

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1059**

Introduced by Wayne, 13.

Read first time January 17, 2018

Committee:

- 1 A BILL FOR AN ACT relating to appropriations; to amend sections 24-231  
2 and 43-3718, Reissue Revised Statutes of Nebraska; to prohibit  
3 certain appropriations to the Supreme Court; to prohibit any program  
4 funded through Agency Number 5 from accepting funds from any  
5 nongovernmental source; to prohibit counties, local governments, and  
6 certain state government entities from accepting legislative  
7 appropriations under certain conditions; to harmonize provisions;  
8 and to repeal the original sections.  
9 Be it enacted by the people of the State of Nebraska,

1           Section 1. The Legislature shall not appropriate funds to the  
2 Supreme Court or any of the programs of the Supreme Court from any  
3 nongovernmental source, including, but not limited to, grant funds.

4           Sec. 2. No nongovernmental funds shall be accepted by the Supreme  
5 Court or any program funded through Agency Number 5.

6           Sec. 3. Section 24-231, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8           24-231 The Supreme Court Attorney Services Cash Fund is created. The  
9 fund shall be under the control of the Supreme Court and administered by  
10 the State Court Administrator. The fund shall consist of mandatory  
11 assessments and fees, ~~grants, donations, and gifts~~. The fund shall be  
12 used for expenses related to regulation of the practice of law in  
13 Nebraska. Any money in the fund available for investment shall be  
14 invested by the state investment officer pursuant to the Nebraska Capital  
15 Expansion Act and the Nebraska State Funds Investment Act. Interest  
16 earned shall be credited back to the fund.

17           Sec. 4. Section 43-3718, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19           43-3718 The Court Appointed Special Advocate Fund is created. The  
20 fund shall be under the control of the Supreme Court and administered by  
21 the State Court Administrator. The fund shall be used for grants as  
22 provided in section 43-3719. ~~The fund shall consist of transfers, grants,~~  
23 ~~donations, gifts, devises, and bequests.~~ Any money in the fund available  
24 for investment shall be invested by the state investment officer pursuant  
25 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
26 Investment Act. Interest earned shall be credited back to the fund.

27           Sec. 5. Notwithstanding any other provision of law, any entity of  
28 county or local government, including, but not limited to, natural  
29 resources districts, public power districts, and sanitary and improvement  
30 districts, or any entity of state government, which engages in  
31 adjudicative functions not subject to the Administrative Procedure Act,

1 shall not have the authority to accept funds appropriated from the  
2 Legislature if the entity conducts a program that is in any way funded by  
3 a nongovernmental source, including, but not limited to, grant funds,  
4 donations, and gifts.

5       Sec. 6.   Original sections 24-231 and 43-3718, Reissue Revised  
6 Statutes of Nebraska, are repealed.