

AMENDMENTS TO LB 1079

Introduced by Education

1 1. Insert the following new sections:

2 Sec. 8. Section 9-812, Revised Statutes Supplement, 2011,
3 is amended to read:

4 9-812 (1) All money received from the operation of
5 lottery games conducted pursuant to the State Lottery Act in
6 Nebraska shall be credited to the State Lottery Operation Trust
7 Fund, which fund is hereby created. All payments of the costs
8 of establishing and maintaining the lottery games shall be made
9 from the State Lottery Operation Cash Fund. In accordance with
10 legislative appropriations, money for payments for expenses of the
11 division shall be transferred from the State Lottery Operation
12 Trust Fund to the State Lottery Operation Cash Fund, which fund
13 is hereby created. All money necessary for the payment of lottery
14 prizes shall be transferred from the State Lottery Operation Trust
15 Fund to the State Lottery Prize Trust Fund, which fund is hereby
16 created. The amount used for the payment of lottery prizes shall
17 not be less than forty percent of the dollar amount of the lottery
18 tickets which have been sold.

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

1 State Fair Board, and the Compulsive Gamblers Assistance Fund. The
2 dollar amount transferred pursuant to this subsection shall equal
3 the greater of (a) the dollar amount transferred to the funds
4 in fiscal year 2002-03 or (b) any amount which constitutes at
5 least twenty-two percent and no more than twenty-five percent of
6 the dollar amount of the lottery tickets which have been sold on
7 an annualized basis. To the extent that funds are available, the
8 Tax Commissioner and director may authorize a transfer exceeding
9 twenty-five percent of the dollar amount of the lottery tickets
10 sold on an annualized basis.

11 (3) Of the money available to be transferred to the
12 Education Innovation Fund, the Nebraska Opportunity Grant Fund, the
13 Nebraska Environmental Trust Fund, the Nebraska State Fair Board,
14 and the Compulsive Gamblers Assistance Fund:

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

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

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

26 (d) Forty-four and one-half percent of the money
27 remaining after the payment of prizes and operating expenses and

1 the initial transfer to the Compulsive Gamblers Assistance Fund
2 shall be transferred to the Nebraska Environmental Trust Fund to be
3 used as provided in the Nebraska Environmental Trust Act;

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

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

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

25 (b) For fiscal year 2010-11, the Education Innovation
26 Fund shall be allocated as follows: The first one million
27 dollars shall be transferred to the Excellence in Teaching Cash

1 Fund to fund the Excellence in Teaching Act, and the amount
2 remaining in the Education Innovation Fund shall be allocated,
3 after administrative expenses, for distance education equipment and
4 incentives pursuant to sections 79-1336 and 79-1337.

5 (c) For fiscal year 2011-12, the Education Innovation
6 Fund shall be allocated as follows: (i) The first two hundred
7 twenty-five thousand dollars shall be transferred to the Excellence
8 in Teaching Cash Fund to fund the Attracting Excellence to Teaching
9 Program; (ii) the next three million three hundred sixty-five
10 thousand nine hundred sixty-two dollars shall be distributed
11 to school districts as grants pursuant to the Early Childhood
12 Education Grant Program; (iii) the next two million one hundred
13 seventy-five thousand six hundred seventy-three dollars shall be
14 distributed to local systems as grants for approved accelerated
15 or differentiated curriculum programs for students identified as
16 learners with high ability pursuant to section 79-1108.02; (iv)
17 the next four hundred ninety-one thousand five hundred forty-one
18 dollars shall be used by the State Department of Education for
19 the development of an integrated early childhood, elementary,
20 secondary, and postsecondary student information system; (v) the
21 next four hundred fifty thousand dollars shall fund the Center
22 for Student Leadership and Extended Learning Act; (vi) the next
23 one hundred fourteen thousand six hundred twenty-nine dollars shall
24 fund the multicultural education program created under section
25 79-720; (vii) the next one hundred twenty-three thousand four
26 hundred sixty-eight dollars shall be used by the department to
27 employ persons to investigate and prosecute alleged violations as

1 provided in section 79-868; (viii) up to the next one hundred
2 sixty thousand dollars shall be used by the department to implement
3 section 79-759; and (ix) the amount remaining shall be allocated,
4 after administrative expenses, for distance education equipment and
5 incentives pursuant to sections 79-1336 and 79-1337.

6 (d) For fiscal year 2012-13, the Education Innovation
7 Fund shall be allocated as follows: (i) The first forty-five
8 thousand dollars shall be transferred to the Excellence in Teaching
9 Cash Fund to fund the Attracting Excellence to Teaching Program;
10 (ii) the next three million three hundred sixty-five thousand
11 nine hundred sixty-two dollars shall be distributed to school
12 districts as grants pursuant to the Early Childhood Education
13 Grant Program; (iii) the next two million one hundred seventy-five
14 thousand six hundred seventy-three dollars shall be distributed to
15 local systems as grants for approved accelerated or differentiated
16 curriculum programs for students identified as learners with
17 high ability pursuant to section 79-1108.02; (iv) the next one
18 hundred eight thousand one hundred thirty-six dollars shall be
19 used by the department for the development of an integrated
20 early childhood, elementary, secondary, and postsecondary student
21 information system; (v) the next four hundred fifty thousand
22 dollars shall fund the Center for Student Leadership and Extended
23 Learning Act; (vi) the next one hundred fourteen thousand six
24 hundred twenty-nine dollars shall be used by the department to fund
25 the multicultural education program created under section 79-720;
26 (vii) the next one hundred twenty-three thousand four hundred
27 sixty-eight dollars shall be used by the department to employ

1 persons to investigate and prosecute alleged violations as provided
2 in section 79-868; (viii) up to the next one hundred sixty thousand
3 dollars shall be used by the department to implement section
4 79-759; (ix) the next twenty-seven thousand two hundred dollars
5 shall be used to fund the Interstate Compact on Educational
6 Opportunity for Military Children; (x) the next two hundred
7 thousand dollars shall be used to provide grants to establish
8 bridge programs pursuant to sections 1 to 7 of this act; and ~~(*)~~
9 (xi) the amount remaining shall be allocated, after administrative
10 expenses, for distance education equipment and incentives pursuant
11 to sections 79-1336 and 79-1337.

12 (e) For fiscal year 2013-14, the Education Innovation
13 Fund shall be allocated as follows: (i) The first one million
14 dollars shall be transferred to the Excellence in Teaching Cash
15 Fund to fund the Excellence in Teaching Act; (ii) the next
16 allocation shall be distributed to local systems as grants for
17 approved accelerated or differentiated curriculum programs for
18 students identified as learners with high ability pursuant to
19 section 79-1108.02 in an aggregated amount up to the amount
20 distributed in the prior fiscal year for such purposes increased
21 by the basic allowable growth rate pursuant to section 79-1025;
22 (iii) the next allocation shall be used by the State Department
23 of Education for the integrated early childhood, elementary,
24 secondary, and postsecondary student information system in an
25 aggregated amount up to the amount used in the prior fiscal year
26 for such purposes increased by the basic allowable growth rate
27 pursuant to section 79-1025; (iv) the next allocation shall fund

1 the Center for Student Leadership and Extended Learning Act in
2 an aggregated amount up to the amount used in the prior fiscal
3 year for such purposes increased by the basic allowable growth
4 rate pursuant to section 79-1025; (v) the next allocation shall be
5 used by the department to fund the multicultural education program
6 created under section 79-720 in an aggregated amount up to the
7 amount used in the prior fiscal year for such purposes increased
8 by the basic allowable growth rate pursuant to section 79-1025;
9 (vi) the next allocation shall be used by the department to employ
10 persons to investigate and prosecute alleged violations as provided
11 in section 79-868 in an aggregated amount up to the amount used
12 in the prior fiscal year for such purposes increased by the basic
13 allowable growth rate pursuant to section 79-1025; (vii) up to
14 the next one hundred sixty thousand dollars shall be used by the
15 department to implement section 79-759; (viii) the next two hundred
16 thousand dollars shall be used to provide grants to establish
17 bridge programs pursuant to sections 1 to 7 of this act; and ~~(viii)~~
18 (ix) the amount remaining shall be allocated, after administrative
19 expenses, for distance education equipment and incentives pursuant
20 to sections 79-1336 and 79-1337.

21 (f) For fiscal years ~~2014-15 and 2015-16~~, year 2014-15,
22 the Education Innovation Fund shall be allocated as follows:

23 (i) The first one million dollars shall be transferred to the
24 Excellence in Teaching Cash Fund to fund the Excellence in
25 Teaching Act; (ii) the next allocation shall be distributed to
26 local systems as grants for approved accelerated or differentiated
27 curriculum programs for students identified as learners with high

1 ability pursuant to section 79-1108.02 in an aggregated amount
2 up to the amount distributed in the prior fiscal year for such
3 purposes increased by the basic allowable growth rate pursuant to
4 section 79-1025; (iii) the next allocation shall be used by the
5 State Department of Education for the integrated early childhood,
6 elementary, secondary, and postsecondary student information system
7 in an aggregated amount up to the amount used in the prior fiscal
8 year for such purposes increased by the basic allowable growth
9 rate pursuant to section 79-1025; (iv) the next allocation shall
10 fund the Center for Student Leadership and Extended Learning Act
11 in an aggregated amount up to the amount used in the prior fiscal
12 year for such purposes increased by the basic allowable growth
13 rate pursuant to section 79-1025; (v) the next allocation shall be
14 used by the department to fund the multicultural education program
15 created under section 79-720 in an aggregated amount up to the
16 amount used in the prior fiscal year for such purposes increased
17 by the basic allowable growth rate pursuant to section 79-1025;
18 (vi) the next allocation shall be used by the department to employ
19 persons to investigate and prosecute alleged violations as provided
20 in section 79-868 in an aggregated amount up to the amount used
21 in the prior fiscal year for such purposes increased by the basic
22 allowable growth rate pursuant to section 79-1025; (vii) the next
23 two hundred thousand dollars shall be used to provide grants to
24 establish bridge programs pursuant to sections 1 to 7 of this
25 act; and ~~(vii)~~ (viii) the amount remaining shall be allocated,
26 after administrative expenses, for distance education equipment and
27 incentives pursuant to sections 79-1336 and 79-1337.

1 (g) For fiscal year 2015-16, the Education Innovation
2 Fund shall be allocated as follows: (i) The first one million
3 dollars shall be transferred to the Excellence in Teaching Cash
4 Fund to fund the Excellence in Teaching Act; (ii) the next
5 allocation shall be distributed to local systems as grants for
6 approved accelerated or differentiated curriculum programs for
7 students identified as learners with high ability pursuant to
8 section 79-1108.02 in an aggregated amount up to the amount
9 distributed in the prior fiscal year for such purposes increased
10 by the basic allowable growth rate pursuant to section 79-1025;
11 (iii) the next allocation shall be used by the State Department
12 of Education for the integrated early childhood, elementary,
13 secondary, and postsecondary student information system in an
14 aggregated amount up to the amount used in the prior fiscal year
15 for such purposes increased by the basic allowable growth rate
16 pursuant to section 79-1025; (iv) the next allocation shall fund
17 the Center for Student Leadership and Extended Learning Act in
18 an aggregated amount up to the amount used in the prior fiscal
19 year for such purposes increased by the basic allowable growth
20 rate pursuant to section 79-1025; (v) the next allocation shall
21 be used by the department to fund the multicultural education
22 program created under section 79-720 in an aggregated amount up
23 to the amount used in the prior fiscal year for such purposes
24 increased by the basic allowable growth rate pursuant to section
25 79-1025; (vi) the next allocation shall be used by the department
26 to employ persons to investigate and prosecute alleged violations
27 as provided in section 79-868 in an aggregated amount up to the

1 amount used in the prior fiscal year for such purposes increased
2 by the basic allowable growth rate pursuant to section 79-1025; and
3 (vii) the amount remaining shall be allocated, after administrative
4 expenses, for distance education equipment and incentives pursuant
5 to sections 79-1336 and 79-1337.

6 (h) For fiscal year 2016-17 and each fiscal year
7 thereafter, the Education Innovation Fund shall be allocated,
8 after administrative expenses, for education purposes as provided
9 by the Legislature.

10 (5) Any money in the State Lottery Operation Trust
11 Fund, the State Lottery Operation Cash Fund, the State Lottery
12 Prize Trust Fund, or the Education Innovation Fund available
13 for investment shall be invested by the state investment officer
14 pursuant to the Nebraska Capital Expansion Act and the Nebraska
15 State Funds Investment Act.

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

21 Sec. 9. This act terminates on June 30, 2015.

22 Sec. 10. Original section 9-812, Revised Statutes
23 Supplement, 2011, is repealed.

24 Sec. 11. Since an emergency exists, this act takes effect
25 when passed and approved according to law.

26 2. On page 2, line 14, strike "community college" and
27 insert "a provider of basic skills education and training"; in line

1 18 strike "\$XXX" and insert "\$200,000 each fiscal year for three
2 consecutive fiscal years beginning with FY2012-13"; in lines 19 and
3 20 strike "to community colleges"; in line 24 strike "among" and
4 insert "between"; and in line 25 strike the comma and insert "and".

5 3. On page 3, lines 1 and 2, strike beginning with
6 the underscored comma through "Nebraska"; in line 19 strike "an
7 application" and insert "a competitive"; and in line 23 strike
8 "Community college applicants" and insert "Applicants".