

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1378

Introduced by Dover, 19.

Read first time January 17, 2024

Committee:

1 A BILL FOR AN ACT relating to public funds; to amend section 81-11,105,
2 Reissue Revised Statutes of Nebraska, and section 86-1028, Revised
3 Statutes Cumulative Supplement, 2022; to state legislative intent to
4 appropriate funds to the Department of Administrative Services as
5 prescribed; to change provisions of the Nebraska Public Safety
6 Communication System Revolving Fund; to change provisions of and
7 provide for a transfer from the 911 Service System Fund; to
8 eliminate obsolete provisions; to harmonize provisions; to repeal
9 the original sections; and to declare an emergency.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. It is the intent of the Legislature to appropriate \$
2 [XXXX] from the Nebraska Public Safety Communication System Revolving
3 Fund for FY2024-25 to the Department of Administrative Services, Program
4 245, which shall be used for the following purposes:

5 (1) Establishing interoperable communications between state agencies
6 and volunteer departments as defined in section 35-901 and located in any
7 county that does not have a city of the metropolitan class, city of the
8 primary class, or city of the first class, by providing portable and
9 mobile radios, programming, and installation of all radios and equipment;
10 and

11 (2) Training for interoperability with a statewide radio system to
12 connect volunteer departments and agencies to such statewide radio system
13 through a grant program for any county that does not have a city of the
14 metropolitan class, city of the primary class, or city of the first
15 class. The office of the Chief Information Officer shall not charge any
16 subscription, programming, or training fee for any volunteer department
17 connected to such statewide radio system after receiving a grant from the
18 program.

19 Sec. 2. Section 81-11,105, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 81-11,105 (1) The Nebraska Public Safety Communication System
22 Revolving Fund is created. The fund shall be established within the
23 Department of Administrative Services and administered by the Chief
24 Information Officer. The fund shall consist of money transferred by the
25 Legislature and retainer-fee revenue received from state agencies
26 accessing the Nebraska Public Safety Communication System, as authorized
27 by the Legislature through the budget process. The fund shall only be
28 used:

29 (a) To ~~to~~ pay for centralized direct costs of administering,
30 operating, and maintaining the Nebraska Public Safety Communication
31 System, including state-owned towers and network equipment; and -

1 (b) As provided in section 1 of this act.

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

5 Sec. 3. Section 86-1028, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 86-1028 (1) The 911 Service System Fund is created. The fund shall
8 consist of surcharges collected pursuant to sections 86-457 and 86-904,
9 money transferred from the Enhanced Wireless 911 Fund, any federal funds
10 received for implementation and development of 911 service, and any other
11 money designated for credit to the 911 Service System Fund. The fund
12 shall be used for the costs of administering the fund, for the purposes
13 specified in section 86-465 unless otherwise directed by federal law with
14 respect to any federal funds, and for the purposes specified in the 911
15 Service System Act. The costs of administering the 911 Service System
16 Fund shall be kept to a minimum.

17 (2) The fund shall not be subject to any fiscal-year limitation or
18 lapse provision of unexpended balance at the end of any fiscal year or
19 biennium. Any money in the fund available for investment shall be
20 invested by the state investment officer pursuant to the Nebraska Capital
21 Expansion Act and the Nebraska State Funds Investment Act, ~~and for the~~
22 ~~period July 1, 2017, through June 30, 2019, any interest earned by the~~
23 ~~fund shall be credited to the General Fund.~~

24 (3) Money in the 911 Service System Fund may be used to pay for
25 costs incurred by or on behalf of governing bodies or public safety
26 answering points to provide 911 service that are determined by the
27 commission to be eligible for funding. The commission is not required to
28 provide funding from the 911 Service System Fund to more than one public
29 safety answering point in any county. Each entity that receives
30 disbursements from the fund under this subsection shall make a full
31 accounting of the money in a manner and form prescribed by the

1 commission.

2 (4) Transfers may be made of previously accrued investment earnings
3 from the 911 Service System Fund to the Nebraska Public Safety
4 Communication System Revolving Fund at the direction of the Legislature
5 ~~The State Treasurer shall transfer any money in the Enhanced Wireless 911~~
6 ~~Fund on July 1, 2018, to the 911 Service System Fund.~~

7 (5) The State Treasurer shall transfer [XXXX] dollars from the 911
8 Service System Fund to the Nebraska Public Safety Communication System
9 Revolving Fund as soon as administratively possible, on such dates and in
10 such amounts as directed by the budget administrator of the budget
11 division of the Department of Administrative Services.

12 Sec. 4. Original section 81-11,105, Reissue Revised Statutes of
13 Nebraska, and section 86-1028, Revised Statutes Cumulative Supplement,
14 2022, are repealed.

15 Sec. 5. Since an emergency exists, this act takes effect when
16 passed and approved according to law.