

LEGISLATIVE BILL 316

Approved by the Governor May 19, 2009

Introduced by Speaker Flood, 19; at the request of the Governor.

FOR AN ACT relating to state funds; to amend sections 57-705, 81-1201.21, 82-331, 82-332, 84-510, 85-415, and 85-421, Reissue Revised Statutes of Nebraska, and sections 66-1334, 66-1345.04, 71-7608, 71-7611, 71-8805, and 77-2602.04, Revised Statutes Cumulative Supplement, 2008; to provide for, change, and eliminate provisions relating to the use and transfer of funds; to harmonize provisions; to repeal the original sections; to outright repeal section 81-1623, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Section 1. The State Treasurer shall transfer \$100,000 from the Department of Administrative Services Revolving Fund to the Personnel Division Revolving Fund, as soon as possible, on or after the effective date of this act.

Sec. 2. The State Treasurer shall transfer \$265,000 from the Accounting Division Revolving Fund to the Personnel Division Revolving Fund, as soon as possible, on or after the effective date of this act.

Sec. 3. The State Treasurer shall transfer \$2,500,000 from the General Fund to the Ethanol Production Incentive Cash Fund on or before June 30, 2010, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subdivision (2)(g) of section 66-1345.04.

Sec. 4. The State Treasurer shall transfer \$2,500,000 from the General Fund to the Ethanol Production Incentive Cash Fund on or before June 30, 2011, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subdivision (2)(g) of section 66-1345.04.

Sec. 5. The State Treasurer shall transfer \$200,000 from the Agricultural Alcohol Fuel Tax Fund to the Ethanol Production Incentive Cash Fund on June 15, 2010, or as soon thereafter as administratively possible.

Sec. 6. The State Treasurer shall transfer \$2,700,000 from the General Fund to the Water Resources Cash Fund on or before June 30, 2010, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to section 61-218.

Sec. 7. The State Treasurer shall transfer \$2,700,000 from the General Fund to the Water Resources Cash Fund on or before June 30, 2011, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to section 61-218.

Sec. 8. The State Treasurer shall transfer \$8,250,000 from the General Fund to the Ethanol Production Incentive Cash Fund on or before June 30, 2010, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subdivision (2)(j) of section 66-1345.04.

Sec. 9. The State Treasurer shall transfer \$3,000,000 from the General Fund to the Ethanol Production Incentive Cash Fund on or before June 30, 2011, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subdivision (2)(k) of section 66-1345.04.

Sec. 10. The State Treasurer shall transfer \$112,000,000 from the General Fund to the Property Tax Credit Cash Fund on or before December 31, 2009, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 11. The State Treasurer shall transfer \$112,000,000 from the General Fund to the Property Tax Credit Cash Fund on or before December 31, 2010, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 12. The State Treasurer shall transfer \$100,000 from the Nebraska Health Care Cash Fund to the Joseph Soukup Trust Fund before July 1, 2009.

Sec. 13. The State Treasurer shall transfer an amount as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subdivisions (3) and (4) of section 82-331, not to exceed \$500,000, from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2009, or as soon thereafter as administratively possible.

Sec. 14. The State Treasurer shall transfer an amount as directed

by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subdivisions (3) and (4) of section 82-331, not to exceed \$500,000, plus an amount equal to unused transfer authority from the prior fiscal year, from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2010, or as soon thereafter as administratively possible.

Sec. 15. Section 57-705, Reissue Revised Statutes of Nebraska, is amended to read:

57-705 (1) All severance taxes levied by Chapter 57, article 7, shall be paid to the Tax Commissioner. He or she shall remit all such money received to the State Treasurer. All such money received by the State Treasurer shall be credited to a fund to be known as the Severance Tax Fund. An amount equal to one percent of the gross severance tax receipts, excluding those receipts from tax derived from oil and natural gas severed from school lands, credited to the fund shall be credited by the State Treasurer, upon the first day of each month, and shall inure to the Severance Tax Administration Fund to be used for the expenses of administering Chapter 57, article 7. The balance of the Severance Tax Fund received from school lands shall be credited by the State Treasurer, upon the first day of each month, and shall inure to the permanent school fund.

(2) Of the balance of the Severance Tax Fund received from other than school lands (a) the Legislature may transfer an amount to be determined by the Legislature through the appropriations process up to three hundred thousand dollars for each year to the State Energy Office Cash Fund, (b) the Legislature may transfer an amount to be determined by the Legislature through the appropriations process up to thirty thousand dollars for each year to the Public Service Commission for administration of the Municipal Rate Negotiations Revolving Loan Fund, and (c) the remainder shall be credited and inure to the permanent school fund.

(3) The State Treasurer shall transfer two hundred fifty thousand dollars from the Severance Tax Administration Fund to the Department of Revenue Enforcement Fund on July 1, 2009, or as soon thereafter as administratively possible. The State Treasurer shall transfer two hundred fifty thousand dollars from the Severance Tax Administration Fund to the Department of Revenue Enforcement Fund on July 1, 2010, or as soon thereafter as administratively possible.

Sec. 16. Section 66-1334, Revised Statutes Cumulative Supplement, 2008, is amended to read:

66-1334 (1) The Agricultural Alcohol Fuel Tax Fund is hereby created. No part of the funds deposited in the fund or of federal funds or other funds solicited in conjunction with research or demonstration programs shall lapse to the General Fund. Transfers from the Agricultural Alcohol Fuel Tax Fund to the Ethanol Production Incentive Cash Fund may be made at the direction of the Legislature. In addition to such unexpended balance appropriation, there is hereby appropriated such amounts as are deposited in the Agricultural Alcohol Fuel Tax Fund in each year. The fund shall be administered by the board. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) The fund shall be used for the following purposes:

(a) Establishment, with cooperation of private industry, of procedures and processes necessary to the manufacture and marketing of fuel containing agricultural ethyl alcohol;

(b) Establishment of procedures for entering blended fuel into the marketplace by private enterprise;

(c) Analysis of the marketing process and testing of marketing procedures to assure acceptance in the private marketplace of blended fuel and byproducts resulting from the manufacturing process;

(d) Cooperation with private industry to establish privately owned agricultural ethyl alcohol manufacturing plants in Nebraska to supply demand for blended fuel;

(e) Sponsoring research and development of industrial and commercial uses for agricultural ethyl alcohol and for byproducts resulting from the manufacturing process;

(f) Promotion of state and national air quality improvement programs and influencing federal legislation that requires or encourages the use of fuels oxygenated by the inclusion of agricultural ethyl alcohol or its derivatives;

(g) Promotion of the use of renewable agricultural ethyl alcohol as a partial replacement for imported oil and for the energy and economic security of the nation;

(h) Participation in development and passage of national legislation

dealing with research, development, and promotion of United States production of fuels oxygenated by the inclusion of agricultural ethyl alcohol or its derivatives, access to potential markets, tax incentives, imports of foreign-produced fuel, and related concerns that may develop in the future; and

(i) As the board may otherwise direct to fulfill the goals set forth under the Ethanol Development Act, including monitoring contracts for existing ethanol program commitments consummated pursuant to the law in existence prior to September 1, 1993, and solicitation of federal funds.

Sec. 17. Section 66-1345.04, Revised Statutes Cumulative Supplement, 2008, is amended to read:

66-1345.04 (1) The State Treasurer shall transfer from the General Fund to the Ethanol Production Incentive Cash Fund, on or before the end of each of fiscal years 1995-96 and 1996-97, \$8,000,000 per fiscal year.

(2) It is the intent of the Legislature that the following General Fund amounts be appropriated to the Ethanol Production Incentive Cash Fund in each of the following years:

(a) For each of fiscal years 1997-98 and 1998-99, \$7,000,000 per fiscal year;

(b) For fiscal year 1999-2000, \$6,000,000;

(c) For fiscal year 2000-01, \$5,000,000;

(d) For fiscal year 2001-02 and for each of fiscal years 2003-04 through 2006-07, \$1,500,000;

(e) For each of fiscal years 2005-06 and 2006-07, \$2,500,000 in addition to the amount in subdivision (2)(d) of this section;

(f) For fiscal year 2007-08, \$5,500,000;

(g) For each of fiscal years 2008-09 through 2011-12, \$2,500,000;

(h) For each of fiscal years 2005-06 and 2006-07, \$5,000,000 in addition to the other amounts in this section; and

(i) For fiscal year 2007-08, \$15,500,000 in addition to the other amounts in this section;

(j) For fiscal year 2009-10, \$8,250,000 in addition to the other amounts in this section; and

(k) For fiscal year 2010-11, \$3,000,000 in addition to the other amounts in this section.

Sec. 18. Section 71-7608, Revised Statutes Cumulative Supplement, 2008, is amended to read:

71-7608 The Nebraska Tobacco Settlement Trust Fund is created. The fund shall include any settlement payments or other revenue received by the State of Nebraska in connection with any tobacco-related litigation to which the State of Nebraska is a party. The Department of Health and Human Services shall remit such revenue to the State Treasurer for credit to the fund, ~~except that of such revenue received on or after April 1, 2005, (1) two million five hundred thousand dollars shall be credited for fiscal years before FY2009-10 and (2) three million dollars shall be credited for FY2009-10 and subsequent fiscal years to the Tobacco Prevention and Control Cash Fund. For FY2008-09 five hundred thousand dollars shall be transferred from the Nebraska Tobacco Settlement Trust Fund to the Tobacco Prevention and Control Cash Fund. The State Treasurer shall make such transfer no later than July 15, 2008. Beginning in July 2008 and each year thereafter, on or before July 25, five hundred thousand dollars shall be transferred from the Nebraska Tobacco Settlement Trust Fund to the Stem Cell Research Cash Fund created under section 71-8805.~~ Subject to the terms and conditions of such litigation, money from the Nebraska Tobacco Settlement Trust Fund shall be transferred to the Nebraska Health Care Cash Fund as provided in section 71-7611. Any money in the Nebraska Tobacco Settlement Trust Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 19. Section 71-7611, Revised Statutes Cumulative Supplement, 2008, is amended to read:

71-7611 (1) The Nebraska Health Care Cash Fund is created. The State Treasurer shall transfer ~~(a) fifty-six million four hundred thousand dollars no later than July 30, 2008, and (b) fifty-five million seven~~ (a) fifty-six million one hundred thousand dollars no later than July 15, 2009, and (b) fifty-nine million one hundred thousand dollars beginning July 15, 2010, and annually thereafter no later than July 15 from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care Cash Fund, except that such amount shall be reduced by the amount of the unobligated balance in the Nebraska Health Care Cash Fund at the time the transfer is made. ~~On or before May 1, 2008, the State Treasurer shall transfer from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund an additional two hundred~~

fifty thousand dollars to the Nebraska Health Care Cash Fund. The state investment officer upon consultation with the Nebraska Investment Council shall advise the State Treasurer on the amounts to be transferred from the Nebraska Medicaid Intergovernmental Trust Fund and from the Nebraska Tobacco Settlement Trust Fund under this section in order to sustain such transfers in perpetuity. The state investment officer shall report to the Legislature on or before October 1 of every even-numbered year on the sustainability of such transfers. Except as otherwise provided by law, no more than the amount specified in ~~subdivisions (1)(a) and (b)~~ of this subsection may be appropriated or transferred from the Nebraska Health Care Cash Fund in any fiscal year.

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

(3) One million dollars in the Nebraska Health Care Cash Fund is designated each year for the Autism Treatment Program Act for five fiscal years beginning in fiscal year 2007-08 and shall be distributed in each fiscal year as follows: (a) First, to the Department of Health and Human Services for costs related to application and implementation of the waiver; (b) second, to the department for other medical costs for children who would not otherwise qualify for medicaid except for the waiver; and (c) third, the balance to the Autism Treatment Program Cash Fund. The State Treasurer shall transfer the balance of the funding to the Autism Treatment Program Cash Fund based on the estimated costs of administrative and other medical costs as determined by the Legislature through the appropriation process. The transfers to the Autism Treatment Program Cash Fund in any fiscal year shall be contingent upon the receipt of private matching funds under the Autism Treatment Program Act, with no less than one dollar of private funds received for every two dollars transferred from the Nebraska Health Care Cash Fund to the Autism Treatment Program Cash Fund.

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

(5) The State Treasurer shall transfer two hundred thousand dollars from the Nebraska Health Care Cash Fund to the University of Nebraska Medical Center Cash Fund for the Nebraska Regional Poison Center within fifteen days after each July 1.

(6) Beginning on July 1, 2010, the State Treasurer shall transfer three million dollars annually no later than July 15 of each year from the Nebraska Health Care Cash Fund to the Tobacco Prevention and Control Cash Fund.

(7) The State Treasurer shall transfer five hundred thousand dollars annually no later than July 15 of each year from the Nebraska Health Care Cash Fund to the Stem Cell Research Cash Fund.

Sec. 20. Section 71-8805, Revised Statutes Cumulative Supplement, 2008, is amended to read:

71-8805 (1) The Stem Cell Research Cash Fund is created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) Money credited to the Stem Cell Research Cash Fund pursuant to section ~~71-7608~~ 71-7611 shall be used to provide a dollar-for-dollar match, up to five hundred thousand dollars per fiscal year, of funds received by institutions or researchers from sources other than funds provided by the State of Nebraska for nonembryonic stem cell research. Such matching funds shall be awarded through the grant process established pursuant to section 71-8804. No single institution or researcher shall receive more than seventy percent of the funds available for distribution under this section on an annual basis.

(3) Up to three percent of the funds credited to the Stem Cell Research Cash Fund shall be available to the Division of Public Health of the Department of Health and Human Services for administrative costs, including stipends and reimbursements pursuant to section 71-8803.

Sec. 21. Section 77-2602.04, Revised Statutes Cumulative Supplement, 2008, is amended to read:

77-2602.04 Notwithstanding any other provision of law, for bonds issued on or after July 1, 2008, funds received by the issuer pursuant to section 77-2602 shall not be pledged for repayment of bonds, except that such funds may be pledged for repayment of refunding bonds issued to refund bonds issued prior to the effective date of this act.

Sec. 22. Section 81-1201.21, Reissue Revised Statutes of Nebraska, is amended to read:

81-1201.21 (1) There is hereby created the Job Training Cash Fund. The fund shall be under the direction of the Department of Economic Development. Money may be transferred to the fund pursuant to subdivision (1) (b) (iv) of section 48-621 and from the Cash Reserve Fund at the direction of the Legislature. The department shall establish a subaccount for all money transferred from the Cash Reserve Fund to the Job Training Cash Fund on or after July 1, 2005. Any unexpended or unobligated balance remaining within such subaccount on July 1, ~~2010~~, 2014, shall be transferred by the State Treasurer to the Cash Reserve Fund no later than July 10, ~~2010~~, 2014. Any obligated amount not transferred from the subaccount that remains unexpended on July 1, ~~2009~~, 2013, shall be transferred by the State Treasurer to the Cash Reserve Fund no later than December 31, ~~2011~~, 2015.

(2) The department shall use the Job Training Cash Fund to provide reimbursements for job training activities, including employee assessment, preemployment training, on-the-job training, training equipment costs, and other reasonable costs related to helping industry and business locate or expand in Nebraska, or to provide upgrade skills training of the existing labor force necessary to adapt to new technology or the introduction of new product lines.

(3) The department shall establish a subaccount within the fund to provide job training grants targeted to small employers, rural employers, and poverty area employers meeting one of the following criteria: (a) Employ twenty-five or fewer employees, (b) located in rural areas of Nebraska, or (c) located in areas of high concentration of poverty within the corporate limits of a city or village consisting of one or more contiguous census tracts, as determined by the most recent federal decennial census, which contain a percentage of persons below the poverty line of greater than thirty percent, and all census tracts contiguous to such tract or tracts, as determined by the most recent federal decennial census. The department shall calculate the amount of prior year investment income earnings accruing to the fund and allocate such amount to the subaccount for small, rural, or poverty area employer grants.

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

Sec. 23. Section 82-331, Reissue Revised Statutes of Nebraska, is amended to read:

82-331 (1) There is hereby established in the state treasury a trust fund to be known as the Nebraska Cultural Preservation Endowment Fund. The fund shall consist of funds appropriated or transferred by the Legislature, and only the earnings of the fund may be used as provided in this section.

(2) On August 1, 1998, the State Treasurer shall transfer five million dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund.

~~(3) It is the intent of the Legislature that the State Treasurer shall transfer two million dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on August 1 of each of the following years: 2009 and 2010.~~

(3) Except as provided in subsection (4) of this section, it is the intent of the Legislature that the State Treasurer shall transfer (a) an amount not to exceed five hundred thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31 of 2009 and 2010 and (b) an amount not to exceed one million five hundred thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31 of 2011 and 2012.

(4) On July 18, 2008, ~~prior~~ Prior to the transfer of funds from any state account into the Nebraska Cultural Preservation Endowment Fund, the Nebraska Arts Council shall provide documentation to the budget division of the Department of Administrative Services that qualified endowments have generated a dollar-for-dollar match of new money, up as defined in section 82-332 that is equal to the amount of state funds authorized by the Legislature to be transferred to the Nebraska Cultural Preservation Endowment Fund. The budget division of the Department of Administrative Services shall notify the State Treasurer to execute a transfer in an of state funds up to the amount as specified by the Legislature, but only to the extent that the Nebraska Arts Council has provided documentation of a dollar-for-dollar match. Funds not transferred shall be carried forward to the succeeding year and be added to the funds authorized for a dollar-for-dollar match during that year.

(5) The Legislature shall not appropriate or transfer money from the Nebraska Cultural Preservation Endowment Fund for any purpose other than the

purposes stated in sections 82-330 to 82-333, except that the Legislature may appropriate or transfer money from the fund upon a finding that the purposes of such sections are not being accomplished by the fund.

(6) Any money in the Nebraska Cultural Preservation Endowment Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(7) All investment earnings from the Nebraska Cultural Preservation Endowment Fund shall be credited to the Nebraska Arts and Humanities Cash Fund.

Sec. 24. Section 82-332, Reissue Revised Statutes of Nebraska, is amended to read:

82-332 (1) The Nebraska Arts and Humanities Cash Fund is created. The fund shall consist of all funds credited from the Nebraska Cultural Preservation Endowment Fund pursuant to section 82-331. The Nebraska Arts Council shall administer and distribute the Nebraska Arts and Humanities Cash Fund. All disbursements from the Nebraska Arts and Humanities Cash Fund shall be matched dollar-for-dollar by sources other than state funds. The match funds shall be new money generated for endowments established by the Nebraska Arts Council or Nebraska Humanities Council or qualified endowments of their constituent organizations, new money generated as a result of seed grants to recipients, or new money generated by the Nebraska Arts Council or Nebraska Humanities Council for arts or humanities education. New money includes, but is not limited to, donations to the Nebraska Arts Council or Nebraska Humanities Council in anticipation of the establishment of the Nebraska Cultural Preservation Endowment Fund. Matching funds shall also include earnings generated by qualified private endowments formed in accordance with this section. New money used as a match shall not be limited to matching the Nebraska Arts and Humanities Cash Fund in the state fiscal year the new money is received, but it shall be used as a match no later than the subsequent fiscal year. For an endowment to be a qualified endowment (a) the endowment must meet the standards set by the Nebraska Arts Council or Nebraska Humanities Council, (b) the endowment must be intended for long-term stabilization of the organization, and (c) the funds of the endowment must be endowed and only the earnings thereon expended. An organization is a constituent organization if it receives funding from the Nebraska Arts Council or Nebraska Humanities Council and is tax exempt under section 501 of the Internal Revenue Code. The match funds required by this section shall not include in-kind contributions. The budget division of the Department of Administrative Services shall approve allotment and disbursement of funds from the Nebraska Arts and Humanities Cash Fund only to the extent the Nebraska Arts Council has provided documentation of the dollar-for-dollar match required by this section. Funds from the Nebraska Arts and Humanities Cash Fund may be used for the purpose of obtaining challenge grants from the National Endowment for the Humanities or the National Endowment for the Arts.

(2) Rules and regulations of the Nebraska Arts Council shall provide that the ultimate use of disbursements from the Nebraska Arts and Humanities Cash Fund shall be in a ratio of seventy percent to projects, endowments, or programs designated by the Nebraska Arts Council and thirty percent to projects, endowments, or programs designated by the Nebraska Humanities Council.

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

Sec. 25. Section 84-510, Reissue Revised Statutes of Nebraska, is amended to read:

84-510 The Corporation Cash Fund is created. Transfers from the fund to the Election Administration Fund or the General Fund may be made at the direction of the Legislature. Within five days after April 3, 2008, the State Treasurer shall transfer thirty-five thousand seven hundred ninety-five dollars from the Corporation Cash Fund to the Election Administration Fund. The State Treasurer shall transfer five hundred thousand dollars from the Corporation Cash Fund to the General Fund on or before July 5, 2009. Any money in the Corporation Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 26. Section 85-415, Reissue Revised Statutes of Nebraska, is amended to read:

85-415 (1) In order to accomplish any projects authorized by section 85-414, the Board of Regents of the University of Nebraska may enter into contracts with any person, firm, or corporation providing for the implementation of any such project of the University of Nebraska and providing

for the long-term payment of the cost of such project from the University of Nebraska Facilities Program. In no case shall any such contract extend for a period beyond July 15, 2011, nor shall any such contract exceed the repayment capabilities implicit in the funding streams authorized in sections 85-412 and 85-414.

(2) The Board of Regents of the University of Nebraska shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriation specifically made by the Legislature for such purpose, together with such funds of the Board of Regents of the University of Nebraska as the board determines. No contract shall be entered into pursuant to this section without prior approval by resolution by the Board of Regents. The Board of Regents may also convey, lease, or lease back all or any part of the projects authorized by section 85-414 and the land on which such projects are situated to such person, firm, or corporation as the Board of Regents may contract with pursuant to this section to facilitate the long-term payment of the cost of such projects. Any such conveyance or lease shall provide that when the cost of such projects has been paid, together with interest and other costs thereon, such projects and the land on which such projects are located shall become the property of the Board of Regents.

(3) The Board of Regents of the University of Nebraska is authorized to make expenditures for the purposes stated in this section and section 85-414 from investment income balances in any fund created under the authority provided for in any contract or contracts authorized by this section. Any appropriated amounts and amounts designated or matched by the Board of Regents under section 85-412 in excess of amounts required to meet debt service and any interest earnings derived from reserve funds or any other funds created under the authority provided for in any contract or contracts authorized by this section shall be accumulated and applied toward early retirement of debt as authorized under any indenture or other contract entered into by the Board of Regents as authorized by this section. The Board of Regents and the Department of Administrative Services shall, on or before January 1, 1999, enter into an agreement providing for the allocation and distribution of any balances existing in the University of Nebraska Facilities Program or any other funds created as part of a long-term contract entered into by the Board of Regents pursuant to this section to the General Fund and any other funds designated by the Board of Regents as a source of funds for the match specified in section 85-412 either on July 15, 2011, or when all financial obligations incurred in the contracts entered into by the Board of Regents pursuant to this section are discharged, whichever occurs first. Up to eleven million eight hundred thousand dollars of the balances existing in the University of Nebraska Facilities Program and any other funds created as a part of a long-term contract entered into by the Board of Regents pursuant to this section on July 15, 2009, may be expended for the acquisition and implementation of a joint student information system for the University of Nebraska and the Nebraska State College System.

Sec. 27. Section 85-421, Reissue Revised Statutes of Nebraska, is amended to read:

85-421 (1) The Legislature shall appropriate from the General Fund (a) an amount not less than five million five hundred thousand dollars for each fiscal year for the period beginning with the fiscal year commencing July 1, 2006, and continuing through the fiscal year ending June 30, 2009, and (b) an amount not less than eleven million dollars for each fiscal year for the period beginning with the fiscal year commencing July 1, 2009, and continuing through the fiscal year ending June 30, 2020, to the University of Nebraska Facilities Program of 2006 to be used by the Board of Regents of the University of Nebraska to accomplish projects as provided in this section. Through the allotment process established in section 81-1113, the Department of Administrative Services shall make appropriated funds available. Undisbursed appropriations balances existing in the University of Nebraska Facilities Program of 2006 at the end of each fiscal year until June 30, 2021, shall be and are hereby reappropriated.

(2) The Legislature finds and determines that the projects funded through the University of Nebraska Facilities Program of 2006 are of critical importance to the State of Nebraska. It is the intent of the Legislature that the appropriations to the program shall not be reduced until all contracts and securities relating to the construction and financing of the projects or portions of the projects funded from such funds or accounts of such funds are completed or paid but in no case shall such appropriations extend beyond the fiscal year ending June 30, 2020, nor shall the cumulative total of the General Fund appropriations for the program exceed one hundred thirty-seven million five hundred thousand dollars.

(3) Subject to the receipt of project approval from the Coordinating Commission for Postsecondary Education as required by subsection (10) of section 85-1414 for each of the following University of Nebraska projects, the Board of Regents of the University of Nebraska is authorized to make expenditures from the University of Nebraska Facilities Program of 2006 for the following projects: (a) Deferred maintenance, repair, and renovation of University of Nebraska at Kearney Bruner Hall; (b) construction of University of Nebraska at Kearney campus-wide central utilities plant and system; (c) construction of facilities to replace University of Nebraska-Lincoln Behlen, Brace, and Ferguson Halls or deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Behlen, Brace, and Ferguson Halls; (d) construction of a facility to replace University of Nebraska-Lincoln Keim Hall or deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Keim Hall; (e) deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Sheldon Memorial Art Gallery; (f) deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Animal Science Complex; (g) deferred maintenance, repair, and renovation of University of Nebraska Medical Center Poynter, Bennet, and Wittson Halls; (h) deferred maintenance, repair, and renovation of University of Nebraska Medical Center Eppley Institute for Research in Cancer and Allied Diseases or replacement if additional federal or private funds are received; (i) deferred maintenance, repair, and renovation of University of Nebraska Medical Center College of Dentistry; (j) deferred maintenance, repair, and renovation of University of Nebraska at Omaha Library; and (k) deferred maintenance, repair, and renovation of University of Nebraska at Omaha utilities infrastructure.

(4) Expenditures of matching funds provided for the projects listed in this section by the Board of Regents of the University of Nebraska as provided for in section 85-419 shall be accounted for in the Nebraska State Accounting System through the University of Nebraska Facilities Program of 2006 or according to some other reporting process mutually agreed upon by the University of Nebraska and the Department of Administrative Services.

(5) The Board of Regents of the University of Nebraska shall record and report, on the Nebraska State Accounting System, expenditure of amounts from the University of Nebraska Facilities Program of 2006 and expenditure of proceeds arising from any contract entered into pursuant to this section and section 85-422 in such manner and format as prescribed by the Department of Administrative Services or according to some other reporting process mutually agreed upon by the University of Nebraska and the Department of Administrative Services.

(6) The Board of Regents of the University of Nebraska shall provide to the Task Force for Building Renewal semiannual reports concerning the status of each project authorized by this section.

Sec. 28. Original sections 57-705, 81-1201.21, 82-331, 82-332, 84-510, 85-415, and 85-421, Reissue Revised Statutes of Nebraska, and sections 66-1334, 66-1345.04, 71-7608, 71-7611, 71-8805, and 77-2602.04, Revised Statutes Cumulative Supplement, 2008, are repealed.

Sec. 29. The following section is outright repealed: Section 81-1623, Reissue Revised Statutes of Nebraska.

Sec. 30. Since an emergency exists, this act takes effect when passed and approved according to law.