

## LEGISLATIVE BILL 957

Approved by the Governor March 30, 2016

Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to funds; to amend sections 37-913, 60-1513, 82-316, 82-326, 82-331, 84-1227, 85-419, 85-421, 85-422, 85-423, 85-424, and 85-425, Reissue Revised Statutes of Nebraska, sections 71-5714, 71-8805, and 72-2009, Revised Statutes Cumulative Supplement, 2014, and sections 2-1507, 66-204, 81-3140, 81-3714, and 84-612, Revised Statutes Supplement, 2015; to provide for and change distribution and use of certain funds; to provide for transfers and investment of funds; to create and eliminate funds and programs; to state intent; to change provisions relating to artwork in state buildings and renovation and replacement of university and state college buildings; to eliminate obsolete provisions; to repeal the original sections; to outright repeal sections 37-915, 37-916, 37-917, 37-918, 37-919, 37-920, and 37-921, Revised Statutes Cumulative Supplement, 2014; and to declare an emergency.

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

Section 1. Section 2-1507, Revised Statutes Supplement, 2015, is amended to read:

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

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

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

(4) When the commission has approved an allocation of funds to a program, project, or activity, the Department of Natural Resources shall establish a subaccount in the Water Sustainability Fund and credit the entire amount of the allocation to the subaccount. Individual subaccounts shall be established for each program, project, or activity approved by the commission. The commission may approve a partial allocation to a program, project, or activity based upon available unallocated funds in the Water Sustainability Fund, but the amount of unfunded allocations shall not exceed eleven million dollars. Additional allocations to a program, project, or activity shall be credited to the same subaccount as the original allocation. Subaccounts shall not be subject to transfer out of the Water Sustainability Fund, except that the commission may authorize the transfer of excess or unused funds from a subaccount and into the unreserved balance of the fund.

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

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

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

Sec. 2. Section 37-913, Reissue Revised Statutes of Nebraska, is amended to read:

37-913 (1) There is hereby created the Cowboy Trail Fund. 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. Money accepted or transferred pursuant to subsection (3) of section 37-912 shall be remitted to the State Treasurer for credit to the fund.

(2) The State Treasurer shall transfer one hundred thousand dollars from

the Nebraska Youth Conservation Program Fund on the effective date of this act to the Cowboy Trail Fund. The Game and Parks Commission shall use money transferred to the Cowboy Trail Fund under this subsection for the development of undeveloped portions of the Cowboy Trail but shall not expend any money under this subsection unless the amount is matched both by a public entity and by a private entity for each expenditure.

Sec. 3. Section 60-1513, Reissue Revised Statutes of Nebraska, is amended to read:

60-1513 The Department of Motor Vehicles Cash Fund is hereby created. The fund shall be administered by the Director of Motor Vehicles. The fund shall be used by the Department of Motor Vehicles to carry out its duties as deemed necessary by the Director of Motor Vehicles, except that transfers from the fund to the General Fund or the Vehicle Title and Registration System Replacement and Maintenance Cash Fund may be made at the direction of the Legislature. Any money in the Department of Motor Vehicles 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.

The State Treasurer shall transfer five million three hundred twenty-five thousand dollars from the Department of Motor Vehicles Cash Fund to the Vehicle Title and Registration System Replacement and Maintenance Cash Fund on or before June 30, 2017, as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 4. Section 66-204, Revised Statutes Supplement, 2015, is amended to read:

66-204 (1) The Clean-burning Motor Fuel Development Fund is created. The fund shall consist of grants, private contributions, and all other sources.

(2) The fund shall be used by the State Energy Office to provide rebates under the Nebraska Clean-burning Motor Fuel Development Act up to the amount transferred under subsection (3) of this section. No more than thirty-five percent of the fund annually shall be used as rebates for flex-fuel dispensers and conversions of motor vehicles to allow the use of gasoline containing at least fifteen percent by volume ethanol. The State Energy Office may use the fund for necessary costs in the administration of the act up to an amount not exceeding ten percent of the fund annually.

(3) Within five days after August 30, 2015, the State Treasurer shall transfer five hundred thousand dollars from the General Fund to the Clean-burning Motor Fuel Development Fund to carry out the Nebraska Clean-burning Motor Fuel Development Act.

(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. 5. Section 71-5714, Revised Statutes Cumulative Supplement, 2014, is amended to read:

~~71-5714 The Tobacco Prevention and Control Program Cash Fund is created as . The fund shall be used for a comprehensive statewide tobacco-related public health program administered by the Department of Health and Human Services. The program which includes, but is not limited to (1) community programs to reduce tobacco use, (2) chronic disease programs, (3) school programs, (4) statewide programs, (5) enforcement, (6) counter marketing, (7) cessation programs, (8) surveillance and evaluation, and (9) administration. Transfers may be made from the fund to the General Fund at the direction of the Legislature. Any money in the Tobacco Prevention and Control 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.~~

The State Treasurer shall transfer, on July 1, 2016, the unobligated balance in or before June 30, 2010, as directed by the budget administrator of the budget division of the Department of Administrative Services, one million three hundred thousand dollars from the Tobacco Prevention and Control Cash Fund to the Nebraska Health Care and Human Services Cash Fund.

Sec. 6. Section 71-8805, Revised Statutes Cumulative Supplement, 2014, is amended to read:

~~71-8805 (1) The Stem Cell Research Program 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) Any money appropriated by the Legislature for Money credited to the Stem Cell Research Program Cash Fund 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 any annual appropriation for the funds credited to the Stem Cell Research Program 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.

(4) The State Treasurer shall transfer, on July 1, 2016, the unobligated balance in the Stem Cell Research Cash Fund to the Nebraska Health Care Cash Fund.

Sec. 7. Section 72-2009, Revised Statutes Cumulative Supplement, 2014, is amended to read:

72-2009 (1) The Niobrara Council Fund is created. The fund shall be administered by the Niobrara Council. The council may accept any private or public funds to carry out its work and such funds shall be remitted to the State Treasurer for credit to the fund. The fund shall consist of such funds and legislative appropriations made to the council. Transfers may be made from the fund to the General Fund at the direction of the Legislature through June 30, 2011. Any money in the Niobrara Council 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 State Treasurer shall, on the effective date of this act, transfer the balance of any money in the Nebraska Youth Conservation Program Fund, after the transfer of one hundred thousand dollars to the Cowboy Trail Fund as provided for in subsection (2) of section 37-913 has been made, to the Niobrara Council Fund.

Sec. 8. Section 81-3140, Revised Statutes Supplement, 2015, is amended to read:

81-3140 (1)(a) The purpose of the Health Care Homes for the Medically Underserved Fund is to enhance the ability of Nebraska's federally qualified health centers to provide patient-centered medical homes to low-income medically underserved populations. Twenty-five percent of the state portion of federal medicaid fraud settlement funds deposited into the Medicaid Fraud Settlement Fund in the Department of Health and Human Services accruing to Nebraska annually shall be transferred to deposited in the Health Care Homes for the Medically Underserved Fund for distribution to federally qualified health centers in Nebraska. Such funds shall be distributed proportionately based on the unduplicated number of patients served in the previous year by such federally qualified health centers as reported through the uniform data system of the Health Resources and Services Administration of the United States Department of Health and Human Services.

(b) Five percent of the state portion of the medicaid fraud settlement funds deposited into the Medicaid Fraud Settlement Fund in the Department of Health and Human Services annually shall be transferred to the Health Care Homes for the Medically Underserved Fund for distribution to federally qualified health centers in Nebraska. Such funds shall be used for persons receiving services under section 330(h) or 330(i) of the federal Public Health Service Act, 42 U.S.C. 254b, as such section existed on January 1, 2016.

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

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

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

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

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

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

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

Sec. 9. Section 81-3714, Revised Statutes Supplement, 2015, is amended to read:

81-3714 The State Visitors Promotion Cash Fund is created. The fund shall be administered by the commission. The fund shall consist of revenue deposited into the fund pursuant to section 81-3715 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. The commission shall use the proceeds of the fund to generally promote, encourage, and attract visitors to and within the State of Nebraska, to erect and replace highway tourism markers, to enhance the use of travel and tourism facilities within the state, and to provide marketing assistance grants to communities and organizations, and to contract with the Department of Administrative Services to provide support services to the commission, including, but not limited to, accounting and personnel functions. The proceeds of the fund shall be in addition to funds appropriated to the commission from the General Fund. Any money in the State Visitors Promotion 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. 10. Section 82-316, Reissue Revised Statutes of Nebraska, is amended to read:

82-316 ~~There is hereby created in the state treasury a special fund to be known as the Nebraska Arts Council Cash Fund. The fund shall contain all~~ All sums of money received from fees from any conference, performance, or exhibition held by the council or by groups who have contracted with the

~~council for such events and all sums of money collected under section 82-326. The shall be paid into the state treasury and the State Treasurer shall deposit the money in the Nebraska Arts Council Cash Fund. The State Treasurer shall disburse to the Nebraska Arts Council shall use the fund to pay the costs related such amounts in the cash fund as are available and as shall be considered incident to the administration and sponsoring of any conference, performance, or exhibition by the Nebraska Arts Council or by groups who have contracted with the council for such events or to pay the costs related to the repair, restoration, and maintenance of artwork installed under sections 82-317 to 82-329, 85-106 to 85-106.03, and 85-304 to 85-304.03. All disbursements shall be made upon warrants drawn by the Director of Administrative Services. 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. 11. Section 82-326, Reissue Revised Statutes of Nebraska, is amended to read:

82-326 The amount of money made available from any appropriations under the provisions of sections 82-317 to 82-329, 85-106 to 85-106.03, and 85-304 to 85-304.03 shall be used, in addition to the cost of the works of art, to provide for the administration by the contracting agency, the architect, and the Nebraska Arts Council, and for all costs of installation of the works of art as negotiated between the contracting agency and the contracted artist. The Nebraska Arts Council may designate a portion set aside up to ten percent of the amount appropriated for administration for an art maintenance fund which shall be used to repair or restore all works of art acquired under such sections and which shall be credited to the Nebraska Arts Council Cash Fund.

Sec. 12. 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) 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 one million dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2013, (b) an amount not to exceed five hundred thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2014, ~~and~~ (c) an amount not to exceed seven hundred fifty thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31 of 2015 and 2016, and (d) an amount not to exceed five hundred thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund annually on December 31 beginning in 2017 and continuing through December 31, 2026.

(4) 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 to the amount of state funds authorized by the Legislature to be transferred to the Nebraska Cultural Preservation Endowment Fund. For purposes of this section, new money means a contribution to a qualified endowment generated after July 1, 2011. Contributions not fully matched by state funds shall be carried forward to succeeding years and remain available to provide a dollar-for-dollar match for state funds. 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. The budget division of the Department of Administrative Services shall notify the State Treasurer to execute a transfer of state funds up to the amount specified by the Legislature, but only to the extent that the Nebraska Arts Council has provided documentation of a dollar-for-dollar match. State 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. 13. Section 84-612, Revised Statutes Supplement, 2015, is amended to read:

84-612 (1) There is hereby created within the state treasury a fund known as the Cash Reserve Fund which shall be under the direction of the State Treasurer. The fund shall only be used pursuant to this section.

(2) The State Treasurer shall transfer funds from the Cash Reserve Fund to

the General Fund upon certification by the Director of Administrative Services that the current cash balance in the General Fund is inadequate to meet current obligations. Such certification shall include the dollar amount to be transferred. Any transfers made pursuant to this subsection shall be reversed upon notification by the Director of Administrative Services that sufficient funds are available.

(3) In addition to receiving transfers from other funds, the Cash Reserve Fund shall receive federal funds received by the State of Nebraska for undesignated general government purposes, federal revenue sharing, or general fiscal relief of the state.

~~(4) On July 7, 2009, the State Treasurer shall transfer five million dollars from the Cash Reserve Fund to the Roads Operations Cash Fund. The Department of Roads shall use such funds to provide the required state match for federal funding made available to the state through congressional earmarks.~~

~~(5) The State Treasurer shall transfer a total of sixty-eight million dollars from the Cash Reserve Fund to the General Fund on or before June 30, 2013, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(6) The State Treasurer shall transfer ten million dollars from the Cash Reserve Fund to the General Fund on or before June 30, 2013, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(4 7) The State Treasurer, at the direction of the budget administrator of the budget division of the Department of Administrative Services, shall transfer not to exceed forty-three million fifteen thousand four hundred fifty-nine dollars in total from the Cash Reserve Fund to the Nebraska Capital Construction Fund between July 1, 2013, and June 30, 2017.~~

~~(8) The State Treasurer shall transfer fourteen million five hundred thousand dollars from the Cash Reserve Fund to the Nebraska Capital Construction Fund on or before June 30, 2015, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(9) The State Treasurer shall transfer fifty million five hundred thousand dollars from the Cash Reserve Fund to the General Fund on or before December 31, 2014, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(10) The State Treasurer shall transfer up to five million five hundred thousand dollars from the Cash Reserve Fund to the Republican River Compact Litigation Contingency Cash Fund on or before June 30, 2015, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(11) The State Treasurer shall transfer up to seventeen million two hundred one thousand one hundred twelve dollars from the Cash Reserve Fund to the General Fund on or before June 30, 2015, on such date and in such amount as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(12) The State Treasurer shall transfer twenty-five million dollars from the Cash Reserve Fund to the Nebraska Capital Construction Fund on or after July 1, 2015, but before July 15, 2015, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services for the Global Center for Advanced Interprofessional Learning.~~

~~(13) The State Treasurer shall transfer eight million dollars from the Cash Reserve Fund to the Oral Health Training and Services Fund, on or after July 1, 2015, but before July 15, 2015, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.~~

~~(5 14) The State Treasurer shall transfer the following amounts from the Cash Reserve Fund to the Nebraska Capital Construction Fund on such dates as directed by the budget administrator of the budget division of the Department of Administrative Services:~~

~~(a) Seven million eight hundred four thousand two hundred ninety-two dollars on or after June 15, 2016, but before June 30, 2016;~~

~~(b) Seven million one hundred sixty thousand four hundred twelve dollars on or after June 15, 2019, but before June 30, 2019;~~

~~(c) Nine million four hundred ninety-two thousand five hundred sixty-eight dollars on or after June 15, 2021, but before June 30, 2021; and~~

~~(d) Three million seven hundred eighty-three thousand seven hundred thirty-four dollars after June 15, 2023, but before June 30, 2023.~~

(6) The State Treasurer shall transfer twenty-seven million two hundred seventy-five thousand five hundred fifty-eight dollars from the Cash Reserve Fund to the Nebraska Capital Construction Fund on or before June 30, 2016, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

(7) The State Treasurer shall transfer thirteen million seven hundred thousand dollars from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund on or before June 30, 2016, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 14. Section 84-1227, Reissue Revised Statutes of Nebraska, is amended to read:

84-1227 There is hereby established in the state treasury a special fund to be known as the Records Management Cash Fund which, when appropriated by the Legislature, shall be expended by the Secretary of State for the purposes of

providing records management services and assistance to local agencies, for development and maintenance of the portal for providing electronic access to public records or electronic information and services, and for grants to a state or local agency as provided in subdivision (1)(j) of section 84-1204. All fees and charges for the purpose of records management services and analysis received by the Secretary of State from the local agencies shall be remitted to the State Treasurer for credit to such fund. Transfers may be made from the fund to the General Fund at the direction of the Legislature. The State Treasurer, at the direction of the budget administrator of the budget division of the Department of Administrative Services, shall transfer five hundred thousand dollars from the Records Management Cash Fund to the Information Management Revolving Fund on or before June 30, 2016. Any money in the Records Management 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. 15. Section 85-419, Reissue Revised Statutes of Nebraska, is amended to read:

85-419 (1) The Legislature finds and determines that protecting investments in buildings through the completion of deferred maintenance, repair, renovation, and facility replacement construction projects is of critical importance to the State of Nebraska. The Legislature further recognizes that arresting the continued deterioration of buildings, limiting the effects of inflation on the costs of such deferred maintenance, repair, renovation, and facility replacement construction, and bringing such buildings into compliance with current health and safety requirements at the earliest possible time is necessary for protecting such investment in the buildings of the State of Nebraska. In order to accomplish these goals, it is necessary, desirable, and advisable that the Legislature provide for the receipt of funds for such purposes as soon as practicable with the repayment of such funds to be made over a period of years. The Legislature recognizes the commitment of (a) the Board of Regents of the University of Nebraska to provide matching funds up to eleven million dollars per year for the period beginning with the fiscal year commencing July 1, 2009, and continuing through the fiscal year ending June 30, ~~2030~~ 2021, for a total of up to ~~two hundred twenty-five million eight hundred thousand one hundred twenty-one million~~ two hundred twenty-five million eight hundred thousand dollars to supplement amounts appropriated from the General Fund pursuant to section 85-421 and (b) the Board of Trustees of the Nebraska State Colleges to provide matching funds up to one million ~~four~~ two hundred ~~forty~~ thirty thousand dollars per year for the period beginning with the fiscal year commencing July 1, 2006, and continuing through the fiscal year ending June 30, ~~2030~~ 2020, for a total of up to ~~twenty-eight fourteen million eight~~ eight ~~four~~ hundred thousand dollars to supplement amounts appropriated from the General Fund pursuant to section 85-424.

(2) Sections 85-419 to 85-425 do not modify, reduce, or eliminate any provision of subsection (10) of section 85-1414 requiring the approval of the Coordinating Commission for Postsecondary Education for any deferred maintenance, repair, renovation, facility addition, or facility replacement construction project authorized by section 85-421 or 85-424 and undertaken by the Board of Regents of the University of Nebraska or the Board of Trustees of the Nebraska State Colleges.

Sec. 16. 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, ~~2030~~ 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, ~~2031~~ 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, ~~2030~~ 2020, nor shall the cumulative total of the General Fund appropriations for the program exceed ~~two hundred forty-seven one hundred thirty-seven million five hundred thousand~~ two hundred forty-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; (l) University of Nebraska-Lincoln Scott Engineering Center; (m) University of Nebraska-Lincoln Nebraska Hall; (n) University of Nebraska-Lincoln Mabel Lee Hall/Henzlik Hall; (o) University of Nebraska Medical Center Wittson Hall-Phase I; (p) University of Nebraska Medical Center Joseph D. & Millie E. Williams Science Hall (College of Pharmacy); (q) renovation of a privately funded acquisition at the University of Nebraska at Omaha; (r) University of Nebraska at Omaha Strauss Performing Arts Center; (s) University of Nebraska at Omaha Arts and Sciences Hall; and (t) University of Nebraska at Kearney Otto C. Olsen Building.

(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. 17. Section 85-422, Reissue Revised Statutes of Nebraska, is amended to read:

85-422 (1) In order to accomplish any projects authorized by section 85-421, 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 of 2006. In no case shall any such contract extend for a period beyond December 31, ~~2031~~ 2021, nor shall any such contract exceed the repayment capabilities implicit in the funding streams authorized in sections 85-419 and 85-421.

(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 85-421 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 85-421 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 85-419 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 resolution, 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, 2007, enter into an agreement providing for the allocation and distribution of any balances existing in the University of Nebraska Facilities Program of 2006 or any other funds created as part of a long-term contracts ~~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 85-419 either on December 31, ~~2031~~ 2021, 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.

Sec. 18. Section 85-423, Reissue Revised Statutes of Nebraska, is amended to read:

85-423 The State College Facilities Program of 2006 is created. All funds appropriated to the program by the Legislature shall be used exclusively for deferred maintenance, repair, and renovation, and facility replacement construction projects authorized pursuant to section 85-424.

Sec. 19. Section 85-424, Reissue Revised Statutes of Nebraska, is amended to read:

85-424 (1) Beginning with the fiscal year commencing July 1, 2006, and continuing through the fiscal year ending June 30, ~~2030~~ 2020, the Legislature shall appropriate each fiscal year from the General Fund an amount not less than one million one hundred twenty-five thousand dollars to the State College Facilities Program of 2006 to be used by the Board of Trustees of the Nebraska State Colleges to accomplish projects as provided in this section. Through the allotment process established in section 81-1113, at a minimum, the Department of Administrative Services shall make appropriated funds available. Undisbursed appropriations balances existing in the State College Facilities Program of 2006 at the end of each fiscal year until June 30, ~~2031~~ 2021, shall be and are hereby reappropriated.

(2) The Legislature finds and determines that the projects funded through the program 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, ~~2030~~ 2020, nor shall the cumulative total of the General Fund appropriations for the program exceed ~~twenty-seven fifteen million seven hundred fifty 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 state college projects, the Board of Trustees of the Nebraska State Colleges is authorized to make expenditures from the State College Facilities Program of 2006 for the following state college projects: (a) Deferred maintenance, repair, and renovation of Chadron State College Academic/Administration Building; (b) design and placement of a new Peru State College emergency power generator; (c) replacement of existing Peru State College Al Wheeler Activity Center bleachers; (d) addition to and deferred maintenance, repair, and renovation of Peru State College Al Wheeler Activity Center; (e) addition to and deferred maintenance, repair, and renovation of Wayne State College Campus Services Building; (f) deferred maintenance, repair, and renovation of Wayne State College Rice Auditorium; (g) deferred maintenance, repair, and renovation of Wayne State College Memorial Stadium; (h) replacement of or deferred maintenance, repair, and renovation of Chadron State College stadium; (i) addition to and deferred maintenance, repair, and renovation of Peru State College Theatre/Event Center; (j) construction of a facility to replace Wayne State College Benthack Hall applied technology programmatic space; and (k h) systemwide miscellaneous fire and life safety, energy conservation, deferred repair, federal Americans with Disabilities Act of 1990, and asbestos removal projects.

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

(5) The Board of Trustees of the Nebraska State Colleges shall record and report, on the Nebraska State Accounting System, expenditure of amounts from the State College Facilities Program of 2006 and expenditure of proceeds arising from any contract entered into pursuant to this section and section 85-425 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 state colleges and the Department of Administrative Services.

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

Sec. 20. Section 85-425, Reissue Revised Statutes of Nebraska, is amended to read:

85-425 (1) In order to accomplish any projects authorized by section 85-424, the Board of Trustees of the Nebraska State Colleges may enter into contracts with any person, firm, or corporation providing for the implementation of any such project of the Nebraska state colleges and providing for the long-term payment of the cost of such project from the State College Facilities Program of 2006. In no case shall any such contract extend for a period beyond December 31, ~~2030~~ 2020, nor shall any such contract exceed the repayment capabilities implicit in the funding streams authorized in sections 85-419 and 85-424.

(2) The Board of Trustees of the Nebraska State Colleges 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 Trustees as the board determines. No contract shall be entered into pursuant to this section without prior approval by resolution by the Board of Trustees. The Board of Trustees may also convey, lease, or lease back all or any part of the projects authorized by section 85-424 and the land on which such projects are situated to such person, firm, or corporation as the Board of Trustees 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 Trustees.

(3) The Board of Trustees of the Nebraska State Colleges is authorized to make expenditures for the purposes stated in this section and section 85-424 from interest 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 Trustees under section 85-419 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 resolution, indenture, or other contract entered into by the Board of Trustees as authorized by this section. The Board of Trustees and the Department of Administrative Services shall, on or before January 1, 2007, enter into an agreement providing for the allocation and distribution of any balances existing in the State College Facilities Program of 2006 or any other funds created as part of a long-term contract entered into by the Board of Trustees pursuant to this section to the General Fund and any other funds designated by the Board of Trustees as a source of funds for the match specified in section 85-419 either on December 31, ~~2030~~ 2020, or when all financial obligations incurred in the contracts entered into by the Board of Trustees pursuant to this section are discharged, whichever occurs first.

Sec. 21. 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 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. 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. 22. The State Treasurer shall transfer four million dollars from the General Fund to the Site and Building Development Fund on or before June 30, 2016.

Sec. 23. Original sections 37-913, 60-1513, 82-316, 82-326, 82-331, 84-1227, 85-419, 85-421, 85-422, 85-423, 85-424, and 85-425, Reissue Revised Statutes of Nebraska, sections 71-5714, 71-8805, and 72-2009, Revised Statutes Cumulative Supplement, 2014, and sections 2-1507, 66-204, 81-3140, 81-3714, and 84-612, Revised Statutes Supplement, 2015, are repealed.

Sec. 24. The following sections are outright repealed: Sections 37-915, 37-916, 37-917, 37-918, 37-919, 37-920, and 37-921, Revised Statutes Cumulative Supplement, 2014.

Sec. 25. Since an emergency exists, this act takes effect when passed and approved according to law.