

AMENDMENTS TO LB 547

Introduced by Education.

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

3 Section 1. Section 9-812, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 9-812 (1) All money received from the operation of
6 lottery games conducted pursuant to the State Lottery Act in
7 Nebraska shall be credited to the State Lottery Operation Trust
8 Fund, which fund is hereby created. All payments of the costs
9 of establishing and maintaining the lottery games shall be made
10 from the State Lottery Operation Cash Fund. In accordance with
11 legislative appropriations, money for payments for expenses of the
12 division shall be transferred from the State Lottery Operation
13 Trust Fund to the State Lottery Operation Cash Fund, which fund
14 is hereby created. All money necessary for the payment of lottery
15 prizes shall be transferred from the State Lottery Operation Trust
16 Fund to the State Lottery Prize Trust Fund, which fund is hereby
17 created. The amount used for the payment of lottery prizes shall
18 not be less than forty percent of the dollar amount of the lottery
19 tickets which have been sold.

20 (2) (a) Beginning October 1, 2003, and until July 1, 2009,
21 a portion of the dollar amount of the lottery tickets which have
22 been sold on an annualized basis shall be transferred from the
23 State Lottery Operation Trust Fund to the Education Innovation

1 Fund, the Nebraska Scholarship Fund, the Nebraska Environmental
2 Trust Fund, the Nebraska State Fair Board, and the Compulsive
3 Gamblers Assistance Fund, except that the dollar amount transferred
4 shall not be less than the dollar amount transferred to the funds
5 in fiscal year 2002-03.

6 (b) On and after July 1, 2009, at least twenty-five
7 percent of the dollar amount of the lottery tickets which have been
8 sold on an annualized basis shall be transferred from the State
9 Lottery Operation Trust Fund to the Education Innovation Fund,
10 the Nebraska Scholarship Fund, the Nebraska Environmental Trust
11 Fund, the Nebraska State Fair Board, and the Compulsive Gamblers
12 Assistance Fund.

13 (3) Of the money available to be transferred to the
14 Education Innovation Fund, the Nebraska Scholarship Fund, the
15 Nebraska Environmental Trust Fund, the Nebraska State Fair Board,
16 and the Compulsive Gamblers Assistance Fund:

17 (a) The first five hundred thousand dollars shall be
18 transferred to the Compulsive Gamblers Assistance Fund to be used
19 as provided in section 71-817;

20 (b) Nineteen and three-fourths percent of the money
21 remaining after the payment of prizes and operating expenses and
22 the initial transfer to the Compulsive Gamblers Assistance Fund
23 shall be transferred to the Education Innovation Fund;

24 (c) Twenty-four and three-fourths percent of the money
25 remaining after the payment of prizes and operating expenses and
26 the initial transfer to the Compulsive Gamblers Assistance Fund
27 shall be transferred to the Nebraska Scholarship Fund;

1 (d) Forty-four and one-half percent of the money
2 remaining after the payment of prizes and operating expenses and
3 the initial transfer to the Compulsive Gamblers Assistance Fund
4 shall be transferred to the Nebraska Environmental Trust Fund to be
5 used as provided in the Nebraska Environmental Trust Act;

6 (e) Ten percent of the money remaining after the payment
7 of prizes and operating expenses and the initial transfer to
8 the Compulsive Gamblers Assistance Fund shall be transferred to
9 the Nebraska State Fair Board if the most populous city within
10 the county in which the fair is located provides matching funds
11 equivalent to ten percent of the funds available for transfer. Such
12 matching funds may be obtained from the city and any other private
13 or public entity, except that no portion of such matching funds
14 shall be provided by the state. If the Nebraska State Fair ceases
15 operations, ten percent of the money remaining after the payment
16 of prizes and operating expenses and the initial transfer to the
17 Compulsive Gamblers Assistance Fund shall be transferred to the
18 General Fund; and

19 (f) One percent of the money remaining after the payment
20 of prizes and operating expenses and the initial transfer to the
21 Compulsive Gamblers Assistance Fund shall be transferred to the
22 Compulsive Gamblers Assistance Fund to be used as provided in
23 section 71-817.

24 (4) (a) The Education Innovation Fund is created. At least
25 seventy-five percent of the lottery proceeds allocated to the
26 Education Innovation Fund shall be available for disbursement.

27 (b) For fiscal year 2005-06, the Education Innovation

1 Fund shall be allocated as follows: The first one million dollars
2 shall be transferred to the School District Reorganization Fund,
3 and the remaining amount shall be allocated to the General Fund
4 after operating expenses for the Excellence in Education Council
5 are deducted.

6 (c) For fiscal year 2006-07, the Education Innovation
7 Fund shall be allocated as follows: The first two hundred fifty
8 thousand dollars shall be transferred to the Attracting Excellence
9 to Teaching Program Cash Fund to fund the Attracting Excellence
10 to Teaching Program Act, the next one million dollars shall
11 be transferred to the School District Reorganization Fund, and
12 the amount remaining in the Education Innovation Fund shall be
13 allocated, after administrative expenses, for distance education
14 equipment and incentives pursuant to sections 79-1336 and 79-1337.

15 (d) For fiscal year 2007-08, the Education Innovation
16 Fund shall be allocated as follows: The first five hundred thousand
17 dollars shall be transferred to the Attracting Excellence to
18 Teaching Program Cash Fund to fund the Attracting Excellence to
19 Teaching Program Act, and the amount remaining in the Education
20 Innovation Fund shall be allocated, after administrative expenses,
21 for distance education equipment and incentives pursuant to
22 sections 79-1336 and 79-1337.

23 (e) For fiscal year 2008-09, the Education Innovation
24 Fund shall be allocated as follows: The first seven hundred
25 fifty thousand dollars shall be transferred to the Attracting
26 Excellence to Teaching Program Cash Fund to fund the Attracting
27 Excellence to Teaching Program Act, and the amount remaining in the

1 Education Innovation Fund shall be allocated, after administrative
2 expenses, for distance education equipment and incentives pursuant
3 to sections 79-1336 and 79-1337.

4 (f) For fiscal years 2009-10 through 2015-16, the
5 Education Innovation Fund shall be allocated as follows: The
6 first one million dollars shall be transferred to the ~~Attracting~~
7 ~~Excellence to Teaching Program~~ Excellence in Teaching Cash Fund to
8 fund the ~~Attracting Excellence to Teaching Program~~ Excellence in
9 Teaching Act, and the amount remaining in the Education Innovation
10 Fund shall be allocated, after administrative expenses, for
11 distance education equipment and incentives pursuant to sections
12 79-1336 and 79-1337.

13 (g) For fiscal year 2016-17 and each fiscal year
14 thereafter, the Education Innovation Fund shall be allocated,
15 after administrative expenses, for education purposes as provided
16 by the Legislature.

17 (5) Any money in the State Lottery Operation Trust
18 Fund, the State Lottery Operation Cash Fund, the State Lottery
19 Prize Trust Fund, or the Education Innovation Fund available
20 for investment shall be invested by the state investment officer
21 pursuant to the Nebraska Capital Expansion Act and the Nebraska
22 State Funds Investment Act.

23 (6) Unclaimed prize money on a winning lottery ticket
24 shall be retained for a period of time prescribed by rules and
25 regulations. If no claim is made within such period, the prize
26 money shall be used at the discretion of the Tax Commissioner for
27 any of the purposes prescribed in this section.

1 Sec. 2. Section 79-808, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 79-808 (1) The board shall establish, adopt, and
4 promulgate appropriate rules, regulations, and procedures governing
5 the issuance, renewal, conversion, suspension, and revocation of
6 certificates and permits to teach, provide special services, and
7 administer based upon (a) earned college credit in humanities,
8 social and natural sciences, mathematics, or career and technical
9 education, (b) earned college credit, or its equivalent in
10 professional education, for particular teaching, special services,
11 or administrative assignments, (c) criminal history record
12 information if the applicant has not been a continuous Nebraska
13 resident for five years immediately preceding application for the
14 first issuance of a certificate, (d) human relations training,
15 (e) successful teaching, administration, or provision of special
16 services, and (f) moral, mental, and physical fitness for
17 teaching, all in accordance with sound educational practices.
18 Such rules, regulations, and procedures shall also provide for
19 endorsement requirements to indicate areas of specialization on
20 such certificates and permits.

21 (2) The board may issue a temporary certificate, valid
22 for a period not to exceed two years, to any applicant for
23 certification who has not completed the human relations training
24 requirement.

25 (3) Members of any advisory committee established by the
26 board to assist the board in teacher education and certification
27 matters shall be reimbursed for their actual and necessary expenses

1 as provided in sections 81-1174 to 81-1177. Each school district
2 which has an employee who serves as a member of such committee
3 and which is required to hire a person to replace such member
4 during the member's attendance at meetings or activities of the
5 committee or any subcommittee thereof shall be reimbursed from
6 the Certification Fund for the expense it incurs from hiring a
7 replacement. School districts may excuse employees who serve on
8 such advisory committees from certain duties which conflict with
9 any advisory committee duties.

10 Sec. 3. Section 79-8,132, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 79-8,132 Sections 79-8,132 to 79-8,140 and sections 8 to
13 12 of this act shall be known and may be cited as the Attracting
14 Excellence to Teaching Program Act. ~~Excellence in Teaching Act and~~
15 shall include the Attracting Excellence to Teaching Program and the
16 Enhancing Excellence in Teaching Program.

17 Sec. 4. Section 79-8,133, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 79-8,133 The Attracting Excellence to Teaching Program
20 is created. For purposes of the Attracting Excellence to Teaching
21 Program: ~~Act:~~

- 22 (1) Department means the State Department of Education;
- 23 (2) Eligible institution means a not-for-profit college
24 or university which (a) is located in Nebraska, (b) is accredited
25 by the North Central Association of Colleges and Schools, (c) has a
26 teacher education program, ~~accredited by the department,~~ and (d) if
27 a privately funded college or university, has not opted out of the

1 act pursuant to rules and regulations;

2 (3) Eligible student means an individual who (a) is a
3 full-time student, (b) is enrolled in an eligible institution in a
4 an undergraduate or a graduate teacher education program, and (c)
5 working toward his or her initial certificate to teach in Nebraska,
6 (c) if enrolled at a state-funded eligible institution, is a
7 resident student as described in section 85-502 or, if enrolled in
8 a privately funded eligible institution, would be deemed a resident
9 student if enrolled in a state-funded eligible institution, and
10 (d) for applicants applying for the first time on or after the
11 effective date of this act, is a student majoring in a shortage
12 area;

13 (4) Full-time student means, in the aggregate, the
14 equivalent of a student who in a twelve-month period is enrolled
15 in ~~thirty~~ twenty-four semester credit hours ~~or forty-five quarter~~
16 ~~credit hours~~ for undergraduate students or eighteen semester credit
17 hours for graduate students of classroom, laboratory, clinical,
18 practicum, or independent study course work; and

19 (5) Majoring in a shortage area means pursuing a degree
20 which will allow an individual to be properly endorsed to teach in
21 a shortage area;

22 (6) Shortage area means a secular field of teaching for
23 which there is a shortage, as determined by the department, of
24 properly endorsed teachers at the time the borrower first receives
25 funds pursuant to the program; and

26 ~~(5)~~ (7) Teacher education program means a program of
27 study which results in obtaining a bachelor's degree which meets

1 ~~the education requirements for certification pursuant to sections~~
2 ~~79-806 to 79-815.~~ approved by the State Board of Education pursuant
3 to subdivision (5)(g) of section 79-318.

4 Sec. 5. Section 79-8,134, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 79-8,134 The purposes of the Attracting Excellence to
7 Teaching Program ~~is created.~~ ~~The purposes of the program~~ are to:

8 (1) Attract outstanding students to major in shortage
9 areas at the teacher education programs of Nebraska's postsecondary
10 educational institutions;

11 (2) Retain resident students and graduates as teachers in
12 the accredited or approved public and private schools of Nebraska;
13 and

14 (3) Establish a loan contract that requires a borrower to
15 obtain employment as a teacher in this state after graduation.

16 Sec. 6. Section 79-8,135, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 79-8,135 (1) ~~The State Department of Education~~ department
19 shall administer the Attracting Excellence to Teaching Program
20 either directly or by contracting with a public or private ~~entity.~~
21 entities.

22 (2) To be eligible for the program, an eligible student
23 shall:

24 (a) Graduate in the top quarter of his or her high school
25 class or have a minimum cumulative grade-point average of 3.0 on a
26 four-point scale in an eligible institution;

27 (b) Agree to complete a teacher education program at an

1 eligible institution and, for applicants applying for the first
2 time on or after the operative date of this section, to complete
3 the major on which the applicant's eligibility is based; and

4 (c) Commit to teach in an accredited or approved public
5 or private school in Nebraska upon (i) successful completion
6 of a the teacher education program at an eligible institution
7 and becoming certified for which the applicant is applying to
8 the Attracting Excellence to Teaching Program and (ii) becoming
9 certified pursuant to sections 79-806 to 79-815.

10 (3) Eligible students may apply on an annual basis for
11 loans in an amount of not more than ~~two thousand five hundred~~
12 three thousand dollars per year. Priorities for loans shall be to
13 eligible students who are majoring in subject shortage areas as
14 defined by the department. Loans awarded to individual students
15 shall not exceed a cumulative period exceeding five consecutive
16 years. Loans shall only be awarded through an eligible institution.
17 and Loans shall be funded pursuant to section 79-8,136- 12 of this
18 act.

19 Sec. 7. Section 79-8,137, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 79-8,137 (1) Prior to receiving any money from a loan
22 pursuant to the Attracting Excellence to Teaching Program, an
23 eligible student shall enter into a contract with the department.
24 Such contract shall be exempt from the requirements of sections
25 73-501 to 73-509.

26 (a) For eligible students who applied for the first time
27 prior to the operative date of this section, the ~~The~~ contract

1 shall require that if ~~(a)~~ (i) the borrower is not employed as a
2 teacher in Nebraska for a time period equal to the number of years
3 required for loan forgiveness pursuant to subsection (2) of this
4 section and is not enrolled as a full-time student in a graduate
5 program within six months after obtaining an undergraduate degree
6 for which a loan from the program was obtained or ~~(b)~~ (ii) the
7 borrower does not complete the requirements for graduation within
8 five consecutive years after receiving the initial loan under
9 the program, then the loan must be repaid, with interest at the
10 rate fixed pursuant to section 45-103 accruing as of the date
11 the borrower signed the contract, and an appropriate penalty as
12 determined by the department may be assessed. If a borrower fails
13 to remain enrolled at an eligible institution or otherwise fails to
14 meet the requirements of an eligible student, repayment of the loan
15 shall commence within six months after such change in eligibility.
16 The State Board of Education may by rules and regulations provide
17 for exceptions to the conditions of repayment pursuant to this
18 subsection based upon mitigating circumstances.

19 (b) For eligible students who apply for the first time
20 on or after the operative date of this section, the contract shall
21 require that if (i) the borrower is not employed as a full-time
22 teacher teaching in an approved or accredited school in Nebraska
23 and teaching at least a portion of the time in the shortage
24 area for which the loan was received for a time period equal
25 to the number of years required for loan forgiveness pursuant to
26 subsection (3) of this section and is not enrolled as a full-time
27 student in a graduate program within six months after obtaining

1 an undergraduate degree for which a loan from the program was
2 obtained or (ii) the borrower does not complete the requirements
3 for graduation within five consecutive years after receiving the
4 initial loan under the program, then the loan shall be repaid with
5 interest at the rate fixed pursuant to section 45-103 accruing as
6 of the date the borrower signed the contract and actual collection
7 costs as determined by the department. If a borrower fails to
8 remain enrolled at an eligible institution or otherwise fails
9 to continue to be an eligible student, repayment of the loan
10 shall commence within six months after such change in eligibility.
11 The State Board of Education may by rule and regulation provide
12 for exceptions to the conditions of repayment pursuant to this
13 subsection based upon mitigating circumstances.

14 (2) If the borrower applied for the first time prior to
15 the operative date of this section and (a) successfully completes
16 the teacher education program and becomes certified pursuant to
17 sections 79-806 to 79-815, (b) becomes employed as a teacher
18 in this state within six months of becoming certified, and (c)
19 otherwise meets the requirements of the contract, payments shall
20 be suspended for the number of years that the borrower is required
21 to remain employed as a teacher in this state under the contract.
22 For each year that the borrower teaches in Nebraska pursuant to
23 the contract, payments shall be forgiven in an amount equal to
24 the amount borrowed for one year, except if the borrower teaches
25 in a school district that is ~~at least~~ partially in a local
26 system classified as very sparse as defined in section 79-1003 or
27 teaches in a school district in which at least forty percent of

1 the students are poverty students as defined in section 79-1003,
2 payments shall be forgiven each year in an amount equal to the
3 amount borrowed for two years.

4 (3) If the borrower applies for the first time on or
5 after the operative date of this section and (a) successfully
6 completes the teacher education program and major for which the
7 borrower is receiving a forgivable loan pursuant to the program
8 and becomes certified pursuant to sections 79-806 to 79-815 with an
9 endorsement in the shortage area for which the loan was received,
10 (b) becomes employed as a full-time teacher teaching at least
11 a portion of the time in the shortage area for which the loan
12 was received in an approved or accredited school in this state
13 within six months of becoming certified, and (c) otherwise meets
14 the requirements of the contract, payments shall be suspended
15 for the number of years that the borrower is required to remain
16 employed as a teacher in this state under the contract. For each
17 year, beginning after the first two years of teaching full-time in
18 Nebraska following graduation for the degree for which the loan was
19 received, that the borrower teaches full-time in Nebraska pursuant
20 to the contract, the loan shall be forgiven in an amount equal
21 to three thousand dollars, except that if the borrower teaches
22 full-time in a school district that is in a local system classified
23 as very sparse as defined in section 79-1003 or teaches in a school
24 building in which at least forty percent of the formula students
25 are poverty students as defined in section 79-1003, payments shall
26 be forgiven each year in an amount equal to six thousand dollars.

27 Sec. 8. The Enhancing Excellence in Teaching Program

1 is created. For purposes of the Enhancing Excellence in Teaching
2 Program:

3 (1) Department means the State Department of Education;

4 (2) Eligible institution means a not-for-profit college
5 or university which (a) is located in Nebraska, (b) is accredited
6 by the North Central Association of Colleges and Schools, (c) has
7 a teacher education program, and (d) if a privately funded college
8 or university, has not opted out of the program pursuant to rules
9 and regulations;

10 (3) Eligible student means an individual who (a) is a
11 certificated teacher employed to teach in an approved or accredited
12 school in Nebraska, (b) is enrolled in an eligible institution
13 in a graduate teacher education program, (c) if enrolled at
14 a state-funded eligible institution, is a resident student as
15 described in section 85-502 or, if enrolled in a privately
16 funded eligible institution, would be deemed a resident student
17 if enrolled in a state-funded eligible institution, and (d) is
18 majoring in a shortage area, curriculum and instruction, a subject
19 area in which the individual already holds a secular teaching
20 endorsement, or a subject area that will result in an additional
21 secular teaching endorsement which the superintendent of the school
22 district or head administrator of the private, denominational,
23 or parochial school employing the individual believes will be
24 beneficial to the students of such school district or school as
25 evidenced by a statement signed by the superintendent or head
26 administrator;

27 (4) Graduate teacher education program means a program

1 of study approved by the State Board of Education pursuant to
2 subdivision (5)(g) of section 79-318 which results in obtaining a
3 graduate degree;

4 (5) Majoring in a shortage area or subject area means
5 pursuing a degree which will allow an individual to be properly
6 endorsed to teach in such shortage area or subject area; and

7 (6) Shortage area means a secular field of teaching for
8 which there is a shortage, as determined by the department, of
9 properly endorsed teachers at the time the borrower first receives
10 funds pursuant to the program.

11 Sec. 9. The purposes of the Enhancing Excellence in
12 Teaching Program are to:

13 (1) Retain teachers in the accredited or approved public
14 and private schools of Nebraska;

15 (2) Improve the skills of existing teachers in Nebraska
16 through the graduate education programs of Nebraska's postsecondary
17 educational institutions; and

18 (3) Establish a loan contract that requires a borrower
19 to continue employment as a teacher in this state after graduation
20 from a graduate program.

21 Sec. 10. (1) The department shall administer the
22 Enhancing Excellence in Teaching Program either directly or by
23 contracting with public or private entities.

24 (2) To be eligible for the program, an eligible student
25 shall:

26 (a) Agree to complete a graduate teacher education
27 program at an eligible institution and to complete the major

1 on which the applicant's eligibility is based; and

2 (b) Commit to teach in an accredited or approved public
3 or private school in Nebraska upon successful completion of the
4 teacher education program for which the applicant is applying to
5 the Enhancing Excellence in Teaching Program and to maintaining
6 certification pursuant to sections 79-806 to 79-815.

7 (3) Eligible students may apply on an annual basis for
8 loans in an amount of not more than one hundred seventy-five
9 dollars per credit hour. Loans awarded to individual students shall
10 not exceed a cumulative period exceeding five consecutive years.
11 Loans shall only be awarded through the department. Loans shall be
12 funded pursuant to section 12 of this act.

13 Sec. 11. (1) Prior to receiving any money from a loan
14 pursuant to the Enhancing Excellence in Teaching Program, an
15 eligible student shall enter into a contract with the department.
16 Such contract shall be exempt from the requirements of sections
17 73-501 to 73-509. The contract shall require that if (a) the
18 borrower is not employed as a full-time teacher teaching in an
19 approved or accredited school in Nebraska for a time period equal
20 to the number of years required for loan forgiveness pursuant
21 to subsection (2) of this section or (b) the borrower does not
22 complete the requirements for graduation within five consecutive
23 years after receiving the initial loan under the program, then
24 the loan must be repaid, with interest at the rate fixed pursuant
25 to section 45-103 accruing as of the date the borrower signed
26 the contract and actual collection costs as determined by the
27 department. If a borrower fails to remain enrolled at an eligible

1 institution or otherwise fails to meet the requirements of an
2 eligible student, repayment of the loan shall commence within
3 six months after such change in eligibility. The State Board of
4 Education may by rules and regulations provide for exceptions to
5 the conditions of repayment pursuant to this subsection based upon
6 mitigating circumstances.

7 (2) If the borrower (a) successfully completes the
8 teacher education program and major for which the borrower is
9 receiving a forgivable loan pursuant to the program and maintains
10 certification pursuant to sections 79-806 to 79-815, (b) maintains
11 employment as a teacher in an approved or accredited school in this
12 state, and (c) otherwise meets the requirements of the contract,
13 payments shall be suspended for the number of years that the
14 borrower is required to remain employed as a teacher in this state
15 under the contract. For each year, beginning after the first two
16 years of teaching full-time in Nebraska following graduation for
17 the degree for which the loan was received, that the borrower
18 teaches full-time in Nebraska pursuant to the contract, the loan
19 shall be forgiven in an amount equal to three thousand dollars,
20 except if the borrower teaches full-time in a school district that
21 is in a local system classified as very sparse as defined in
22 section 79-1003 or teaches in a school building in which at least
23 forty percent of the students are poverty students as defined in
24 section 79-1003, payments shall be forgiven each year in an amount
25 equal to six thousand dollars.

26 Sec. 12. Section 79-8,136, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 ~~79-8,136~~ The ~~Attracting Excellence to Teaching Program~~
2 Excellence in Teaching Cash Fund is created. The fund shall consist
3 of appropriations by the Legislature, transfers pursuant to section
4 9-812, and loan repayments, penalties, and interest payments
5 received in the course of administering the Attracting Excellence
6 to Teaching Program and the Enhancing Excellence in Teaching
7 Program. The department shall allocate on an annual basis up to
8 one hundred thousand dollars for the administration of the programs
9 and up to three hundred thousand dollars in the aggregate of the
10 funds to be distributed for the ~~program~~ Attracting Excellence to
11 Teaching Program to all eligible institutions according to the
12 distribution formula as determined by rule and regulation. ~~7~~ except
13 that the State Treasurer shall transfer the cash balance existing
14 on November 9, 2001, in the fund to the General Fund within five
15 days after November 9, 2001. The eligible institutions shall act as
16 agents of the department in the distribution of the funds for the
17 Attracting Excellence to Teaching Program to eligible students. The
18 remaining available funds shall be distributed by the department to
19 eligible students for the Enhancing Excellence in Teaching Program.
20 Any money in the ~~Attracting Excellence to Teaching Program~~ Cash
21 ~~Fund~~ fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act
23 and the Nebraska State Funds Investment Act.

24 Sec. 13. Section 79-8,138, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 79-8,138 The department has the administrative
27 responsibility to track borrowers and to develop repayment tracking

1 and collection mechanisms for the Attracting Excellence to Teaching
2 Program and the Enhancing Excellence in Teaching Program. The
3 department may contract for such services. When a loan has been
4 forgiven pursuant to section 79-8,137 or section 11 of this act,
5 the amount forgiven may be taxable income to the borrower and the
6 department shall provide notification of the amount forgiven to the
7 borrower, the Department of Revenue, and the United States Internal
8 Revenue Service if required by the Internal Revenue Code.

9 Sec. 14. Section 79-8,139, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 79-8,139 (1) Each eligible institution shall file an
12 annual report for the Attracting Excellence to Teaching Program and
13 the Enhancing Excellence in Teaching Program with the department
14 containing such information as required by rule and regulation.
15 On or before ~~November 15 of each year,~~ December 31, 2010, and on
16 or before December 31 of each even-numbered year thereafter, the
17 department shall submit a report to the Governor, the Clerk of
18 the Legislature, and the Education Committee of the Legislature
19 ~~providing, at a minimum,~~ on the status of the programs, the
20 status of the borrowers, and the impact of the programs on the
21 number of teachers in shortage areas in Nebraska and on the number
22 of teachers receiving graduate degrees in teaching endorsement
23 areas in Nebraska. Each report shall include information on an
24 institution-by-institution basis, and the status of borrowers,
25 and - The report shall include a financial statement and with
26 a description of the activity of the ~~Attracting Excellence to~~
27 ~~Teaching Program~~ Excellence in Teaching Cash Fund.

1 ~~(2) The department shall also provide a report to the~~
2 ~~Governor and the Clerk of the Legislature by December 31, 2005, on~~
3 ~~the status of the program, the status of the borrowers, and the~~
4 ~~impact of the program on the number of teachers in Nebraska.~~

5 ~~(3)~~ (2) Any report pursuant to this section which
6 includes information about borrowers shall exclude confidential
7 information or any other information which specifically identifies
8 a borrower.

9 Sec. 15. Section 79-8,140, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 79-8,140 The State Board of Education ~~shall~~ may adopt
12 and promulgate rules and regulations to determine teacher shortage
13 areas and to carry out the ~~Attracting Excellence to Teaching~~
14 ~~Program~~ Excellence in Teaching Act.

15 Sec. 16. Sections 1, 12, and 17 of this act become
16 operative July 1, 2009. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
17 13, 14, 15, 16, 18, and 19 of this act become operative on their
18 effective date.

19 Sec. 17. Original sections 9-812 and 79-8,136, Reissue
20 Revised Statutes of Nebraska, are repealed.

21 Sec. 18. Original sections 79-808, 79-8,132, 79-8,133,
22 79-8,134, 79-8,135, 79-8,137, 79-8,138, 79-8,139, and 79-8,140,
23 Reissue Revised Statutes of Nebraska, are repealed.

24 Sec. 19. Since an emergency exists, this act takes effect
25 when passed and approved according to law.