AMENDMENTS TO LB1009

Introduced by Appropriations.

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

   Section 1. The State Treasurer shall transfer three million eight hundred thousand dollars from the General Fund to the Critical Infrastructure Facilities Cash Fund on or before June 30, 2020, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

   Sec. 2. Section 9-1,101, Revised Statutes Supplement, 2019, is amended to read:

   9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section 9-701 shall be administered and enforced by the Charitable Gaming Division of the Department of Revenue, which division is hereby created. The Department of Revenue shall make annual reports to the Governor, Legislature, Auditor of Public Accounts, and Attorney General on all tax revenue received, expenses incurred, and other activities relating to the administration and enforcement of such acts. The report submitted to the Legislature shall be submitted electronically.

   (2) The Charitable Gaming Operations Fund is hereby 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.

   (3)(a) Forty percent of the taxes collected pursuant to sections 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable Gaming Division for administering and enforcing the acts listed in subsection (1) of this section and providing administrative support for
the Nebraska Commission on Problem Gambling. The remaining sixty percent shall be transferred to the General Fund. Any portion of the forty percent not used by the division in the administration and enforcement of such acts and section shall be distributed as provided in this subsection.

(b) Beginning July 1, 2019, through June 30, 2021, on or before the last day of the last month of each calendar quarter, the State Treasurer shall transfer one hundred thousand dollars from the Charitable Gaming Operations Fund to the Compulsive Gamblers Assistance Fund. Beginning July 1, 2021, on or before November 1 each year, the State Treasurer shall transfer one hundred thousand dollars from the Charitable Gaming Operations Fund to the Compulsive Gamblers Assistance Fund, except that no transfer shall occur if the Charitable Gaming Operations Fund contains less than one hundred thousand dollars.

(c) Any money remaining in the Charitable Gaming Operations Fund after the transfer pursuant to subdivision (b) of this subsection not used by the Charitable Gaming Division in its administration and enforcement duties pursuant to this section may be transferred to the General Fund and the Compulsive Gamblers Assistance Fund at the direction of the Legislature.

(4) The Tax Commissioner shall employ investigators who shall be vested with the authority and power of a law enforcement officer to carry out the laws of this state administered by the Tax Commissioner or the Department of Revenue and to enforce sections 28-1101 to 28-1117 relating to possession of a gambling device. For purposes of enforcing sections 28-1101 to 28-1117, the authority of the investigators shall be limited to investigating possession of a gambling device, notifying local law enforcement authorities, and reporting suspected violations to the county attorney for prosecution.

(5) The Charitable Gaming Division may charge a fee for publications and listings it produces. The fee shall not exceed the cost of
publication and distribution of such items. The division may also charge
a fee for making a copy of any record in its possession equal to the
actual cost per page. The division shall remit the fees to the State
Treasurer for credit to the Charitable Gaming Operations Fund.

(6) For administrative purposes only, the Nebraska Commission on
Problem Gambling shall be located within the Charitable Gaming Division.
The division shall provide office space, furniture, equipment, and
stationery and other necessary supplies for the commission. Commission
staff shall be appointed, supervised, and terminated by the director of
the Gamblers Assistance Program pursuant to section 9-1004.

Sec. 3. Section 13-2704, Revised Statutes Supplement, 2019, is
amended to read:

13-2704 (1) The Civic and Community Center Financing Fund is
created. The fund shall be administered by the department. 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. Transfers may be made from the fund
to the General Fund, the Department of Revenue Enforcement Fund, and the
State Colleges Sport Facilities Cash Fund at the direction of the
Legislature.

(2)(a) The department shall use the Civic and Community Center
Financing Fund for the following purposes:

(i) For grants of assistance as described in section 13-2704.01;
(ii) For grants of assistance as described in section 13-2704.02;
and
(iii) For reasonable and necessary costs of the department directly
related to the administration of the fund, not to exceed the amount
needed to employ a one-half full-time equivalent employee.

(b) Grants of assistance shall not be used for programming,
marketing, advertising, or facility-staffing activities.

(3) The State Treasurer shall transfer two hundred fifty thousand
dollars from the Civic and Community Center Financing Fund to the State
Colleges Sport Facilities Cash Fund on October 1 of 2012, 2013, and 2014.
Commencing October 1, 2015, and every year thereafter, the State
Treasurer shall transfer three hundred thousand dollars from the Civic
and Community Center Financing Fund to the State Colleges Sport
Facilities Cash Fund.

Sec. 4. Section 61-222, Reissue Revised Statutes of Nebraska, is
amended to read:

61-222 The Water Sustainability Fund is created in the Department of
Natural Resources. The fund shall be used in accordance with the
provisions established in Laws 2014, LB1098, and for costs directly
related to the administration of the fund, except that transfers may be
made from the fund as provided in this section.

The fund shall consist of money transferred to the fund by the
Legislature, other funds as appropriated by the Legislature, and money
donated as gifts, bequests, or other contributions from public or private
entities. Funds made available by any department or agency of the United
States may also be credited to the fund if so directed by such department
or agency. 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. Investment
earnings from investment of money in the fund shall be credited to the
fund.

It is the intent of the Legislature that twenty-one million dollars
be transferred from the General Fund to the Water Sustainability Fund in
fiscal year 2014-15 and that eleven million dollars be transferred from
the General Fund to the Water Sustainability Fund each fiscal year
beginning in fiscal year 2015-16. It is the intent of the Legislature
that three million dollars be transferred annually from the Water
Sustainability Fund to the Nebraska Resources Development Fund in
FY2015-16 and in FY2016-17.
The State Treasurer shall transfer one hundred seventy-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources Cash Fund on or before June 30, 2020, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

The State Treasurer shall transfer four hundred twenty-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources Cash Fund on or before June 30, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

The State Treasurer shall transfer five hundred thousand dollars from the Water Sustainability Fund to the General Fund on or before June 30, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 5. Section 61-224, Reissue Revised Statutes of Nebraska, is amended to read:

61-224 There is hereby created the Critical Infrastructure Facilities Cash Fund in the Department of Natural Resources. The fund shall consist of funds appropriated or transferred by the Legislature. The fund shall be used by the Department of Natural Resources (1) to provide a grant to a natural resources district to offset costs related to soil and water improvements intended to protect critical infrastructure facilities within the district which includes military installations, transportation routes, and wastewater treatment facilities and (2) to provide a grant to an irrigation district for reimbursement of costs related to temporary repairs to the main canal and tunnels of an interstate irrigation system which experienced a failure. Any funds remaining after all such project costs have been completely funded shall be transferred to the General Fund. Transfers may be made from the Critical Infrastructure Facilities Cash Fund fund to the General Fund at
the direction of the Legislature. The State Treasurer shall transfer
three hundred eighty-four thousand two hundred twenty-two dollars plus
any accrued interest through April 5, 2018, from the Critical
Infrastructure Facilities Cash Fund to the General Fund on or before June
30, 2019, on such dates and in such amounts as directed by the budget
administrator of the budget division of the Department of Administrative
Services. Any money in the Critical Infrastructure Facilities 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, and any interest earned by the fund shall be
credited to the General Fund.

Sec. 6. Original sections 61-222 and 61-224, Reissue Revised
Statutes of Nebraska, and sections 9-1,101 and 13-2704, Revised Statutes
Supplement, 2019, are repealed.

Sec. 7. The following section is outright repealed: Section 46-752,
Reissue Revised Statutes of Nebraska.

Sec. 8. Since an emergency exists, this act takes effect when
passed and approved according to law.