

LEGISLATIVE BILL 870

Approved by the Governor April 18, 1986

Introduced by Warner, 25; Hannibal, 4; Coll, 16;
Scofield, 49; Carsten, 2; Marsh, 29;
Lundy, 36; L. Johnson, 15; Goodrich, 20

AN ACT relating to the Cash Reserve Fund; to amend sections 84-613 and 84-614, Revised Statutes Supplement, 1984, and section 84-612, Revised Statutes Supplement, 1985, as amended by section 1, LB 739, Eighty-ninth Legislature, Second Session, 1986; to change provisions relating to transfers; to provide for interest to accrue to the fund as prescribed; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 84-612, Revised Statutes Supplement, 1985 as amended by section 1, LB 739, Eighty-ninth Legislature, Second Session, 1986, be amended to read as follows:

84-612. (1) There is hereby created within the state treasury a fund known as the Cash Reserve Fund which shall be under the direction of the State Treasurer. Any money in the Cash Reserve Fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269 and any interest earned shall accrue to the General Fund. The fund shall only be used pursuant to subsections (2), (4), and (5) of this section.

(2) The State Treasurer shall transfer funds from the Cash Reserve Fund to the General Fund upon certification by the Director of Administrative Services that the current cash balance in the General Fund is inadequate to meet current obligations. Such certification shall include the dollar amount to be transferred.

(3) Any transfers made pursuant to subsection (2) of this section shall be reversed upon notification by the Director of Administrative Services that sufficient funds are available.

(4) On September 15, 1985, the State Treasurer shall transfer eight million five hundred thousand dollars from the Cash Reserve Fund to the General Fund to pay Tort Claim Number 4-302. Such transfer shall be

reversed after July 1, 1987, but before July 15, 1987.
~~1986, but before July 15, 1986-~~

(5) For the period July 1, 1985, to June 30, 1986, the State Treasurer shall transfer five million dollars from the Cash Reserve Fund to the General Fund. Such transfer shall be reversed after July 1, ~~1986~~ 1987, but before July 15, ~~1986~~ 1987.

Sec. 2. That section 84-613, Revised Statutes Supplement, 1984, be amended to read as follows:

84-613. (1) Any money in the Cash Reserve Fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269. Except as provided in subsection (2) of this section, any interest earned shall accrue to the Cash Reserve Fund until such time as the balance in the fund, including any outstanding transfers, equals thirty-five million dollars. After such time, any interest earned shall accrue to the General Fund.

(2) Interest shall not accrue to the Cash Reserve Fund on the funds which have been transferred from the Cash Reserve Fund to the General Fund pursuant to section 84-612.

Sec. 3. That section 84-614, Revised Statutes Supplement, 1984, be amended to read as follows:

84-614. Any transfer of funds made pursuant to subsection (2) of section 84-612 and which has not been reversed as provided in such section shall be considered an encumbrance against the General Fund.

Sec. 4. That original sections 84-613 and 84-614, Revised Statutes Supplement, 1984, and section 84-612, Revised Statutes Supplement, 1985, as amended by section 1, LB 739, Eighty-ninth Legislature, Second Session, 1986, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.