

AMENDMENTS TO LB661

Introduced by Appropriations.

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

3           Section 1. The State Treasurer shall transfer \$3,300,000 from the  
4 General Fund to the Water Resources Cash Fund on or before June 30, 2016,  
5 on such dates and in such amounts as directed by the budget administrator  
6 of the budget division of the Department of Administrative Services.

7           Sec. 2. The State Treasurer shall transfer \$3,300,000 from the  
8 General Fund to the Water Resources Cash Fund on or before June 30, 2017,  
9 on such dates and in such amounts as directed by the budget administrator  
10 of the budget division of the Department of Administrative Services.

11          Sec. 3. The State Treasurer shall transfer \$11,000,000 from the  
12 General Fund to the Water Sustainability Fund on or before June 30, 2016,  
13 on such dates and in such amounts as directed by the budget administrator  
14 of the budget division of the Department of Administrative Services.

15          Sec. 4. The State Treasurer shall transfer \$11,000,000 from the  
16 General Fund to the Water Sustainability Fund on or before June 30, 2017,  
17 on such dates and in such amounts as directed by the budget administrator  
18 of the budget division of the Department of Administrative Services.

19          Sec. 5. The State Treasurer shall transfer \$3,000,000 from the  
20 Water Sustainability Fund to the Nebraska Resources Development Fund on  
21 or before August 1, 2015.

22          Sec. 6. The State Treasurer shall transfer \$3,000,000 from the  
23 Water Sustainability Fund to the Nebraska Resources Development Fund on  
24 or before August 1, 2016.

25          Sec. 7. The State Treasurer shall transfer \$198,000,000 from the  
26 General Fund to the Property Tax Credit Cash Fund on or before December  
27 15, 2015, on such date as directed by the budget administrator of the

1 budget division of the Department of Administrative Services.

2       Sec. 8. The State Treasurer shall transfer \$198,000,000 from the  
3 General Fund to the Property Tax Credit Cash Fund on or before December  
4 15, 2016, on such date as directed by the budget administrator of the  
5 budget division of the Department of Administrative Services.

6       Sec. 9. The State Treasurer shall transfer an amount as directed by  
7 the budget administrator of the budget division of the Department of  
8 Administrative Services, pursuant to subsections (3) and (4) of section  
9 82-331, not to exceed \$750,000, from the General Fund to the Nebraska  
10 Cultural Preservation Endowment Fund on December 31, 2015, or as soon  
11 thereafter as administratively possible.

12       Sec. 10. The State Treasurer shall transfer an amount as directed  
13 by the budget administrator of the budget division of the Department of  
14 Administrative Services, pursuant to subsections (3) and (4) of section  
15 82-331, not to exceed \$750,000, from the General Fund to the Nebraska  
16 Cultural Preservation Endowment Fund on December 31, 2016, or as soon  
17 thereafter as administratively possible.

18       Sec. 11. The State Treasurer shall transfer \$147,000 from the City  
19 of the Metropolitan Class Development Fund to the General Fund on July 1,  
20 2015, or as soon thereafter as administratively possible.

21       Sec. 12. The State Treasurer shall transfer \$98,000 from the City  
22 of the Primary Class Development Fund to the General Fund on July 1,  
23 2015, or as soon thereafter as administratively possible.

24       Sec. 13. The State Treasurer shall transfer \$150,000 from the  
25 Convention Center Support Fund to the General Fund on July 1, 2015, or as  
26 soon thereafter as administratively possible.

27       Sec. 14. The State Treasurer, at the direction of the budget  
28 administrator of the budget division of the Department of Administrative  
29 Services, shall transfer \$1,000,000 from the State Recreation Road Fund  
30 to the State Park Cash Revolving Fund between July 1, 2015, and July 31,  
31 2015. The State Treasurer, at the direction of the budget administrator

1 of the budget division of the Department of Administrative Services,  
2 shall transfer \$1,000,000 from the State Recreation Road Fund to the  
3 State Park Cash Revolving Fund between July 1, 2016, and July 31, 2016.

4       Sec. 15. The State Treasurer shall transfer \$200,000 from the  
5 Resource Recovery Fund to the General Fund on or before July 5, 2015.

6       Sec. 16. The State Treasurer shall transfer \$200,000 from the  
7 Nebraska Collection Agency Fund to the General Fund on or before July 5,  
8 2015.

9       Sec. 17. The Republican River Compact Litigation Contingency Cash  
10 Fund is created. The Director of Administrative Services shall use the  
11 fund to make payments in an amount up to \$5,500,000 in accordance with  
12 any court order pursuant to Kansas v. Nebraska, No. 126 Original. Such  
13 payment or payments shall only be made by the Department of  
14 Administrative Services upon written certification by the Attorney  
15 General of the amount necessary to satisfy the court-ordered amount. The  
16 fund shall receive revenue from fund transfers as authorized by the  
17 Legislature and from fees, charges, and any other revenue source  
18 specifically designated by the Legislature for deposit in the fund.  
19 Further, upon the written certification of the Attorney General to the  
20 Director of Administrative Services that the State of Nebraska has  
21 satisfied in full its payment requirements ordered by the court pursuant  
22 to Kansas v. Nebraska, No. 126 Original, the fund shall be terminated and  
23 any remaining balance shall be transferred to the Cash Reserve Fund. Any  
24 money in the fund available for investment shall be invested by the state  
25 investment officer pursuant to the Nebraska Capital Expansion Act and the  
26 Nebraska State Funds Investment Act.

27       Sec. 18. The Health Care Homes for the Medically Underserved Fund  
28 is created. Any money in the fund available for investment shall be  
29 invested by the state investment officer pursuant to the Nebraska Capital  
30 Expansion Act and the Nebraska State Funds Investment Act. The purpose of  
31 the fund is to enhance the ability of Nebraska's federally qualified

1 health centers to provide patient-centered medical homes to low-income  
2 medically underserved populations.

3       Sec. 19. (1) Twenty-five percent of the federal medicaid fraud  
4 settlement funds accruing to Nebraska annually shall be appropriated to  
5 the Health Care Homes for the Medically Underserved Fund for distribution  
6 to federally qualified health centers in Nebraska. Such funds shall be  
7 distributed proportionately based on the unduplicated number of patients  
8 served in the previous year by such federally qualified health centers as  
9 reported through the uniform data system of the Health Resources and  
10 Services Administration of the United States Department of Health and  
11 Human Services.

12       (2) Funds distributed pursuant to subsection (1) of this section  
13 shall be used for the following purposes:

14       (a) Hiring, training, certifying, and maintaining staff dedicated to  
15 patient-centered chronic disease management, including, but not limited  
16 to, case managers, health educators, social workers, outreach and  
17 enrollment workers, and community health workers;

18       (b) Providing services, including, but not limited to, interpretive  
19 services, transportation services, and social work assistance;

20       (c) Capital improvements, including, but not limited to, facility  
21 expansion, leasing additional space, and furnishing, equipment, or  
22 redesign of facilities to support patient-centered care;

23       (d) Medication management, including, but not limited to, clinical  
24 pharmacy services, pharmacists, clinical pharmacists, technology for  
25 monitoring and real-time notification, and care managers;

26       (e) Information technology, including, but not limited to,  
27 telehealth services, analytics tools, patient registries, and updates to  
28 electronic health records systems; and

29       (f) Reimbursement to health care providers, including, but not  
30 limited to, physicians, nurse practitioners, dieticians, diabetic  
31 educators, behavioral health providers, and oral health providers.

1           Sec. 20. The Legislature finds that water sustainability programs,  
2 projects, and activities are complex, multiyear endeavors that require a  
3 stable source of state funding support in order for the required matching  
4 funds to be secured and for projects to be completed in a timely and  
5 successful manner. It is the intent of the Legislature that transfers of  
6 money from the General Fund to the Water Sustainability Fund be  
7 maintained at the level established in section 61-222 for a minimum of  
8 ten fiscal years.

9           Sec. 21. Section 2-1507, Revised Statutes Cumulative Supplement,  
10 2014, is amended to read:

11           2-1507 (1) It is the intent of the Legislature that the Water  
12 Sustainability Fund be equitably distributed statewide to the greatest  
13 extent possible for the long term and give priority funding status to  
14 projects which are the result of federal mandates.

15           (2) Distributions to assist municipalities with the cost of  
16 constructing, upgrading, developing, and replacing sewer infrastructure  
17 facilities as part of a combined sewer overflow project shall be based on  
18 a demonstration of need and shall equal ten percent of the total annual  
19 appropriation to the Water Sustainability Fund if (a) applicants have  
20 applied for such funding as required under section 2-1509 and (b) any  
21 such application has been recommended for further consideration by the  
22 director and is subsequently approved for allocation by the commission  
23 pursuant to subsection (1) of section 2-1511. If more than one  
24 municipality demonstrates a need for funds pursuant to this subsection,  
25 funds shall be distributed proportionally based on population.

26           (3) Any money in the Water Sustainability Fund may be allocated by  
27 the commission to applicants in accordance with sections 2-1506 to  
28 2-1513. Such money may be allocated in the form of grants or loans for  
29 water sustainability programs, projects, or activities undertaken within  
30 the state. The allocation of funds to a program, project, or activity in  
31 one form shall not of itself preclude additional allocations in the same

1 or any other form to the same program, project, or activity.

2 (4) When the commission has approved an allocation of funds to a  
3 program, project, or activity, the Department of Natural Resources shall  
4 establish a subaccount in the Water Sustainability Fund and credit the  
5 entire amount of the allocation to the subaccount. Individual subaccounts  
6 shall be established for each program, project, or activity approved by  
7 the commission. Additional allocations to a program, project, or activity  
8 shall be credited to the same subaccount as the original allocation.  
9 Subaccounts shall not be subject to transfer out of the Water  
10 Sustainability Fund, except that the commission may authorize the  
11 transfer of excess or unused funds from a subaccount and into the  
12 unreserved balance of the fund.

13 (5) A natural resources district is eligible for funding from the  
14 Water Sustainability Fund only if the district has adopted or is  
15 currently participating in the development of an integrated management  
16 plan pursuant to subdivision (1)(a) or (b) of section 46-715.

17 (6) The commission shall utilize the resources and expertise of  
18 and collaborate with the Department of Natural Resources, the University  
19 of Nebraska, the Department of Environmental Quality, the Nebraska  
20 Environmental Trust Board, and the Game and Parks Commission on funding  
21 and planning for water programs, projects, or activities.

22 (7) A biennial report shall be made to the Clerk of the  
23 Legislature describing the work accomplished by the use of funds towards  
24 the goals of the Water Sustainability Fund beginning on December 31,  
25 2015. The report submitted to the Clerk of the Legislature shall be  
26 submitted electronically.

27 Sec. 22. Section 2-1513, Revised Statutes Cumulative Supplement,  
28 2014, is amended to read:

29 2-1513 The Appropriations Committee of the Legislature shall,  
30 beginning with the FY2023-25 ~~FY2019-21~~ biennial budget review process,  
31 conduct a biennial analysis of the financial status of the Water

1 Sustainability Fund, including a review of the committed and uncommitted  
2 balance of the fund and the financial impact of pending programs,  
3 projects, or activities. The committee shall base its recommendation for  
4 transfers to the Water Sustainability Fund upon information provided in  
5 the review process.

6 Sec. 23. Section 2-1587, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 2-1587 (1) There is hereby created the Nebraska Resources  
9 Development Fund to be administered by the department. The State  
10 Treasurer shall credit to the fund, to carry out sections 2-1586 to  
11 2-1595, such money as is (a) appropriated to or transferred into the fund  
12 by the Legislature, (b) paid to the state as fees, deposits, payments,  
13 and repayments relating to the fund, both principal and interest, and (c)  
14 donated as gifts, bequests, or other contributions to such fund from  
15 public or private entities. Funds made available by any department or  
16 agency of the United States may also be credited to this fund if so  
17 directed by such department or agency. The money in the fund shall not be  
18 subject to any fiscal year or biennium limitation requiring  
19 reappropriation of the unexpended balance at the end of the fiscal year  
20 or biennium. Transfers may be made from the fund to the General Fund at  
21 the direction of the Legislature.

22 (2) To aid in the funding of projects and to prevent excessive  
23 fluctuations in appropriation requirements for the Nebraska Resources  
24 Development Fund, the department shall create a reserve fund to be used  
25 only for projects requiring total expenditures from the Nebraska  
26 Resources Development Fund in excess of five million dollars. Unless  
27 disapproved by the Governor, the department may credit to such reserve  
28 fund that portion of any appropriation to the Nebraska Resources  
29 Development Fund which exceeds five million dollars. The department may  
30 also credit to the reserve fund such other funds as it determines are  
31 available.

1 (3) Any money in the Nebraska Resources Development Fund available  
2 for investment shall be invested by the state investment officer pursuant  
3 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
4 Investment Act.

5 Sec. 24. Section 2-1588, Revised Statutes Cumulative Supplement,  
6 2014, is amended to read:

7 2-1588 (1) No money in the Nebraska Resources Development Fund may  
8 be reallocated by the commission in accordance with sections 2-1586 to  
9 2-1595 for utilization by the department, by any state office, agency,  
10 board, or commission, or by any political subdivision of the state which  
11 has the authority to develop the state's water and related land resources  
12 after March 30, 2014. The commission may commit appropriated funds to  
13 projects approved as of March 30, 2014, not to exceed amounts  
14 specifically allocated to such projects prior to March 30, 2014, unless  
15 specific appropriations or transfers to exceed the March 30, 2014,  
16 allocation amounts are approved by the Legislature. If such specific  
17 appropriations or transfers are made, the commission shall develop  
18 procedures to allocate the additional funding to projects approved as of  
19 March 30, 2014. Allocations shall not exceed funds appropriated for such  
20 purpose. Any of such funds remaining after all such project costs have  
21 been completely funded shall be transferred to the Water Sustainability  
22 Fund by the State Treasurer. Prior to March 30, 2014, the Nebraska  
23 Resources Development Fund fund may be allocated in the form of grants or  
24 loans or for acquiring state interests in water and related land  
25 resources programs and projects undertaken within the state. The  
26 allocation of funds to a program or project in one form shall not of  
27 itself preclude additional allocations in the same or any other form to  
28 the same program or project. Funds may also be allocated to assist  
29 natural resources districts in the preparation of management plans as  
30 provided in section 46-709. Funds so allocated shall not be subject to  
31 sections 2-1589 to 2-1595.

1 (2) No project, including all related phases, segments, parts, or  
2 divisions, shall receive more than ten million dollars from the fund. On  
3 July 1 of each year after 1993, the director shall adjust the project  
4 cost and payment limitation of this subsection by an amount equal to the  
5 average percentage change in a readily available construction cost index  
6 for the prior three years.

7 (3) Prior to September 1 of each even-numbered year, a biennial  
8 report shall be made to the Governor and the Clerk of the Legislature  
9 describing the work accomplished by the use of such development fund  
10 during the immediately preceding two-year period. The report submitted to  
11 the Clerk of the Legislature shall be submitted electronically. The  
12 report shall include a complete financial statement. Each member of the  
13 Legislature shall receive an electronic copy of such report upon making a  
14 request to the director.

15 Sec. 25. Section 13-1905, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 13-1905 If state funding is available for distribution pursuant to  
18 sections section 13-1906 and 13-2704, the Department of Economic  
19 Development shall ~~Governor shall designate a state administrative agency~~  
20 ~~to~~ certify development districts for funding eligibility. Certification  
21 shall be based on the following requirements:

22 (1) The development district shall be formed as provided in section  
23 13-1902;

24 (2) The development district shall have a staff which shall at a  
25 minimum include a full-time director to provide assistance to the local  
26 governments which are members of the development district; and

27 (3) The agreement creating the development district shall insure  
28 that all of the local governments within the Nebraska planning and  
29 development region may at any time join in the development district.

30 Sec. 26. Section 13-1906, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           13-1906 (1) The Department of Economic Development state  
2 ~~administrative agency~~ shall distribute financial assistance from the  
3 state, if available, to the various development districts as they are  
4 certified in the manner prescribed in subsection (2) of this section.

5           (2)(a) Fifty percent of the total sum allocated shall be divided  
6 equally among the certified development districts. In certified districts  
7 formed by regional councils, funds may be prorated among the cooperating  
8 regional councils based upon a formula approved by the governing boards  
9 of each of the cooperating regional councils and accepted by the  
10 department state ~~administrative agency~~.

11           (b) Twenty percent of the total sum allocated shall be divided among  
12 the certified development districts based upon their proportional share  
13 of the population of all certified development districts in the state.  
14 For purposes of this subdivision, population shall mean the number of  
15 residents as shown by the latest federal decennial census, except that  
16 the population of a county shall mean the number of residents in the  
17 unincorporated areas of the county.

18           (c) Thirty percent of the total sum allocated shall be divided among  
19 the certified development districts based upon their proportional share  
20 of the local governments located within all certified development  
21 districts.

22           (3) Distributions to newly certified development districts shall not  
23 reduce financial assistance to previously funded development districts.  
24 State financial assistance shall not exceed the total local dollars  
25 received by the development district as verified by the department state  
26 ~~administrative agency~~. For purposes of this subsection, local dollars  
27 received shall mean the total local dues received by a development  
28 district from any local government as a condition of membership in a  
29 development district.

30           Sec. 27. Section 13-1907, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           13-1907 (1) The Department of Economic Development state  
2 ~~administrative agency~~ shall adopt and promulgate rules and regulations to  
3 carry out sections 13-1901 to 13-1907 which shall include standardized  
4 reporting and application procedures. Each development district shall  
5 submit annual performance and financial reports to the department state  
6 ~~administrative agency~~ which shall address the activities performed and  
7 services delivered.

8           (2) The Governor shall, from time to time, evaluate the  
9 effectiveness and activities of the development districts receiving  
10 assistance. If the Governor finds a development district to be  
11 ineffective, he or she may take action, including the withholding of  
12 assistance authorized under section 13-1906.

13           Sec. 28. Section 13-2610, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15           13-2610 (1) Upon the annual certification under section 13-2609, the  
16 State Treasurer shall transfer after the audit the amount certified to  
17 the Convention Center Support Fund. The Convention Center Support Fund is  
18 created. Transfers may be made from the fund to the General Fund at the  
19 direction of the Legislature. Any money in the Convention Center Support  
20 Fund 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.

23           (2)(a) It is the intent of the Legislature to appropriate from the  
24 fund to any political subdivision for which an application for state  
25 assistance under the Convention Center Facility Financing Assistance Act  
26 has been approved an amount not to exceed (i) seventy percent of the  
27 state sales tax revenue collected by retailers and operators doing  
28 business at such facilities on sales at such facilities, state sales tax  
29 revenue collected on primary and secondary box office sales of admissions  
30 to such facilities, and state sales tax revenue collected by associated  
31 hotels, (ii) seventy-five million dollars for any one approved project,

1 or (iii) the total cost of acquiring, constructing, improving, or  
2 equipping the eligible facility. State assistance shall not be used for  
3 an operating subsidy or other ancillary facility.

4 (b) Ten percent of such funds appropriated to a city of the  
5 metropolitan class under this subsection shall be equally distributed to  
6 areas with a high concentration of poverty to (i) showcase important  
7 historical aspects of such areas or areas within close geographic  
8 proximity of the area with a high concentration of poverty or (ii) assist  
9 with the reduction of street and gang violence in such areas.

10 (c) Each area with a high concentration of poverty that has been  
11 distributed funds under subdivision (b) of this subsection shall  
12 establish a development fund and form a committee which shall identify  
13 and research potential projects to be completed in the area with a high  
14 concentration of poverty or in an area within close geographic proximity  
15 of such area if the project would have a significant or demonstrable  
16 impact on such area and make final determinations on the use of state  
17 sales tax revenue received for such projects.

18 (d) A committee formed in subdivision (c) of this subsection shall  
19 include the following three members:

20 (i) The member of the city council whose district includes a  
21 majority of the census tracts which each contain a percentage of persons  
22 below the poverty line of greater than thirty percent, as determined by  
23 the most recent federal decennial census, within the area with a high  
24 concentration of poverty;

25 (ii) The commissioner of the county whose district includes a  
26 majority of the census tracts which each contain a percentage of persons  
27 below the poverty line of greater than thirty percent, as determined by  
28 the most recent federal decennial census, within the area with a high  
29 concentration of poverty; and

30 (iii) A resident of the area with a high concentration of poverty,  
31 appointed by the other two members of the committee.

1 (e) A committee formed in subdivision (c) of this subsection shall  
2 solicit project ideas from the public and shall hold a public hearing in  
3 the area with a high concentration of poverty. Notice of a proposed  
4 hearing shall be provided in accordance with the procedures for notice of  
5 a public hearing pursuant to section 18-2115. The committee shall  
6 research potential projects and make the final determination regarding  
7 the annual distribution of funding to such projects.

8 (f) For purposes of this subsection, an area with a high  
9 concentration of poverty means an area within the corporate limits of a  
10 city of the metropolitan class consisting of one or more contiguous  
11 census tracts, as determined by the most recent federal decennial census,  
12 which contain a percentage of persons below the poverty line of greater  
13 than thirty percent, and all census tracts contiguous to such tract or  
14 tracts, as determined by the most recent federal decennial census.

15 (3) State assistance to the political subdivision shall no longer be  
16 available upon the retirement of the bonds issued to acquire, construct,  
17 improve, or equip the facility or any subsequent bonds that refunded the  
18 original issue or when state assistance reaches the amount determined  
19 under subdivision (2)(a) of this section, whichever comes first.

20 (4) The remaining thirty percent of state sales tax revenue  
21 collected by retailers and operators doing business at such facilities on  
22 sales at such facilities, state sales tax revenue collected on primary  
23 and secondary box office sales of admissions to such facilities, and  
24 state sales tax revenue collected by associated hotels, shall be  
25 appropriated by the Legislature to the Civic and Community Center  
26 Financing Fund. Upon the annual certification required pursuant to  
27 section 13-2609 and following the transfer to the Convention Center  
28 Support Fund required pursuant to subsection (1) of this section, the  
29 State Treasurer shall transfer an amount equal to the remaining thirty  
30 percent from the Convention Center Support Fund to the Civic and  
31 Community Center Financing Fund.

1 (5) Any municipality that has applied for and received a grant of  
2 assistance under the Civic and Community Center Financing Act may not  
3 receive state assistance under the Convention Center Facility Financing  
4 Assistance Act.

5 Sec. 29. Section 13-2704, Revised Statutes Cumulative Supplement,  
6 2014, is amended to read:

7 13-2704 (1) The Civic and Community Center Financing Fund is  
8 created. The fund shall be administered by the department. Any money in  
9 the fund available for investment shall be invested by the state  
10 investment officer pursuant to the Nebraska Capital Expansion Act and the  
11 Nebraska State Funds Investment Act. Transfers may be made from the fund  
12 to the General Fund, the Department of Revenue Enforcement Fund, and the  
13 State Colleges Sport Facilities Cash Fund at the direction of the  
14 Legislature.

15 (2) Commencing in FY2015-16 and every year thereafter, the  
16 department shall distribute five hundred thousand dollars from the Civic  
17 and Community Center Financing Fund to development districts formed under  
18 sections 13-1901 to 13-1907.

19 (3)(a) ~~(2)(a)~~ The department shall use the remaining balance of the  
20 Civic and Community Center Financing Fund for the following purposes:

21 (i) For grants of assistance as described in section 13-2704.01;

22 (ii) For grants of assistance as described in section 13-2704.02;

23 and

24 (iii) For reasonable and necessary costs of the department directly  
25 related to the administration of the fund, not to exceed the amount  
26 needed to employ a one-half full-time equivalent employee.

27 (b) The fund may not be used for programming, marketing,  
28 advertising, or facility-staffing activities.

29 (4) ~~3~~ The State Treasurer shall transfer two hundred fifty thousand  
30 dollars from the Civic and Community Center Financing Fund to the State  
31 Colleges Sport Facilities Cash Fund on October 1 of each year. Commencing

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

7       Sec. 30. Section 39-1390, Revised Statutes Cumulative Supplement,  
8 2014, is amended to read:

9       39-1390 The State Recreation Road Fund is created. The money in the  
10 fund shall be transferred by the State Treasurer, on the first day of  
11 each month, to the Department of Roads and shall be expended by the  
12 Director-State Engineer with the approval of the Governor for  
13 construction and maintenance of dustless-surface roads to be designated  
14 as state recreation roads as provided in this section, except that (1)  
15 transfers may be made from the fund to the State Park Cash Revolving Game  
16 ~~and Parks State Park Improvement and Maintenance~~ Fund at the direction of  
17 the Legislature through July 31, 2016, and (2) if the balance in the  
18 State Recreation Road Fund exceeds fourteen million dollars on the first  
19 day of each month, the State Treasurer shall transfer the amount greater  
20 than fourteen million dollars to the Game and Parks State Park  
21 Improvement and Maintenance Fund 2014. Except as to roads under contract  
22 as of March 15, 1972, those roads, excluding state highways, giving  
23 direct and immediate access to or located within state parks, state  
24 recreation areas, or other recreational or historical areas, shall be  
25 eligible for designation as state recreation roads. Such eligibility  
26 shall be determined by the Game and Parks Commission and certified to the  
27 Director-State Engineer, who shall, after receiving such certification,  
28 be authorized to commence construction on such recreation roads as funds  
29 are available. In addition, those roads, excluding state highways, giving  
30 direct and immediate access to a state veteran cemetery are state  
31 recreation roads. After construction of such roads they shall be shown on

1 the map provided by section 39-1311. Preference in construction shall be  
2 based on existing or potential traffic use by other than local residents.  
3 Unless the State Highway Commission otherwise recommends, such roads upon  
4 completion of construction shall be incorporated into the state highway  
5 system. If such a road is not incorporated into the state highway system,  
6 the Department of Roads and the county within which such road is located  
7 shall enter into a maintenance agreement establishing the responsibility  
8 for maintenance of the road, the maintenance standards to be met, and the  
9 responsibility for maintenance costs. Any money in the State Recreation  
10 Road Fund available for investment shall be invested by the state  
11 investment officer pursuant to the Nebraska Capital Expansion Act and the  
12 Nebraska State Funds Investment Act.

13 Sec. 31. Section 61-222, Revised Statutes Cumulative Supplement,  
14 2014, is amended to read:

15 61-222 The Water Sustainability Fund is created in the Department of  
16 Natural Resources. The fund shall be used in accordance with the  
17 provisions established in Legislative Bill 1098, One Hundred Third  
18 Legislature, Second Session, 2014, and for costs directly related to the  
19 administration of the fund.

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

30 It is the intent of the Legislature that twenty-one million dollars  
31 be transferred from the General Fund to the Water Sustainability Fund in

1 fiscal year 2014-15 and that eleven million dollars be transferred from  
2 the General Fund to the Water Sustainability Fund each fiscal year  
3 beginning in fiscal year 2015-16. It is the intent of the Legislature  
4 that three million dollars be transferred annually from the Water  
5 Sustainability Fund to the Nebraska Resources Development Fund in  
6 FY2015-16 and in FY2016-17.

7 Sec. 32. Section 71-7611, Revised Statutes Cumulative Supplement,  
8 2014, is amended to read:

9 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State  
10 Treasurer shall transfer ~~(a) fifty-six million one hundred thousand~~  
11 ~~dollars no later than July 15, 2009, (b) fifty-nine million one hundred~~  
12 ~~thousand dollars on or before July 15, 2010, July 15, 2011, July 15,~~  
13 ~~2012, and July 15, 2013, and (c) sixty million three ~~one~~ hundred thousand~~  
14 dollars on or before July 15, 2014, and on or before every July 15  
15 thereafter from the Nebraska Medicaid Intergovernmental Trust Fund and  
16 the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care  
17 Cash Fund, except that such amount shall be reduced by the amount of the  
18 unobligated balance in the Nebraska Health Care Cash Fund at the time the  
19 transfer is made. The state investment officer upon consultation with the  
20 Nebraska Investment Council shall advise the State Treasurer on the  
21 amounts to be transferred from the Nebraska Medicaid Intergovernmental  
22 Trust Fund and from the Nebraska Tobacco Settlement Trust Fund under this  
23 section in order to sustain such transfers in perpetuity. The state  
24 investment officer shall report electronically to the Legislature on or  
25 before October 1 of every even-numbered year on the sustainability of  
26 such transfers. The Nebraska Health Care Cash Fund shall also include  
27 money received pursuant to section 77-2602. Except as otherwise provided  
28 by law, no more than the amounts ~~amount~~ specified in this subsection may  
29 be appropriated or transferred from the Nebraska Health Care Cash Fund in  
30 any fiscal year.

31 It is the intent of the Legislature that no additional programs are

1 funded through the Nebraska Health Care Cash Fund until funding for all  
2 programs with an appropriation from the fund during FY2012-13 are  
3 restored to their FY2012-13 levels.

4 (2) Any money in the Nebraska Health Care Cash Fund available for  
5 investment shall be invested by the state investment officer pursuant to  
6 the Nebraska Capital Expansion Act and the Nebraska State Funds  
7 Investment Act.

8 (3) The University of Nebraska and postsecondary educational  
9 institutions having colleges of medicine in Nebraska and their affiliated  
10 research hospitals in Nebraska, as a condition of receiving any funds  
11 appropriated or transferred from the Nebraska Health Care Cash Fund,  
12 shall not discriminate against any person on the basis of sexual  
13 orientation.

14 (4) The State Treasurer shall transfer \$50,000 on or before July 15,  
15 2016, from the Health Care Cash Fund to the Board of Regents of the  
16 University of Nebraska for the University of Nebraska Medical Center. It  
17 is the intent of the Legislature that these funds be used by the College  
18 of Public Health for workforce training.

19 Sec. 33. Section 77-2602, Revised Statutes Cumulative Supplement,  
20 2014, is amended to read:

21 77-2602 (1) Every stamping agent engaged in distributing or selling  
22 cigarettes at wholesale in this state shall pay to the Tax Commissioner  
23 of this state a special privilege tax. This shall be in addition to all  
24 other taxes. It shall be paid prior to or at the time of the sale, gift,  
25 or delivery to the retail dealer in the several amounts as follows: On  
26 each package of cigarettes containing not more than twenty cigarettes,  
27 sixty-four cents per package; and on packages containing more than twenty  
28 cigarettes, the same tax as provided on packages containing not more than  
29 twenty cigarettes for the first twenty cigarettes in each package and a  
30 tax of one-twentieth of the tax on the first twenty cigarettes on each  
31 cigarette in excess of twenty cigarettes in each package.

1           (2) Beginning October 1, 2004, the State Treasurer shall place the  
2 equivalent of forty-nine cents of such tax in the General Fund. The State  
3 Treasurer shall reduce the amount placed in the General Fund under this  
4 subsection by the amount prescribed in subdivision (3)(d) of this  
5 section. For purposes of this section, the equivalent of a specified  
6 number of cents of the tax shall mean that portion of the proceeds of the  
7 tax equal to the specified number divided by the tax rate per package of  
8 cigarettes containing not more than twenty cigarettes.

9           (3) The State Treasurer shall distribute the remaining proceeds of  
10 such tax in the following order:

11           (a) First, beginning July 1, 1980, the State Treasurer shall place  
12 the equivalent of one cent of such tax in the Nebraska Outdoor Recreation  
13 Development Cash Fund. For fiscal year distributions occurring after  
14 FY1998-99, the distribution under this subdivision shall not be less than  
15 the amount distributed under this subdivision for FY1997-98. Any money  
16 needed to increase the amount distributed under this subdivision to the  
17 FY1997-98 amount shall reduce the distribution to the General Fund;

18           (b) Second, beginning July 1, 1993, the State Treasurer shall place  
19 the equivalent of three cents of such tax in the Health and Human  
20 Services Cash Fund to carry out sections 81-637 to 81-640. For fiscal  
21 year distributions occurring after FY1998-99, the distribution under this  
22 subdivision shall not be less than the amount distributed under this  
23 subdivision for FY1997-98. Any money needed to increase the amount  
24 distributed under this subdivision to the FY1997-98 amount shall reduce  
25 the distribution to the General Fund;

26           (c) Third, beginning October 1, 2002, and continuing until all the  
27 purposes of the Deferred Building Renewal Act have been fulfilled, the  
28 State Treasurer shall place the equivalent of seven cents of such tax in  
29 the Building Renewal Allocation Fund. The distribution under this  
30 subdivision shall not be less than the amount distributed under this  
31 subdivision for FY1997-98. Any money needed to increase the amount

1 distributed under this subdivision to the FY1997-98 amount shall reduce  
2 the distribution to the General Fund;

3 (d) Fourth, until July 1, 2009, the State Treasurer shall place in  
4 the Municipal Infrastructure Redevelopment Fund the sum of five hundred  
5 twenty thousand dollars each fiscal year to carry out the Municipal  
6 Infrastructure Redevelopment Fund Act. The Legislature shall appropriate  
7 the sum of five hundred twenty thousand dollars each year for fiscal year  
8 2003-04 through fiscal year 2008-09;

9 (e) Fifth, beginning July 1, 2001, and continuing until June 30,  
10 2008, the State Treasurer shall place the equivalent of two cents of such  
11 tax in the Information Technology Infrastructure Fund. The distribution  
12 under this subdivision shall not be less than two million fifty thousand  
13 dollars. Any money needed to increase the amount distributed under this  
14 subdivision to two million fifty thousand dollars shall reduce the  
15 distribution to the General Fund;

16 (f) Sixth, beginning July 1, 2001, and continuing until June 30,  
17 2016, the State Treasurer shall place one million dollars each fiscal  
18 year in the City of the Primary Class Development Fund. If necessary, the  
19 State Treasurer shall reduce the distribution of tax proceeds to the  
20 General Fund pursuant to subsection (2) of this section by such amount  
21 required to fulfill the one million dollars to be distributed pursuant to  
22 this subdivision;

23 (g) Seventh, beginning July 1, 2001, and continuing until June 30,  
24 2016, the State Treasurer shall place one million five hundred thousand  
25 dollars each fiscal year in the City of the Metropolitan Class  
26 Development Fund. If necessary, the State Treasurer shall reduce the  
27 distribution of tax proceeds to the General Fund pursuant to subsection  
28 (2) of this section by such amount required to fulfill the one million  
29 five hundred thousand dollars to be distributed pursuant to this  
30 subdivision;~~and~~

31 (h) Eighth, beginning July 1, 2008, and continuing until June 30,

1 2009, the State Treasurer shall place the equivalent of two million fifty  
2 thousand dollars of such tax in the Nebraska Public Safety Communication  
3 System Cash Fund. Beginning July 1, 2009, and continuing until June 30,  
4 2016, the State Treasurer shall place the equivalent of two million five  
5 hundred seventy thousand dollars of such tax in the Nebraska Public  
6 Safety Communication System Cash Fund. Beginning July 1, 2016, and every  
7 fiscal year thereafter, the State Treasurer shall place the equivalent of  
8 three five million eight hundred twenty seventy thousand dollars of such  
9 tax in the Nebraska Public Safety Communication System Cash Fund. If  
10 necessary, the State Treasurer shall reduce the distribution of tax  
11 proceeds to the General Fund pursuant to subsection (2) of this section  
12 by such amount required to fulfill the distribution pursuant to this  
13 subdivision; and -

14 (i) Ninth, beginning July 1, 2016, and every fiscal year thereafter,  
15 the State Treasurer shall place the equivalent of one million two hundred  
16 fifty thousand dollars of such tax in the Nebraska Health Care Cash Fund.  
17 If necessary, the State Treasurer shall reduce the distribution of tax  
18 proceeds to the General Fund pursuant to subsection (2) of this section  
19 by such amount required to fulfill the distribution pursuant to this  
20 subdivision.

21 (4) If, after distributing the proceeds of such tax pursuant to  
22 subsections (2) and (3) of this section, any proceeds of such tax remain,  
23 the State Treasurer shall place such remainder in the Nebraska Capital  
24 Construction Fund.

25 (5) The Legislature hereby finds and determines that the projects  
26 funded from the Municipal Infrastructure Redevelopment Fund and the  
27 Building Renewal Allocation Fund are of critical importance to the State  
28 of Nebraska. It is the intent of the Legislature that the allocations and  
29 appropriations made by the Legislature to such funds or, in the case of  
30 allocations for the Municipal Infrastructure Redevelopment Fund, to the  
31 particular municipality's account not be reduced until all contracts and

1 securities relating to the construction and financing of the projects or  
2 portions of the projects funded from such funds or accounts of such funds  
3 are completed or paid or, in the case of the Municipal Infrastructure  
4 Redevelopment Fund, the earlier of such date or July 1, 2009, and that  
5 until such time any reductions in the cigarette tax rate made by the  
6 Legislature shall be simultaneously accompanied by equivalent reductions  
7 in the amount dedicated to the General Fund from cigarette tax revenue.  
8 Any provision made by the Legislature for distribution of the proceeds of  
9 the cigarette tax for projects or programs other than those to (a) the  
10 General Fund, (b) the Nebraska Outdoor Recreation Development Cash Fund,  
11 (c) the Health and Human Services Cash Fund, (d) the Municipal  
12 Infrastructure Redevelopment Fund, (e) the Building Renewal Allocation  
13 Fund, (f) the Information Technology Infrastructure Fund, (g) the City of  
14 the Primary Class Development Fund, (h) the City of the Metropolitan  
15 Class Development Fund, ~~and~~ (i) the Nebraska Public Safety Communication  
16 System Cash Fund, and (j) the Nebraska Health Care Cash Fund shall not be  
17 made a higher priority than or an equal priority to any of the programs  
18 or projects specified in subdivisions (a) through (j ~~i~~) of this  
19 subsection.

20 Sec. 34. Section 81-1354.05, Reissue Revised Statutes of Nebraska,  
21 is amended to read:

22 81-1354.05 (1) The Personnel Division Revolving Fund is created.  
23 The fund shall be administered by the personnel division of the  
24 Department of Administrative Services. The fund shall consist of (a) all  
25 All funds received by the personnel division for employee recognition  
26 programs and advertising and (b) assessments charged by the Director of  
27 Personnel to state agencies, boards, and commissions for human service  
28 management services provided by the division. Such assessments shall be  
29 adequate to cover actual and necessary expenses associated with providing  
30 the services. The fund shall be used to pay for expenses incurred by the  
31 division to provide such services.

1           (2) State agencies, boards, and commissions shall make the personnel  
2 division assessment payments to the fund (a) in one payment no later than  
3 August 1 of each year, (b) in two equal payments the first of which shall  
4 be made no later than August 1 and the second of which shall be made no  
5 later than February 1 of each year, or (c) in four equal payments to be  
6 made no later than August 1, October 1, February 1, and April 1 of each  
7 year, at the discretion of the personnel administrator.

8           ~~(3) shall be credited to the fund.~~ Any money in the fund available  
9 for investment shall be invested by the state investment officer pursuant  
10 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
11 Investment Act. ~~Any money in the Employee Recognition Revolving Fund on~~  
12 ~~July 1, 2000, shall be transferred to the Personnel Division Revolving~~  
13 ~~Fund.~~

14           Sec. 35. Section 81-3119, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16           81-3119 The Health and Human Services Cash Fund is created and shall  
17 consist of funds from contracts, grants, gifts, or fees. Transfers may be  
18 made from the fund to the General Fund at the direction of the  
19 Legislature. The State Treasurer shall transfer three hundred thousand  
20 dollars on or before July 15, 2015, from the Health and Human Services  
21 Cash Fund to the Lead-Based Paint Hazard Control Cash Fund. It is the  
22 intent of the Legislature that the transfer to the Lead-Based Paint  
23 Hazard Control Cash Fund shall be from funds credited to the Medicaid  
24 Fraud Settlement Fund ~~The State Treasurer shall transfer one million five~~  
25 ~~hundred thousand dollars on or before July 15, 2013, from the Health and~~  
26 ~~Human Services Cash Fund to the Rural Health Professional Incentive Fund.~~  
27 Any money in the Health and Human Services 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.

31           Sec. 36. The Lead-Based Paint Hazard Control Cash Fund is created

1 in the Department of Economic Development. The fund shall receive  
2 transfers as authorized by the Legislature. The department shall use the  
3 entirety of the fund to award a grant to a city of the metropolitan class  
4 to carry out lead-based paint hazard control on owner-occupied  
5 properties, contingent upon formal notification by the United States  
6 Department of Housing and Urban Development that it intends to award a  
7 grant to a city of the metropolitan class to carry out the federal  
8 Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C.  
9 4852, as such section existed on January 1, 2015. Any money in the fund  
10 available for investment shall be invested by the state investment  
11 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
12 State Funds Investment Act. The fund terminates on July 1, 2016.

13       Sec. 37. Section 85-1401, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15       85-1401 Sections 85-1401 to 85-1420 and section 38 of this act shall  
16 be known and may be cited as the Coordinating Commission for  
17 Postsecondary Education Act.

18       Sec. 38. (1) The Legislature finds that:

19       (a) The availability and accessibility of quality, affordable oral  
20 health care for all residents of the State of Nebraska is a matter of  
21 public concern and represents a compelling need affecting the general  
22 welfare of all residents;

23       (b) The development and sustainability of a skilled workforce in the  
24 practice of dentistry is a public health priority for the State of  
25 Nebraska; and

26       (c) According to research sponsored by the Office of Oral Health and  
27 Dentistry of the Department of Health and Human Services, the Nebraska  
28 Rural Health Advisory Commission, and the Health Professions Tracking  
29 Service of the College of Public Health of the University of Nebraska  
30 Medical Center:

31       (i) A majority of the ninety-three counties of the State of Nebraska

1 are general dentistry shortage areas as designated by the Nebraska Rural  
2 Health Advisory Commission and more than twenty percent of the ninety-  
3 three counties have no dentist;

4 (ii) Eighty-two counties are shortage areas in pediatric dentistry  
5 as designated by the Nebraska Rural Health Advisory Commission;

6 (iii) The uneven distribution of dentists in the State of Nebraska  
7 is a public health concern and twenty-four percent of the dentists in  
8 Nebraska are estimated to be planning to retire by 2017;

9 (iv) Sixty percent of the children in the State of Nebraska  
10 experience dental disease by the time they are in the third grade; and

11 (v) It is estimated that more than twenty-five thousand children  
12 attending public schools in Omaha, Nebraska, do not have a means of  
13 continuing dental care.

14 (2) It is the intent of the Legislature to provide for the  
15 development of a skilled and diverse workforce in the practice of  
16 dentistry and oral health care in order to provide for the oral health of  
17 all residents of Nebraska, to assist in dispersing the workforce to  
18 address the disparities of the at-risk populations in the state, and to  
19 focus efforts in areas and demographic groups in which access to a  
20 skilled workforce in the practice of dentistry and oral health care is  
21 most needed. In order to accomplish these goals, the Legislature  
22 recognizes that it is necessary to contract with professional dental  
23 education institutions committed to addressing the critical oral health  
24 care needs of the residents of Nebraska.

25 (3) The Oral Health Training and Services Fund is created. The  
26 Coordinating Commission for Postsecondary Education shall administer the  
27 fund to contract for reduced-fee and charitable oral health services,  
28 oral health workforce development, and oral health services using  
29 telehealth as defined in section 71-8503 for the residents of Nebraska.  
30 Any money in the fund available for investment shall be invested by the  
31 state investment officer pursuant to the Nebraska Capital Expansion Act

1 and the Nebraska State Funds Investment Act.

2 (4) To be eligible to enter into a contract under this section, an  
3 applicant shall be a corporation exempt for federal tax purposes under  
4 section 501(c)(3) of the Internal Revenue Code and shall submit a plan to  
5 the commission as prescribed in subsection (5) of this section to provide  
6 oral health training, including assistance for the graduation of at least  
7 seventy-five dental students annually, to provide discounted or  
8 charitable oral health services focusing on lower-income and at-risk  
9 populations within the state, and to target the unmet oral health care  
10 needs of residents of Nebraska. In addition, the applicant shall submit  
11 at least five letters of intent with school districts or federally  
12 qualified health centers as defined in section 1905(1)(2)(B) of the  
13 federal Social Security Act, 42 U.S.C. 1396d(1)(2)(B), as such act and  
14 section existed on January 1, 2010, in at least five different counties  
15 throughout the state to provide discounted or charitable oral health  
16 services.

17 (5) The plan shall include (a) a proposal to provide oral health  
18 training at a reduced fee to students in dental education programs who  
19 agree to practice dentistry after graduation in a dental health  
20 profession shortage area designated by the Nebraska Rural Health Advisory  
21 Commission pursuant to section 71-5665, (b) a proposal to provide  
22 discounted or charitable oral health services to at least ten thousand  
23 residents of Nebraska annually, and (c) a proposal to provide oral health  
24 services to residents of Nebraska using telehealth as defined in section  
25 71-8503.

26 (6) Any party entering into a contract under this section shall  
27 agree that any funds disbursed pursuant to the contract shall only be  
28 used for services and equipment related to the proposals in the plan and  
29 shall not be used for any other program operated by the contracting  
30 party. If any of the funds disbursed pursuant to the contract are used  
31 for equipment, such funds shall only be used for patient-centered oral

1 health care equipment, including, but not limited to, dental chairs for  
2 patients, lighting for examination and procedure rooms, and other  
3 equipment used for oral health services for patients and for training  
4 students in dental education programs, and shall not be used for travel,  
5 construction, or any other purpose not directly related to the proposals  
6 in the plan.

7       (7) The contract shall require matching funds from other sources in  
8 a four-to-one ratio with the funds to be disbursed under the contract.  
9 The party entering into the contract shall specify the source and amount  
10 of all matching funds. The contract shall require full and detailed  
11 reporting of the expenditure of funds disbursed pursuant to the contract.  
12 Any party entering into a contract under this section shall report  
13 electronically to the Legislature within one hundred twenty days after  
14 the expenditure of the funds disbursed pursuant to the contract detailing  
15 the nature of the expenditures made as a result of the contract. In  
16 addition, any party entering into a contract under this section shall  
17 report electronically to the Legislature on an annual basis the  
18 charitable oral health services provided in school districts and  
19 federally qualified health centers and the number of recipients and the  
20 placements of students receiving oral health training at a reduced fee in  
21 dental education programs.

22       Sec. 39.   Original sections 2-1587, 13-1905, 13-1906, 13-1907,  
23 13-2610, 81-1354.05, 81-3119, and 85-1401, Reissue Revised Statutes of  
24 Nebraska, and sections 2-1507, 2-1513, 2-1588, 13-2704, 39-1390, 61-222,  
25 71-7611, and 77-2602, Revised Statutes Cumulative Supplement, 2014, are  
26 repealed.

27       Sec. 40.   Since an emergency exists, this act takes effect when  
28 passed and approved according to law.