

AMENDMENTS TO LB 199

Introduced by Appropriations

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

3           Section 1. The State Treasurer shall transfer \$134,954  
4 from the Corporation Cash Fund and \$300,000 from the Uniform  
5 Commercial Code Cash Fund to the Election Administration Fund on  
6 or before July 5, 2013, or as soon thereafter as administratively  
7 possible.

8           Sec. 2. The State Treasurer shall transfer \$34,954 from  
9 the Corporation Cash Fund and \$200,000 from the Uniform Commercial  
10 Code Cash Fund to the Election Administration Fund on or before  
11 July 5, 2014, or as soon thereafter as administratively possible.

12           Sec. 3. The State Treasurer shall transfer \$500,000 from  
13 the Nebraska Public Safety Communication System Cash Fund to the  
14 Nebraska Capital Construction Fund on July 1, 2013, or as soon  
15 thereafter as administratively possible.

16           Sec. 4. The State Treasurer shall transfer \$1,000,000  
17 from the Public Safety Cash Fund to the Nebraska Capital  
18 Construction Fund on July 1, 2013, or as soon thereafter as  
19 administratively possible.

20           Sec. 5. The State Treasurer shall transfer \$250,000  
21 from the Nebraska State Patrol Cash Fund to the Nebraska Capital  
22 Construction Fund on July 1, 2013, or as soon thereafter as  
23 administratively possible.

1           Sec. 6. The State Treasurer shall transfer \$113,000,000  
2 from the General Fund to the Property Tax Credit Cash Fund on  
3 or before December 15, 2013, on such date as directed by the  
4 budget administrator of the budget division of the Department of  
5 Administrative Services.

6           Sec. 7. The State Treasurer shall transfer \$113,000,000  
7 from the General Fund to the Property Tax Credit Cash Fund on  
8 or before December 15, 2014, on such date as directed by the  
9 budget administrator of the budget division of the Department of  
10 Administrative Services.

11           Sec. 8. The State Treasurer shall transfer \$3,300,000  
12 from the General Fund to the Water Resources Cash Fund on or before  
13 June 30, 2014, on such dates and in such amounts as directed by the  
14 budget administrator of the budget division of the Department of  
15 Administrative Services.

16           Sec. 9. The State Treasurer shall transfer \$3,300,000  
17 from the General Fund to the Water Resources Cash Fund on or before  
18 June 30, 2015, on such dates and in such amounts as directed by the  
19 budget administrator of the budget division of the Department of  
20 Administrative Services.

21           Sec. 10. The State Treasurer shall transfer \$4,000,000  
22 from the General Fund to the Nebraska Capital Construction Fund  
23 on or before June 30, 2014, on such dates and in such amounts as  
24 directed by the budget administrator of the budget division of the  
25 Department of Administrative Services.

26           Sec. 11. The State Treasurer shall transfer an amount  
27 as directed by the budget administrator of the budget division of

1 the Department of Administrative Services, pursuant to subdivisions  
2 (3) and (4) of section 82-331, not to exceed \$1,000,000, from the  
3 General Fund to the Nebraska Cultural Preservation Endowment Fund  
4 on December 31, 2013, or as soon thereafter as administratively  
5 possible.

6       Sec. 12. The State Treasurer shall transfer an amount  
7 as directed by the budget administrator of the budget division of  
8 the Department of Administrative Services, pursuant to subdivisions  
9 (3) and (4) of section 82-331, not to exceed \$500,000, plus an  
10 amount equal to unused transfer authority from the prior fiscal  
11 year, from the General Fund to the Nebraska Cultural Preservation  
12 Endowment Fund on December 31, 2014, or as soon thereafter as  
13 administratively possible.

14       Sec. 13. The State Treasurer shall transfer \$200,000  
15 from the Department of Motor Vehicles Ignition Interlock Fund  
16 to the General Fund on July 1, 2013, or as soon thereafter  
17 as administratively possible. The State Treasurer shall transfer  
18 \$200,000 from the Department of Motor Vehicles Ignition Interlock  
19 Fund to the General Fund on July 1, 2014, or as soon thereafter as  
20 administratively possible.

21       Sec. 14. The Department of Banking and Finance Settlement  
22 Cash Fund is created. The fund shall be administered by the  
23 Department of Banking and Finance. The fund shall consist of money  
24 received by the state in settlements resulting from regulatory  
25 or judicial resolution of financial, securities, or consumer  
26 issues in which the department is designated as a recipient  
27 and any investment income earned on the fund. The Department of

1 Administrative Services may for accounting purposes create subfunds  
2 of the fund to segregate awards or allocations received pursuant  
3 to different orders or settlements. The fund may be used by the  
4 Department of Banking and Finance for any allowable legal purposes  
5 as determined by the Director of Banking and Finance. Any money in  
6 the fund available for investment shall be invested by the state  
7 investment officer pursuant to the Nebraska Capital Expansion Act  
8 and the Nebraska State Funds Investment Act.

9           Sec. 15. The Commission on Indian Affairs Cash Fund  
10 is created. The fund shall be administered by the Commission on  
11 Indian Affairs. The fund shall consist of money received by the  
12 state in the form of grants or gifts from nonfederal sources  
13 and any investment income earned on the fund. The fund may be  
14 used to support the commission's operations pursuant to sections  
15 81-2501 to 81-2508. The Department of Administrative Services may  
16 for accounting purposes create subfunds of the fund to segregate  
17 awards or allocations received. Any money in the fund available  
18 for investment shall be invested by the state investment officer  
19 pursuant to the Nebraska Capital Expansion Act and the Nebraska  
20 State Funds Investment Act.

21           Sec. 16. Section 8-1120, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23           8-1120 (1) Except as otherwise provided in this section,  
24 the Securities Act of Nebraska shall be administered by the  
25 Director of Banking and Finance who may employ such assistants  
26 or counsel as may be reasonably necessary for the purpose thereof  
27 and who may designate one of such assistants as an assistant

1 director. The director may delegate to such assistant director or  
2 counsel any powers, authority, and duties imposed upon or granted  
3 to the director under the act, such as may be lawfully delegated  
4 under the common law or the statutes of this state. The director  
5 may also employ special counsel with respect to any investigation  
6 conducted by him or her under the act or with respect to any  
7 litigation to which the director is a party under the act, except  
8 that security issued by and representing an interest in or a debt  
9 of, or guaranteed by, any insurance company shall be registered,  
10 pursuant to the provisions of sections 8-1104 to 8-1109, with the  
11 Director of Insurance who shall as to such registrations administer  
12 and enforce the act, and as pertains to the administration and  
13 enforcement of such registration of such securities all references  
14 in the act to director shall mean the Director of Insurance.

15 (2) It shall be unlawful for the director or any of  
16 his or her officers or employees to use for personal benefit any  
17 information which is filed with or obtained by the director and  
18 which is not made public. No provision of the act shall authorize  
19 the director or any of his or her officers or employees to disclose  
20 any such information except among themselves or when necessary or  
21 appropriate in a proceeding or investigation under the act. No  
22 provision of the act shall either create or derogate from any  
23 privilege which exists at common law or otherwise when documentary  
24 or other evidence is sought under a subpoena directed to the  
25 director or any of his or her officers or employees.

26 (3) The director may from time to time make, amend, and  
27 rescind such rules and forms as are necessary to carry out the act.

1 No rule or form may be made unless the director finds that the  
2 action is necessary or appropriate in the public interest or for  
3 the protection of investors and consistent with the purposes fairly  
4 intended by the policy and provisions of the act.

5 In prescribing rules and forms the director may cooperate  
6 with the securities administrators of the other states and the  
7 Securities and Exchange Commission with a view to effectuating  
8 the policy of the Securities Act of Nebraska to achieve maximum  
9 uniformity in the form and content of registration statements,  
10 applications, and reports wherever practicable. All rules and forms  
11 of the director shall be published and made available to any person  
12 upon request.

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

18 (5) Every hearing in an administrative proceeding shall  
19 be public unless the director in his or her discretion grants  
20 a request joined in by all the respondents that the hearing be  
21 conducted privately.

22 (6) The Securities Act Cash Fund is created. All filing  
23 fees, registration fees, and all other fees and all money collected  
24 by or paid to the director under any of the provisions of the act  
25 shall be remitted to the State Treasurer for credit to the fund,  
26 except that registration fees collected by or paid to the Director  
27 of Insurance pursuant to the provisions of the act shall be

1 credited to the Department of Insurance Cash Fund. The Securities  
2 Act Cash Fund shall be used for the purpose of administering and  
3 enforcing the provisions of the act, except that transfers may be  
4 made to the General Fund at the direction of the Legislature, ~~and~~  
5 ~~for the calendar years of 2000 and 2001, two million dollars shall~~  
6 ~~be transferred in each year to the Affordable Housing Trust Fund.~~  
7 All of such money is appropriated and shall be appropriated for  
8 such purposes. Any money in the Securities Act Cash Fund available  
9 for investment shall be invested by the state investment officer  
10 pursuant to the Nebraska Capital Expansion Act and the Nebraska  
11 State Funds Investment Act.

12 (7) (a) The State Treasurer, at the direction of the  
13 budget administrator of the budget division of the Department of  
14 Administrative Services, shall transfer one million two hundred  
15 fifty thousand dollars from the Securities Act Cash Fund to the  
16 Affordable Housing Trust Fund on or before September 1, 2013, and  
17 the State Treasurer, at the direction of the budget administrator  
18 of the budget division of the Department of Administrative  
19 Services, shall transfer one million two hundred fifty thousand  
20 dollars from the Securities Act Cash Fund to the Affordable Housing  
21 Trust Fund on or before September 1, 2014.

22 (b) The State Treasurer, at the direction of the  
23 budget administrator of the budget division of the Department of  
24 Administrative Services, shall transfer two hundred fifty thousand  
25 dollars from the Securities Act Cash Fund to the Homeless Shelter  
26 Assistance Trust Fund on or before September 1, 2013, and the State  
27 Treasurer, at the direction of the budget administrator of the

1 budget division of the Department of Administrative Services, shall  
2 transfer two hundred fifty thousand dollars from the Securities  
3 Act Cash Fund to the Homeless Shelter Assistance Trust Fund on or  
4 before September 1, 2014.

5 (c) The State Treasurer, at the direction of the  
6 budget administrator of the budget division of the Department  
7 of Administrative Services, shall transfer five hundred thousand  
8 dollars from the Securities Act Cash Fund to the Legal Aid and  
9 Services Fund on or before September 1, 2013, and the State  
10 Treasurer, at the direction of the budget administrator of the  
11 budget division of the Department of Administrative Services, shall  
12 transfer five hundred thousand dollars from the Securities Act Cash  
13 Fund to the Legal Aid and Services Fund on or before September 1,  
14 2014.

15 ~~(7)~~ (8) A document is filed when it is received by the  
16 director. The director shall keep a register of all applications  
17 for registration and registration statements which are or have ever  
18 been effective under the Securities Act of Nebraska and all denial,  
19 suspension, or revocation orders which have ever been entered under  
20 the act. The register shall be open for public inspection. The  
21 information contained in or filed with any registration statement,  
22 application, or report may be made available to the public under  
23 such conditions as the director may prescribe.

24 ~~(8)~~ (9) Upon request and at such reasonable charges as  
25 he or she shall prescribe, the director shall furnish to any  
26 person photostatic or other copies, certified under his or her  
27 seal of office if requested, of any entry in the register or any



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

4 ~~(9)~~ (10) The director in his or her discretion may honor  
5 requests from interested persons for interpretative opinions.

6 Sec. 17. Section 43-3718, Revised Statutes Cumulative  
7 Supplement, 2012, is amended to read:

8 43-3718 The Court Appointed Special Advocate Fund is  
9 created. The fund shall be under the control of the Supreme  
10 Court and administered by the State Court Administrator. The fund  
11 shall be used for grants as provided in section 43-3719. The fund  
12 shall consist of transfers, grants, donations, gifts, devises, and  
13 bequests. ~~authorized under section 29-3921.~~ Any money in the fund  
14 available for investment shall be invested by the state investment  
15 officer pursuant to the Nebraska Capital Expansion Act and the  
16 Nebraska State Funds Investment Act. Interest earned shall be  
17 credited back to the fund.

18 Sec. 18. Section 43-3719, Revised Statutes Cumulative  
19 Supplement, 2012, is amended to read:

20 43-3719 (1) The Supreme Court shall award grants from the  
21 Court Appointed Special Advocate Fund as provided in subsection (2)  
22 of this section to any court appointed special advocate program  
23 that applies for the grant and:

24 (a) Is a nonprofit organization organized under section  
25 501(c)(3) of the Internal Revenue Code;

26 (b) Has the ability to operate statewide; and

27 (c) Has an affiliation agreement with local programs that

1 meet the requirements of section 43-3706.

2 (2) The Supreme Court shall award grants up to the amount  
3 credited to the fund per fiscal year as follows:

4 (a) Up to ten thousand dollars may be used by the court  
5 to administer this section;

6 (b) Of the remaining amount, eighty percent, ~~but no more~~  
7 ~~than three hundred thousand dollars,~~ shall be awarded as grants  
8 used to recruit new court appointed special advocate volunteers and  
9 to defray the cost of training court appointed special advocate  
10 volunteers;

11 (c) Of the remaining amount, ten percent, ~~but no more~~  
12 ~~than fifty thousand dollars,~~ shall be awarded as grants used to  
13 create innovative programming to implement the Court Appointed  
14 Special Advocate Act; and

15 (d) Of the remaining amount, ten percent, ~~but no more~~  
16 ~~than fifty thousand dollars,~~ shall be awarded as grants used to  
17 expand court appointed special advocate programs into counties that  
18 have no programs or limited programs.

19 Sec. 19. Section 43-3720, Revised Statutes Cumulative  
20 Supplement, 2012, is amended to read:

21 43-3720 (1) Each applicant who is awarded a grant under  
22 section 43-3719 shall provide the Supreme Court, Clerk of the  
23 Legislature, and Governor prior to December 31 of each year a  
24 report regarding the grant detailing:

25 ~~(1)~~ (a) The number of court appointed special advocate  
26 volunteers trained during the previous fiscal year;

27 ~~(2)~~ (b) The cost of training the court appointed special

1 advocate volunteers trained during the previous fiscal year;

2 ~~(3)~~ (c) The number of court appointed special advocate  
3 volunteers recruited during the previous fiscal year;

4 ~~(4)~~ (d) A description of any programs described in  
5 subdivision (2)(d) of section 43-3719;

6 ~~(5)~~ (e) The total number of courts being served by court  
7 appointed special advocate programs during the previous fiscal  
8 year; and

9 ~~(6)~~ (f) The total number of children being served by  
10 court appointed special advocate volunteers during the previous  
11 fiscal year.

12 The report submitted to the Clerk of the Legislature  
13 shall be submitted electronically.

14 (2) The Supreme Court, as part of any application process  
15 required for a grant pursuant to section 43-3719, may require the  
16 applicant to report the information required pursuant to subsection  
17 (1) of this section.

18 Sec. 20. Section 45-621, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 45-621 (1) All fees collected under the Collection Agency  
21 Act shall be remitted to the State Treasurer for credit to a  
22 special fund to be known as the Nebraska Collection Agency Fund.  
23 The board may use the fund as may be necessary for the proper  
24 administration and enforcement of the act. The fund shall be paid  
25 out only on proper vouchers approved by the board and upon warrants  
26 issued by the Director of Administrative Services and countersigned  
27 by the State Treasurer as provided by law. All fees and expenses

1 of the Attorney General in representing the board pursuant to the  
2 act shall be paid out of such fund. Transfers from the fund to the  
3 Election Administration Fund or the General Fund may be made at the  
4 direction of the Legislature. Any money in the Nebraska Collection  
5 Agency Fund available for investment shall be invested by the state  
6 investment officer pursuant to the Nebraska Capital Expansion Act  
7 and the Nebraska State Funds Investment Act.

8 ~~(2) On or before July 5, 2001, the State Treasurer shall~~  
9 ~~transfer four hundred thousand dollars from the Nebraska Collection~~  
10 ~~Agency Fund to the General Fund.~~

11 (2) On or before July 5, 2013, the State Treasurer shall  
12 transfer one hundred thousand dollars from the Nebraska Collection  
13 Agency Fund to the Election Administration Fund.

14 Sec. 21. Section 53-117.03, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 53-117.03 (1) On or before January 1, 2007, the  
17 commission shall adopt and promulgate rules and regulations  
18 governing programs which provide training for persons employed in  
19 the sale and service of alcoholic liquor and management of licensed  
20 premises. Such rules and regulations may include, but need not be  
21 limited to:

22 (a) Minimum standards governing training of beverage  
23 servers, including standards and requirements governing curriculum,  
24 program trainers, and certification requirements;

25 (b) Minimum standards governing training in management of  
26 licensed premises, including standards and requirements governing  
27 curriculum, program trainers, and certification requirements;

1           (c) Minimum standards governing the methods allowed for  
2 training programs which may include the Internet, interactive  
3 video, live training in various locations across the state, and  
4 other means deemed appropriate by the commission;

5           (d) Methods for approving beverage-server training  
6 organizations and programs. All beverage-server training programs  
7 approved by the commission shall issue a certificate of completion  
8 to all persons who successfully complete the program and shall  
9 provide the names of all persons completing the program to the  
10 commission;

11           (e) Enrollment fees in an amount determined by the  
12 commission to be necessary to cover the ~~expense~~ administrative  
13 costs, including salary and benefits, of enrolling in a training  
14 program offered by the commission pursuant to subsection (2) of  
15 this section, but not to exceed thirty dollars; and

16           (f) Procedures and fees for certification, which fees  
17 shall be in an amount determined by the commission to be sufficient  
18 to defray the ~~expenses~~ administrative costs, including salary and  
19 benefits, associated with maintaining a list of persons certified  
20 under this section and issuing proof of certification to eligible  
21 individuals but shall not exceed twenty dollars.

22           (2) The commission may create a program to provide  
23 training for persons employed in the sale and service of alcoholic  
24 liquor and management of licensed premises. The program shall  
25 include training on the issues of sales and service of alcoholic  
26 liquor to minors and to visibly inebriated purchasers. The  
27 commission may charge each person enrolling in the program an

1 enrollment fee as provided in the rules and regulations, but  
2 such fee shall not exceed thirty dollars. All such fees shall be  
3 collected by the commission and remitted to the State Treasurer  
4 for credit to the Nebraska Liquor Control Commission Rule and  
5 Regulation Cash Fund.

6 (3) A person who has completed a training program which  
7 complies with the rules and regulations, whether such program is  
8 offered by the commission or by another organization, may become  
9 certified by the commission upon the commission receiving evidence  
10 that he or she has completed such program and the person seeking  
11 certification paying the certification fee established under this  
12 section.

13 Sec. 22. Section 53-117.06, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15 53-117.06 Any money collected by the commission pursuant  
16 to section 53-117.05 or 53-167.02 shall be credited to the Nebraska  
17 Liquor Control Commission Rule and Regulation Cash Fund, which fund  
18 is hereby created. The purpose of the fund shall be to cover any  
19 administrative costs, including salary and benefits, incurred by  
20 the commission in producing or distributing the material referred  
21 to in such sections and to defray the costs associated with  
22 electronic regulatory transactions, industry education events,  
23 enforcement training, and equipment for regulatory work. Transfers  
24 may be made from the fund to the General Fund at the direction  
25 of the Legislature. Any money in the Nebraska Liquor Control  
26 Commission Rule and Regulation Cash Fund available for investment  
27 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds  
2 Investment Act.

3 Sec. 23. Section 58-703, Revised Statutes Cumulative  
4 Supplement, 2012, is amended to read:

5 58-703 The Affordable Housing Trust Fund is created. The  
6 fund shall receive money pursuant to sections 8-1120 and 76-903  
7 and may include revenue from sources recommended by the housing  
8 advisory committee established in section 58-704, appropriations  
9 from the Legislature, transfers authorized by the Legislature,  
10 grants, private contributions, repayment of loans, and all other  
11 sources. ~~7~~ except that appropriations from the General Fund and  
12 transfers from the General Fund or the Cash Reserve Fund may  
13 not be used as a revenue source for the Affordable Housing Trust  
14 Fund after June 30, 2013. The Department of Economic Development  
15 as part of its comprehensive housing affordability strategy shall  
16 administer the Affordable Housing Trust Fund.

17 Transfers may be made from the Affordable Housing Trust  
18 Fund to the General Fund, the Behavioral Health Services Fund, and  
19 the Site and Building Development Fund at the direction of the  
20 Legislature.

21 Sec. 24. Section 58-706, Revised Statutes Cumulative  
22 Supplement, 2012, is amended to read:

23 58-706 The following activities are eligible for  
24 assistance from the Affordable Housing Trust Fund:

25 (1) New construction, rehabilitation, or acquisition of  
26 housing to assist low-income and very low-income families;

27 (2) Matching funds for new construction, rehabilitation,

1 or acquisition of housing units to assist low-income and very  
2 low-income families;

3 (3) Technical assistance, design and finance  
4 services, and consultation for eligible nonprofit community  
5 or neighborhood-based organizations involved in the creation of  
6 affordable housing;

7 (4) Matching funds for operating costs for housing  
8 assistance groups or organizations when such grant or loan  
9 will substantially increase the recipient's ability to produce  
10 affordable housing;

11 (5) Mortgage insurance guarantees for eligible projects;

12 (6) Acquisition of housing units for the purpose of  
13 preservation of housing to assist low-income or very low-income  
14 families;

15 (7) Projects making affordable housing more accessible to  
16 families with elderly members or members who have disabilities;

17 (8) Projects providing housing in areas determined by the  
18 Department of Economic Development to be of critical importance for  
19 the continued economic development and economic well-being of the  
20 community and where, as determined by the department, a shortage of  
21 affordable housing exists;

22 (9) Infrastructure projects necessary for the development  
23 of affordable housing;

24 (10) Downpayment and closing cost assistance;

25 (11) Demolition of existing vacant, condemned, or  
26 obsolete housing or industrial buildings or infrastructure;

27 (12) Housing education programs developed in conjunction



1 with affordable housing projects. The education programs must be  
2 directed toward:

3 (a) Preparing potential home buyers to purchase  
4 affordable housing and postpurchase education;

5 (b) Target audiences eligible to utilize the services of  
6 housing assistance groups or organizations; and

7 (c) Developers interested in the rehabilitation,  
8 acquisition, or construction of affordable housing; ~~and~~

9 (13) Support for efforts to improve programs benefiting  
10 homeless youth; and-

11 (14) Vocational training in the housing and construction  
12 trades industries by nonprofit groups.

13 Sec. 25. Section 59-1608.04, Revised Statutes Cumulative  
14 Supplement, 2012, is amended to read:

15 59-1608.04 (1) The State Settlement Cash Fund is created.  
16 The fund shall be maintained by the Department of Justice and  
17 administered by the Attorney General. Except as otherwise provided  
18 by law, the fund shall consist of all recoveries received pursuant  
19 to the Consumer Protection Act, including any money, funds,  
20 securities, or other things of value in the nature of civil  
21 damages or other payment, except criminal penalties, whether such  
22 recovery is by way of verdict, judgment, compromise, or settlement  
23 in or out of court, or other final disposition of any case  
24 or controversy, or any other payments received on behalf of  
25 the state by the Department of Justice and administered by the  
26 Attorney General for the benefit of the state or the general  
27 welfare of its citizens, but excluding all funds held in a trust

1 capacity where specific benefits accrue to specific individuals,  
2 organizations, or governments. The fund may be expended for any  
3 allowable legal purposes as determined by the Attorney General.  
4 Transfers from the State Settlement Cash Fund may be made at the  
5 direction of the Legislature to the Nebraska Capital Construction  
6 Fund. To provide necessary financial accountability and management  
7 oversight, revenue from individual settlement agreements or other  
8 separate sources credited to the State Settlement Cash Fund may  
9 be tracked and accounted for within the state accounting system  
10 through the use of separate and distinct funds, subfunds, or any  
11 other available accounting mechanism specifically approved by the  
12 Accounting Administrator for use by the Department of Justice. Any  
13 money in the fund available for investment shall be invested by the  
14 state investment officer pursuant to the Nebraska Capital Expansion  
15 Act and the Nebraska State Funds Investment Act.

16 (2) The State Treasurer shall transfer two million five  
17 hundred thousand dollars from the State Settlement Cash Fund to  
18 the Nebraska Capital Construction Fund on July 1, 2013, or as soon  
19 thereafter as administratively possible.

20 Sec. 26. Section 60-6,211.05, Revised Statutes Cumulative  
21 Supplement, 2012, is amended to read:

22 60-6,211.05 (1) If an order is granted under section  
23 60-6,196 or 60-6,197 and sections 60-6,197.02 and 60-6,197.03, the  
24 court may order that the defendant install an ignition interlock  
25 device of a type approved by the Director of Motor Vehicles on  
26 each motor vehicle operated by the defendant during the period of  
27 revocation. Upon sufficient evidence of installation, the defendant

1 may apply to the director for an ignition interlock permit pursuant  
2 to section 60-4,118.06. The device shall, without tampering or  
3 the intervention of another person, prevent the defendant from  
4 operating the motor vehicle when the defendant has an alcohol  
5 concentration greater than three-hundredths of one gram or more  
6 by weight of alcohol per one hundred milliliters of his or her  
7 blood or three-hundredths of one gram or more by weight of alcohol  
8 per two hundred ten liters of his or her breath. The Department  
9 of Motor Vehicles shall issue an ignition interlock permit to the  
10 defendant under section 60-4,118.06 only upon sufficient proof that  
11 a defendant has installed an ignition interlock device on any motor  
12 vehicle that the defendant will operate during his or her release.

13 (2) If the court orders installation of an ignition  
14 interlock device and issuance of an ignition interlock permit  
15 pursuant to subsection (1) of this section, the court may also  
16 order the use of a continuous alcohol monitoring device and  
17 abstention from alcohol use at all times. The device shall, without  
18 tampering or the intervention of another person, test and record  
19 the alcohol consumption level of the defendant on a periodic basis  
20 and transmit such information to probation authorities.

21 (3) Any order issued by the court pursuant to this  
22 section shall not take effect until the defendant is eligible  
23 to operate a motor vehicle pursuant to subsection (8) of section  
24 60-498.01. A person shall be eligible to be issued an ignition  
25 interlock permit allowing operation of a motor vehicle equipped  
26 with an ignition interlock device if he or she is not subject to  
27 any other suspension, cancellation, required no-driving period,

1 or period of revocation and has successfully completed the  
2 ignition interlock permit application process. The Department of  
3 Motor Vehicles shall review its records and the driving record  
4 abstract of any person who applies for an ignition interlock permit  
5 allowing operation of a motor vehicle equipped with an ignition  
6 interlock device to determine (a) the applicant's eligibility  
7 for an ignition interlock permit, (b) the applicant's previous  
8 convictions under section 60-6,196, 60-6,197, or 60-6,197.06 or  
9 any previous administrative license revocation, if any, (c) if the  
10 applicant is subject to any required no-drive periods before the  
11 ignition interlock permit may be issued, and (d) the permitted  
12 driving uses to be allowed to that person on his or her ignition  
13 interlock permit.

14 (4) (a) If the court orders an ignition interlock device  
15 or the Board of Pardons orders an ignition interlock device under  
16 section 83-1,127.02, the court or the Board of Pardons shall order  
17 the defendant to apply for an ignition interlock permit as provided  
18 in section 60-4,118.06 which indicates that the defendant is only  
19 allowed to operate a motor vehicle equipped with an ignition  
20 interlock device.

21 (b) Such court order shall remain in effect for a period  
22 of time as determined by the court not to exceed the maximum  
23 term of revocation which the court could have imposed according  
24 to the nature of the violation and shall allow operation by the  
25 defendant of an ignition-interlock-equipped motor vehicle only (i)  
26 if the defendant has no previous conviction under section 60-6,196,  
27 60-6,197, or 60-6,197.06 and no previous administrative license

1 revocation, to and from his or her residence for purposes of his  
2 or her employment, his or her school, a substance abuse treatment  
3 program, his or her probation officer, his or her continuing  
4 health care or the continuing health care of another person who  
5 is dependent upon the person, his or her court-ordered community  
6 service responsibilities, or an ignition interlock service facility  
7 or (ii) if the defendant has a previous conviction under section  
8 60-6,196, 60-6,197, or 60-6,197.06 or a previous administrative  
9 license revocation, to and from his or her residence, his or her  
10 place of employment, his or her school, a substance abuse treatment  
11 program, or an ignition interlock service facility.

12 (c) Such Board of Pardons order shall remain in effect  
13 for a period of time not to exceed any period of revocation the  
14 applicant is subject to at the time the application for a reprieve  
15 is made.

16 (5) Any person restricted to operating a motor vehicle  
17 equipped with an ignition interlock device, pursuant to a Board of  
18 Pardons order, who operates upon the highways of this state a motor  
19 vehicle without such device or if the device has been disabled,  
20 bypassed, or altered in any way, shall be punished as provided in  
21 subsection (3) of section 83-1,127.02.

22 (6) If a person ordered to use a continuous alcohol  
23 monitoring device and abstain from alcohol use pursuant to a court  
24 order as provided in subsection (2) of this section violates the  
25 provisions of such court order by removing, tampering with, or  
26 otherwise bypassing the continuous alcohol monitoring device or  
27 by consuming alcohol while required to use such device, he or

1 she shall have his or her ignition interlock permit revoked and  
2 be unable to apply for reinstatement for the duration of the  
3 revocation period imposed by the court.

4 (7) The director shall adopt and promulgate rules and  
5 regulations regarding the approval of ignition interlock devices,  
6 the means of installing ignition interlock devices, and the means  
7 of administering the ignition interlock permit program.

8 (8) (a) The costs incurred in order to comply with the  
9 ignition interlock requirements of this section shall be paid  
10 directly to the ignition interlock provider by the person complying  
11 with an order for an ignition interlock permit and installation of  
12 an ignition interlock device.

13 (b) If the Department of Motor Vehicles has determined  
14 the person to be indigent and incapable of paying for the cost  
15 of installation, removal, or maintenance of the ignition interlock  
16 device in accordance with this section, such costs shall be paid  
17 out of the Department of Motor Vehicles Ignition Interlock Fund  
18 if such funds are available, according to rules and regulations  
19 adopted and promulgated by the department. Such costs shall also  
20 be paid out of the Department of Motor Vehicles Ignition Interlock  
21 Fund if such funds are available and if the court or the Board of  
22 Pardons, whichever is applicable, has determined the person to be  
23 indigent and incapable of paying for the cost of installation,  
24 removal, or maintenance of the ignition interlock device in  
25 accordance with this section. The Department of Motor Vehicles  
26 Ignition Interlock Fund is created. Money in the Department of  
27 Motor Vehicles Ignition Interlock Fund may be used for transfers

1 to the General Fund at the direction of the Legislature. Any money  
2 in the ~~fund~~ Department of Motor Vehicles Ignition Interlock Fund  
3 available for investment shall be invested by the state investment  
4 officer pursuant to the Nebraska Capital Expansion Act and the  
5 Nebraska State Funds Investment Act.

6 (9) (a) (i) An ignition interlock service facility shall  
7 notify the appropriate district probation office or the appropriate  
8 court, as applicable, of any evidence of tampering with or  
9 circumvention of an ignition interlock device, or any attempts  
10 to do so, when the facility becomes aware of such evidence.  
11 Failure of the facility to provide notification as provided in this  
12 subdivision is a Class V misdemeanor.

13 (ii) An ignition interlock service facility shall notify  
14 the Department of Motor Vehicles, if the ignition interlock  
15 permit is issued pursuant to sections 60-498.01 to 60-498.04,  
16 of any evidence of tampering with or circumvention of an ignition  
17 interlock device, or any attempts to do so, when the facility  
18 becomes aware of such evidence. Failure of the facility to  
19 provide notification as provided in this subdivision is a Class V  
20 misdemeanor.

21 (b) If a district probation office receives evidence of  
22 tampering with or circumvention of an ignition interlock device, or  
23 any attempts to do so, from an ignition interlock service facility,  
24 the district probation office shall notify the appropriate court of  
25 such violation. The court shall immediately schedule an evidentiary  
26 hearing to be held within fourteen days after receiving such  
27 evidence, either from the district probation office or an ignition

1 interlock service facility, and the court shall cause notice of  
2 the hearing to be given to the person operating a motor vehicle  
3 pursuant to an order under subsection (1) of this section. If  
4 the person who is the subject of such evidence does not appear  
5 at the hearing and show cause why the order made pursuant to  
6 subsection (1) of this section should remain in effect, the court  
7 shall rescind the original order. Nothing in this subsection shall  
8 apply to an order made by the Board of Pardons pursuant to section  
9 83-1,127.02.

10 (10) Notwithstanding any other provision of law, the  
11 issuance of an ignition interlock permit by the Department of Motor  
12 Vehicles under section 60-498.01 or an order for the installation  
13 of an ignition interlock device and ignition interlock permit made  
14 pursuant to subsection (1) of this section as part of a conviction,  
15 as well as the administration of such court order by the Office  
16 of Probation Administration for the installation, maintenance, and  
17 removal of such device, as applicable, shall not be construed to  
18 create an order of probation when an order of probation has not  
19 been issued.

20 Sec. 27. Section 68-1604, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22 68-1604 The Homeless Shelter Assistance Trust Fund is  
23 hereby created. The fund shall include the proceeds raised from  
24 the documentary stamp tax and remitted for such fund pursuant to  
25 section 76-903 and transfers authorized by the Legislature. Money  
26 remitted to such fund shall be used by the department (1) for  
27 grants to eligible shelter providers as set out in section 68-1605



1 for the purpose of assisting in the alleviation of homelessness, to  
2 provide temporary and permanent shelters for homeless persons, to  
3 encourage the development of projects which link housing assistance  
4 to programs promoting the concept of self-sufficiency, and to  
5 address the needs of the migrant farmworker and (2) to aid  
6 in defraying the expenses of administering the Homeless Shelter  
7 Assistance Trust Fund Act, which shall not exceed seventy-five  
8 thousand dollars in any fiscal year.

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

12 Sec. 28. Section 71-7611, Revised Statutes Cumulative  
13 Supplement, 2012, is amended to read:

14 71-7611 (1) The Nebraska Health Care Cash Fund is  
15 created. The State Treasurer shall transfer (a) fifty-six million  
16 one hundred thousand dollars no later than July 15, 2009, and (b)  
17 fifty-nine million one hundred thousand dollars on or before July  
18 15, 2010, July 15, 2011, and July 15, 2012, ~~(c) fifty-six million~~  
19 ~~one hundred forty-five thousand dollars no later than July 15,~~  
20 ~~2013, (d) fifty-three million one hundred ninety thousand dollars~~  
21 ~~no later than July 15, 2014, and (e) fifty million two hundred~~  
22 ~~thirty-five thousand dollars beginning July 15, 2015, and annually~~  
23 ~~thereafter no later than July 15~~ and on or before every July 15  
24 thereafter from the Nebraska Medicaid Intergovernmental Trust Fund  
25 and the Nebraska Tobacco Settlement Trust Fund to the Nebraska  
26 Health Care Cash Fund, except that such amount shall be reduced by  
27 the amount of the unobligated balance in the Nebraska Health Care

1 Cash Fund at the time the transfer is made. The state investment  
2 officer upon consultation with the Nebraska Investment Council  
3 shall advise the State Treasurer on the amounts to be transferred  
4 from the Nebraska Medicaid Intergovernmental Trust Fund and from  
5 the Nebraska Tobacco Settlement Trust Fund under this section in  
6 order to sustain such transfers in perpetuity. The state investment  
7 officer shall report electronically to the Legislature on or before  
8 October 1 of every even-numbered year on the sustainability of  
9 such transfers. Except as otherwise provided by law, no more than  
10 the amount specified in this subsection may be appropriated or  
11 transferred from the Nebraska Health Care Cash Fund in any fiscal  
12 year.

13           It is the intent of the Legislature that no additional  
14 programs are funded through the Nebraska Health Care Cash Fund  
15 until funding for all programs with an appropriation from the fund  
16 during FY2012-13 are restored to their FY2012-13 levels.

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

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

27           Sec. 29. Section 72-815, Revised Statutes Cumulative

1 Supplement, 2012, is amended to read:

2           72-815 (1) The state building division of the Department  
3 of Administrative Services shall be responsible for the sale,  
4 lease, or other disposal of a building or land, whichever action is  
5 ordered by the committee.

6           (2) If a building is to be demolished, section 72-810  
7 shall not apply, but the state building division shall notify the  
8 State Historic Preservation Officer of such demolition at least  
9 thirty days prior to the beginning of the demolition or disassembly  
10 so that the officer may collect any photographic or other evidence  
11 he or she may find of historic value.

12           (3) (a) If a building or land is to be sold or leased,  
13 the state building division shall cause an appraisal to be made of  
14 the building or land. The sale, lease, or other disposal of the  
15 building or land shall comply with all relevant statutes pertaining  
16 to the sale or lease of surplus state property, except that if  
17 the state building division fails to receive an offer from a state  
18 agency in which the agency certifies that it (i) intends to use  
19 the building for the purposes for which it was designed, intended,  
20 or remodeled or to remodel the building for uses which will serve  
21 the agency's purposes or (ii) intends to use the land for the  
22 purposes for which it was acquired or received, the state building  
23 division shall then notify the Department of Economic Development  
24 that the building or land is available for sale or lease so  
25 that the department may refer to the state building division any  
26 potential buyers or lessees of which the department may be aware.  
27 The state building division may then sell or lease the building

1 or land by such method as is to the best advantage of the State  
2 of Nebraska, including auction, sealed bid, or public sale and,  
3 if necessary, by private sale, but in all situations only after  
4 notice of the property sale is publicly advertised on at least two  
5 separate occasions in the newspaper with the largest circulation  
6 in the county where the surplus property is located and not less  
7 than thirty days prior to the sale of the property. The state  
8 building division may use the services of a real estate broker  
9 licensed under the Nebraska Real Estate License Act. Priority shall  
10 be given to other political subdivisions of state government, then  
11 to persons contracting with the state or political subdivisions of  
12 the state who will use the building or land for middle-income or  
13 low-income rental housing for at least fifteen years, and finally  
14 to referrals from the Department of Economic Development.

15 (b) When a building or land designated for sale is listed  
16 in the National Register of Historic Places, the state building  
17 division, in its discretion and based on the best interests of the  
18 state, may follow the procedure outlined in subdivision (3)(a) of  
19 this section or may sell the building or land by any method deemed  
20 in the best interests of the state to a not-for-profit community  
21 organization that intends to maintain the historic and cultural  
22 integrity of the building or land.

23 (c) All sales and leases shall be in the name of the  
24 State of Nebraska. The state building division may provide that  
25 a deed of sale include restrictions on the building or land to  
26 ensure that the use and appearance of the building or land remain  
27 compatible with any adjacent state-owned property.

1           (d) Except as otherwise provided in subsection (4) of  
2 this section, the proceeds of the sale or lease shall be remitted  
3 to the State Treasurer for credit to the Vacant Building and Excess  
4 Land Cash Fund unless the state agency formerly responsible for  
5 the building or land certifies to the state building division that  
6 the building or land was purchased in part or in total from cash,  
7 federal, or revolving funds, in which event, after the costs of  
8 selling or leasing the building or land are deducted from the  
9 proceeds of the sale or lease and such amount is credited to the  
10 fund, the remaining proceeds of the sale or lease shall be credited  
11 to the cash, federal, or revolving fund in the percentage used in  
12 originally purchasing the building or land.

13           (4) Any state-owned military property, including any  
14 armories considered surplus property, shall be sold by such method  
15 as is to the best advantage of the State of Nebraska, including  
16 auction, sealed bid, or public sale, and if necessary, by private  
17 sale, but in all situations only after notice of the property sale  
18 is publicly advertised on at least two separate occasions in the  
19 newspaper with the largest circulation in the county where the  
20 surplus property is located and not less than thirty days prior  
21 to the sale of the property, and pursuant to section 72-816, all  
22 proceeds from the sale of the property, less maintenance expenses  
23 pending the sale and selling expenses, but including investment  
24 income on the sale proceeds of the property, shall be promptly  
25 transferred from the Vacant Building and Excess Land Cash Fund to  
26 the General Fund by the State Building Administrator.

27           (5) The state building division shall be responsible for

1 the maintenance of the building or land if maintenance is ordered  
2 by the committee and shall be responsible for maintenance of the  
3 building or land pending sale or lease of the building or land.

4 (6) Land at the Hastings Regional Center determined by  
5 the committee to be excess shall be sold by such method as is to  
6 the best advantage of the State of Nebraska, including auction,  
7 sealed bid, or public sale, and if necessary, by private sale. The  
8 sale of land shall only occur after notice of the sale is publicly  
9 advertised on at least two separate occasions in the newspaper with  
10 the largest circulation in the county where the land is located  
11 and not less than thirty days prior to the sale of the land.  
12 The proceeds from the sale of the land, less maintenance expenses  
13 pending the sale and selling expenses, but including investment  
14 income on the sale proceeds, shall be promptly transferred from the  
15 Vacant Building and Excess Land Cash Fund by the State Building  
16 Administrator as follows:

17 (a) First, not exceeding five million three hundred seven  
18 thousand dollars to the General Fund; then

19 (b) Not exceeding three million dollars of available  
20 proceeds remaining to the Nebraska Capital Construction Fund.

21 Sec. 30. Section 81-2004.02, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23 81-2004.02 There is hereby created the Nebraska State  
24 Patrol Cash Fund. Money from this fund shall be used to defray  
25 expenses incident to the administration of the Nebraska State  
26 Patrol. All funds received by the Nebraska State Patrol for  
27 services rendered shall be remitted to the State Treasurer for

1 credit to the Nebraska State Patrol Cash Fund. Such fund shall be  
2 administered by the Superintendent of Law Enforcement and Public  
3 Safety.

4 Allowable uses of the fund shall include, but not be  
5 limited to, defraying the cost of:

6 (1) The vehicle identification inspection program  
7 established in sections 60-181 to 60-189;

8 (2) Investigations of odometer and motor vehicle fraud,  
9 motor vehicle licensing violations, and motor vehicle theft; and

10 (3) Other investigative expenses when money is  
11 specifically appropriated by the Legislature for such purposes.

12 For fiscal year 2013-14, transfers may be made from the  
13 fund to the Nebraska Capital Construction Fund at the direction  
14 of the Legislature. Any money in the fund Nebraska State Patrol  
15 Cash Fund available for investment shall be invested by the state  
16 investment officer pursuant to the Nebraska Capital Expansion Act  
17 and the Nebraska State Funds Investment Act.

18 Sec. 31. Section 81-2004.05, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 81-2004.05 There is hereby created the Public Safety Cash  
21 Fund. All forfeitures and proceeds received by the Nebraska State  
22 Patrol under the federal Equitable Sharing Provisions or any other  
23 federal agreement from any agency of the federal government on or  
24 after July 10, 1990, shall be deposited in the fund. This section  
25 shall not apply to funds otherwise subject to sections 28-431 and  
26 28-1439.02. The fund shall be used only in accordance with the  
27 applicable requirements of the federal government. The fund shall

1 be administered by the Superintendent of Law Enforcement and Public  
2 Safety. For fiscal year 2013-14, transfers may be made from the  
3 fund to the Nebraska Capital Construction Fund at the direction  
4 of the Legislature to support capital projects related to Nebraska  
5 State Patrol law enforcement efforts. Any money in the fund Public  
6 Safety Cash Fund available for investment shall be invested by the  
7 state investment officer pursuant to the Nebraska Capital Expansion  
8 Act and the Nebraska State Funds Investment Act.

9           Sec. 32. Section 81-2004.08, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11           81-2004.08 The Nebraska Public Safety Communication  
12 System Cash Fund is created. The fund shall be established within  
13 the Nebraska State Patrol and administered by the Superintendent  
14 of Law Enforcement and Public Safety. The fund shall consist of  
15 all revenue credited pursuant to law, including any fund transfers  
16 authorized by the Legislature. The fund shall only be used to pay  
17 the patrol's direct costs related to administering, operating, and  
18 maintaining the Nebraska Public Safety Communication System, except  
19 that any unobligated money in the fund may first be used to reduce  
20 the patrol's General Fund costs to operate the Nebraska Public  
21 Safety Communication System, and if additional unobligated money  
22 in the fund exists, the Legislature may transfer money from the  
23 fund to the State Fire Marshal and the Game and Parks Commission  
24 to reduce the General Fund costs to operate the Nebraska Public  
25 Safety Communication System. For fiscal year 2013-14, transfers may  
26 be made from the fund to the Nebraska Capital Construction Fund  
27 at the direction of the Legislature to support capital projects



1 related to Nebraska State Patrol law enforcement efforts. Any money  
2 in the ~~fund~~ Nebraska Public Safety Communication System Cash Fund  
3 available for investment shall be invested by the state investment  
4 officer pursuant to the Nebraska Capital Expansion Act and the  
5 Nebraska State Funds Investment Act.

6           Sec. 33. Section 81-3119, Revised Statutes Cumulative  
7 Supplement, 2012, is amended to read:

8           81-3119 The Health and Human Services Cash Fund is  
9 created and shall consist of funds from contracts, grants, gifts,  
10 or fees. Transfers may be made from the fund to the General Fund  
11 at the direction of the Legislature. On or before July 15, 2013,  
12 one million five hundred thousand dollars shall be transferred  
13 from the Health and Human Services Cash Fund to the Rural Health  
14 Professional Incentive Fund. Any money in the Health and Human  
15 Services Cash Fund available for investment shall be invested  
16 by the state investment officer pursuant to the Nebraska Capital  
17 Expansion Act and the Nebraska State Funds Investment Act.

18           Sec. 34. Section 82-331, Revised Statutes Cumulative  
19 Supplement, 2012, is amended to read:

20           82-331 (1) There is hereby established in the state  
21 treasury a trust fund to be known as the Nebraska Cultural  
22 Preservation Endowment Fund. The fund shall consist of funds  
23 appropriated or transferred by the Legislature, and only the  
24 earnings of the fund may be used as provided in this section.

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

1           (3) Except as provided in subsection (4) of this section,  
2 it is the intent of the Legislature that the State Treasurer shall  
3 transfer (a) an amount not to exceed ~~five hundred thousand one~~  
4 million dollars from the General Fund to the Nebraska Cultural  
5 Preservation Endowment Fund on December 31, 2013, ~~of 2009 and 2010~~  
6 ~~and~~ (b) an amount not to exceed five hundred thousand dollars from  
7 the General Fund to the Nebraska Cultural Preservation Endowment  
8 Fund on December 31, ~~of 2013, 2014, and~~ (c) an amount not to exceed  
9 seven hundred fifty thousand dollars from the General Fund to the  
10 Nebraska Cultural Preservation Endowment Fund on December 31 of  
11 2015, 2016, 2017, and 2018.

12           (4) Prior to the transfer of funds from any state  
13 account into the Nebraska Cultural Preservation Endowment Fund,  
14 the Nebraska Arts Council shall provide documentation to the  
15 budget division of the Department of Administrative Services that  
16 qualified endowments have generated a dollar-for-dollar match of  
17 new money, up to the amount of state funds authorized by the  
18 Legislature to be transferred to the Nebraska Cultural Preservation  
19 Endowment Fund. For purposes of this section, new money means a  
20 contribution to a qualified endowment generated after July 1, 2011.  
21 Contributions not fully matched by state funds shall be carried  
22 forward to succeeding years and remain available to provide a  
23 dollar-for-dollar match for state funds. For an endowment to be  
24 a qualified endowment (a) the endowment must meet the standards  
25 set by the Nebraska Arts Council or Nebraska Humanities Council,  
26 (b) the endowment must be intended for long-term stabilization  
27 of the organization, and (c) the funds of the endowment must

1 be endowed and only the earnings thereon expended. The budget  
2 division of the Department of Administrative Services shall notify  
3 the State Treasurer to execute a transfer of state funds up to  
4 the amount specified by the Legislature, but only to the extent  
5 that the Nebraska Arts Council has provided documentation of a  
6 dollar-for-dollar match. State funds not transferred shall be  
7 carried forward to the succeeding year and be added to the funds  
8 authorized for a dollar-for-dollar match during that year.

9 (5) The Legislature shall not appropriate or transfer  
10 money from the Nebraska Cultural Preservation Endowment Fund for  
11 any purpose other than the purposes stated in sections 82-330 to  
12 82-333, except that the Legislature may appropriate or transfer  
13 money from the fund upon a finding that the purposes of such  
14 sections are not being accomplished by the fund.

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

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

22 Sec. 35. Section 82-332, Revised Statutes Cumulative  
23 Supplement, 2012, is amended to read:

24 82-332 (1) The Nebraska Arts and Humanities Cash Fund is  
25 created. The fund shall consist of all funds credited from the  
26 Nebraska Cultural Preservation Endowment Fund pursuant to section  
27 82-331. The Nebraska Arts Council shall administer and distribute

1 the Nebraska Arts and Humanities Cash Fund and may use up to  
2 thirty thousand dollars annually to defray costs directly related  
3 to the administration of sections 82-330 to 82-333. Expenditures  
4 designated as administrative costs shall not be subject to the  
5 private matching fund requirements set forth in subsection (2) of  
6 this section.

7           (2) All disbursements from the Nebraska Arts  
8 and Humanities Cash Fund that are to support arts and  
9 humanities projects, endowments, or programs shall be matched  
10 dollar-for-dollar by sources other than state funds. The match  
11 funds shall be new money generated for endowments established  
12 by the Nebraska Arts Council or Nebraska Humanities Council or  
13 qualified endowments of their constituent organizations, new money  
14 generated as a result of seed grants to recipients, or new money  
15 generated by the Nebraska Arts Council or Nebraska Humanities  
16 Council for arts or humanities education. Matching funds shall  
17 also include earnings generated by qualified private endowments  
18 formed in accordance with this section. For purposes of this  
19 section, new money means a contribution to a qualified endowment  
20 generated after July 1, 2011. Contributions not fully matched  
21 by state funds shall be carried forward to succeeding years  
22 and remain available to provide a dollar-for-dollar match for  
23 state funds. For an endowment to be a qualified endowment (a)  
24 the endowment must meet the standards set by the Nebraska Arts  
25 Council or Nebraska Humanities Council, (b) the endowment must be  
26 intended for long-term stabilization of the organization, and (c)  
27 the funds of the endowment must be endowed and only the earnings

1 thereon expended. An organization is a constituent organization if  
2 it receives funding from the Nebraska Arts Council or Nebraska  
3 Humanities Council and is tax exempt under section 501 of the  
4 Internal Revenue Code. The match funds required by this section  
5 shall not include in-kind contributions. The budget division of  
6 the Department of Administrative Services shall approve allotment  
7 and disbursement of funds from the Nebraska Arts and Humanities  
8 Cash Fund that are governed by this subsection only to the  
9 extent the Nebraska Arts Council has provided documentation of the  
10 dollar-for-dollar match required by this section. Funds from the  
11 Nebraska Arts and Humanities Cash Fund may be used for the purpose  
12 of obtaining challenge grants from the National Endowment for the  
13 Humanities or the National Endowment for the Arts.

14 ~~(2)~~ (3) Rules and regulations of the Nebraska Arts  
15 Council shall provide that the ultimate use of disbursements  
16 from the Nebraska Arts and Humanities Cash Fund authorized under  
17 subsection (2) of this section shall be in a ratio of seventy  
18 percent to projects, endowments, or programs designated by the  
19 Nebraska Arts Council and thirty percent to projects, endowments,  
20 or programs designated by the Nebraska Humanities Council.

21 ~~(3)~~ (4) Any money in the fund available for investment  
22 shall be invested by the state investment officer pursuant to  
23 the Nebraska Capital Expansion Act and the Nebraska State Funds  
24 Investment Act.

25 Sec. 36. Section 84-510, Revised Statutes Cumulative  
26 Supplement, 2012, is amended to read:

27 84-510 (1) The Corporation Cash Fund is created.

1 Transfers from the fund to the Election Administration Fund,  
2 the Records Management Micrographics Services Revolving Fund, the  
3 Secretary of State Administration Cash Fund, or the General Fund  
4 may be made at the direction of the Legislature. Any money in the  
5 Corporation Cash Fund available for investment shall be invested  
6 by the state investment officer pursuant to the Nebraska Capital  
7 Expansion Act and the Nebraska State Funds Investment Act.

8 (2) On or before July 5, 2013, the State Treasurer shall  
9 transfer one hundred seventy thousand four hundred dollars from the  
10 Corporation Cash Fund to the Secretary of State Administration Cash  
11 Fund.

12 (3) On or before July 5, 2014, the State Treasurer  
13 shall transfer sixty-five thousand eight hundred dollars from the  
14 Corporation Cash Fund to the Secretary of State Administration Cash  
15 Fund.

16 (4) On or before July 5, 2013, the State Treasurer  
17 shall transfer thirty-nine thousand four hundred dollars from  
18 the Corporation Cash Fund to the Records Management Micrographics  
19 Services Revolving Fund.

20 (5) On or before July 5, 2014, the State Treasurer  
21 shall transfer twenty-one thousand nine hundred dollars from the  
22 Corporation Cash Fund to the Records Management Micrographics  
23 Services Revolving Fund.

24 Sec. 37. Original sections 8-1120, 45-621, 53-117.03,  
25 53-117.06, 68-1604, 81-2004.02, 81-2004.05, and 81-2004.08, Reissue  
26 Revised Statutes of Nebraska, and sections 43-3718, 43-3719,  
27 43-3720, 58-703, 58-706, 59-1608.04, 60-6,211.05, 71-7611, 72-815,

1 81-3119, 82-331, 82-332, and 84-510, Revised Statutes Cumulative  
2 Supplement, 2012, are repealed.

3           Sec. 38. Since an emergency exists, this act takes effect  
4 when passed and approved according to law.