2 amended by Laws 2024, LB252, section 2; section 81-2,270, Revised
3 Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB262,
4 section 39; section 37-1804, Revised Statutes Supplement, 2023, as
5 amended by Laws 2024, LB1413, section 34; section 61-218, Revised
6 Statutes Supplement, 2023, as amended by Laws 2024, LB1368, section 9;
7 section 77-4025, Revised Statutes Supplement, 2023, as amended by Laws
8 2024, LB1204, section 36; section 79-1021, Revised Statutes Supplement,
9 2023, as amended by Laws 2024, LB1284, section 12; section 81-1239,
10 Revised Statutes Supplement, 2023, as amended by Laws 2024, LB164,
11 section 17; section 84-612, Revised Statutes Supplement, 2023, as amended
12 by Laws 2024, LB600, section 9, and Laws 2024, LB1413, section 58;
13 section 85-3112, Revised Statutes Supplement, 2023, as amended by Laws
14 2024, LB1284, section 20; section 86-324, Revised Statutes Supplement,
15 2023, as amended by Laws 2024, LB1413, section 59; Laws 2024, LB164,
16 section 10; Laws 2024, LB600, section 7; and Laws 2024, LB1284, section
17 16, are repealed.

18 Sec. 82. Since an emergency exists, this act takes effect when
19 passed and approved according to law.