

AMENDMENTS TO LB 637

Introduced by Avery

1 1. Insert the following new sections:

2 Sec. 26. Section 9-812, Revised Statutes Cumulative
3 Supplement, 2010, as amended by section 1, Legislative Bill 333,
4 One Hundred Second Legislature, First Session, 2011, is amended to
5 read:

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

21 (2) Beginning October 1, 2003, a portion of the dollar
22 amount of the lottery tickets which have been sold on an annualized
23 basis shall be transferred from the State Lottery Operation Trust

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

13 (3) Of the money available to be transferred to the
14 Education Innovation Fund, the Nebraska Opportunity Grant 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 Opportunity Grant 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 2010-11, the Education Innovation

1 Fund shall be allocated as follows: The first one million
2 dollars shall be transferred to the Excellence in Teaching Cash
3 Fund to fund the Excellence in Teaching Act, and the amount
4 remaining in the Education Innovation Fund shall be allocated,
5 after administrative expenses, for distance education equipment and
6 incentives pursuant to sections 79-1336 and 79-1337.

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

1 hundred sixty-eight dollars shall be used by the department to
2 employ persons to investigate and prosecute alleged violations as
3 provided in section 79-868; ~~and~~ (viii) up to the next one hundred
4 sixty thousand dollars shall be used by the department to implement
5 section 29 of this act; and (ix) the amount remaining shall be
6 allocated, after administrative expenses, for distance education
7 equipment and incentives pursuant to sections 79-1336 and 79-1337.

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

1 (vii) the next one hundred twenty-three thousand four hundred
2 sixty-eight dollars shall be used by the department to employ
3 persons to investigate and prosecute alleged violations as provided
4 in section 79-868; ~~and~~ (viii) up to the next one hundred sixty
5 thousand dollars shall be used by the department to implement
6 section 29 of this act; and (ix) the amount remaining shall be
7 allocated, after administrative expenses, for distance education
8 equipment and incentives pursuant to sections 79-1336 and 79-1337.

9 (e) For fiscal ~~years~~ year 2013-14, ~~through 2015-16,~~
10 the Education Innovation Fund shall be allocated as follows:

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

1 rate pursuant to section 79-1025; (v) the next allocation shall be
2 used by the department to fund the multicultural education program
3 created under section 79-720 in an aggregated amount up to the
4 amount used in the prior fiscal year for such purposes increased
5 by the basic allowable growth rate pursuant to section 79-1025;
6 (vi) the next allocation shall be used by the department to employ
7 persons to investigate and prosecute alleged violations as provided
8 in section 79-868 in an aggregated amount up to the amount used
9 in the prior fiscal year for such purposes increased by the basic
10 allowable growth rate pursuant to section 79-1025; ~~and~~ (vii) up
11 to the next one hundred sixty thousand dollars shall be used by
12 the department to implement section 29 of this act; and (viii)
13 the amount remaining shall be allocated, after administrative
14 expenses, for distance education equipment and incentives pursuant
15 to sections 79-1336 and 79-1337.

16 (f) For fiscal years 2014-15 through 2015-16, the
17 Education Innovation Fund shall be allocated as follows: (i) The
18 first one million dollars shall be transferred to the Excellence in
19 Teaching Cash Fund to fund the Excellence in Teaching Act; (ii)
20 the next allocation shall be distributed to local systems as grants
21 for approved accelerated or differentiated curriculum programs
22 for students identified as learners with high ability pursuant
23 to section 79-1108.02 in an aggregated amount up to the amount
24 distributed in the prior fiscal year for such purposes increased
25 by the basic allowable growth rate pursuant to section 79-1025;
26 (iii) the next allocation shall be used by the State Department
27 of Education for the integrated early childhood, elementary,

1 secondary, and postsecondary student information system in an
2 aggregated amount up to the amount used in the prior fiscal year
3 for such purposes increased by the basic allowable growth rate
4 pursuant to section 79-1025; (iv) the next allocation shall fund
5 the Center for Student Leadership and Extended Learning Act in
6 an aggregated amount up to the amount used in the prior fiscal
7 year for such purposes increased by the basic allowable growth
8 rate pursuant to section 79-1025; (v) the next allocation shall
9 be used by the department to fund the multicultural education
10 program created under section 79-720 in an aggregated amount up
11 to the amount used in the prior fiscal year for such purposes
12 increased by the basic allowable growth rate pursuant to section
13 79-1025; (vi) the next allocation shall be used by the department
14 to employ persons to investigate and prosecute alleged violations
15 as provided in section 79-868 in an aggregated amount up to the
16 amount used in the prior fiscal year for such purposes increased by
17 the basic allowable growth rate pursuant to section 79-1025; and
18 (vii) 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)~~ (g) For fiscal year 2016-17 and each fiscal year
22 thereafter, the Education Innovation Fund shall be allocated, after
23 administrative expenses, for education purposes as provided by the
24 Legislature.

25 (5) Any money in the State Lottery Operation Trust
26 Fund, the State Lottery Operation Cash Fund, the State Lottery
27 Prize Trust Fund, or the Education Innovation Fund available

1 for investment shall be invested by the state investment officer
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

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

9 Sec. 28. Section 79-757, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 79-757 Sections 79-757 to 79-762 and section 29 of this
12 act shall be known and may be cited as the Quality Education
13 Accountability Act.

14 Sec. 29. Beginning with the 2011-12 school year, the
15 State Department of Education may implement a three-year pilot
16 project for the districtwide administration of a standard college
17 admission test, selected by the State Board of Education, to
18 students in the eleventh grade attending a public school in a
19 participating school district to determine if such test (1) would
20 improve the college-going rate and career readiness of Nebraska
21 students and (2) could be utilized as the assessment for the
22 one grade in high school as required under section 79-760.03.
23 Participation by school districts in the pilot project shall be
24 voluntary and shall be subject to the approval of the board. On
25 or before September 1, 2012, and on or before September 1 each
26 year thereafter through 2014, the department shall report to the
27 Governor, the Clerk of the Legislature, and the chairperson of the

1 Education Committee of the Legislature on the pilot project. The
2 project shall be paid for with funds from the Education Innovation
3 Fund as provided in section 9-812.

4 2. Renumber the remaining sections and correct the
5 repealer accordingly.