

E AND R AMENDMENTS TO LB 1079

Introduced by Larson, 40, Chairman Enrollment and Review

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

3 Section 1. The Legislature finds that:

4 (1) Nebraska faces a skills gap of educated workers to
5 serve key roles in high-demand industries;

6 (2) Nebraska must develop innovative education and
7 training solutions in order to fill these roles and compete in a
8 global economy; and

9 (3) Bridge programs, in which adult learners earn
10 postsecondary educational credentials in an expedited manner, are a
11 proven solution to this problem.

12 Sec. 2. For purposes of sections 1 to 7 of this act:

13 (1) Bridge program means a structured career pathway
14 program, developed in partnership among a provider of basic
15 skills education and training, the provider of the Adult Education
16 Program established pursuant to section 79-11,133, and a nonprofit
17 social services organization, which assists students in obtaining
18 academic, employability, and technical skills needed to enter and
19 succeed in postsecondary education and training and the labor
20 market; and

21 (2) Department means the State Department of Education.

22 Sec. 3. The Legislature shall appropriate two hundred
23 thousand dollars each fiscal year for three consecutive fiscal

1 years beginning with FY2012-13 to the department from the Education
2 Innovation Fund to provide grants to establish bridge programs.

3 Such programs shall:

4 (1) Provide English reading and writing and math skills
5 required to succeed in a postsecondary educational credentialing or
6 degree program;

7 (2) Lead to the attainment of college credit
8 and a recognized postsecondary educational credential or an
9 industry-recognized credential;

10 (3) Be open only to low-income participants who are
11 co-enrolled in adult education, developmental education, or English
12 as a second language;

13 (4) Target the specific workforce needs of an
14 occupational sector within the state and provide services aimed
15 at improving education, skills, and employment prospects for
16 low-income adults;

17 (5) Use educational best practices, including, but not
18 limited to, contextualized instructional strategies, team teaching,
19 modularized learning, or reduced student-teacher ratios; and

20 (6) Provide for supportive services needed for student
21 educational and employment success, including, but not limited to,
22 job coaching and personal needs.

23 Sec. 4. The department shall establish a competitive
24 process for awarding grants for bridge programs which meet the
25 requirements of section 3 of this act. In awarding such grants, the
26 department shall give priority to:

27 (1) Applicants which leverage additional funding through

1 local, philanthropic, or federal funding, including, but not
2 limited to, participation in the state Supplemental Nutrition
3 Assistance Program Employment and Training plan established
4 pursuant to the federal Food and Nutrition Act of 2008, 7 U.S.C.
5 2011 et seq., funding under the federal Workforce Investment Act
6 of 1998, 29 U.S.C. 2832 et seq., as such act existed on January
7 1, 2012, funding under the College Access Challenge Grant Program
8 established pursuant to the federal Higher Education Act of 1965,
9 20 U.S.C. 1141, as such section existed on January 1, 2012, funding
10 under the federal Temporary Assistance to Needy Families program
11 established in 42 U.S.C. 601 et seq., as such sections existed on
12 January 1, 2012, and funding under the aid to dependent children
13 program; and

14 (2) Programs serving recipients of public assistance.

15 Sec. 5. A recipient of a bridge program grant under
16 section 3 of this act shall collect and provide to the department
17 data illustrating the outcomes of participants, including:

18 (1) Participants' education levels, income, and
19 employment status upon entry into the bridge program;

20 (2) The total number of participants beginning the
21 bridge program, earning college credit, earning industry-recognized
22 credentials, and earning recognized postsecondary educational
23 credentials;

24 (3) The employment rates of participants six months,
25 twelve months, and twenty-four months after leaving the bridge
26 program; and

27 (4) The number of participants pursuing additional

1 education six months, twelve months, and twenty-four months after
2 leaving the bridge program.

3 Sec. 6. The department may adopt and promulgate rules and
4 regulations to carry out sections 1 to 5 of this act.

5 Sec. 7. The Department of Health and Human Services shall
6 cooperate with applicants and recipients under sections 1 to 5 of
7 this act pursuing funding under the state Supplemental Nutrition
8 Assistance Program Employment and Training plan established
9 pursuant to the federal Food and Nutrition Act of 2008, 7 U.S.C.
10 2011 et seq., as such act and sections existed on January 1,
11 2012, the federal Temporary Assistance to Needy Families program
12 established in 42 U.S.C. 601 et seq., as such sections existed on
13 January 1, 2012, and funding under the aid to dependent children
14 program.

15 Sec. 8. Sections 1 to 7 of this act terminate on June 30,
16 2015.

17 Sec. 9. Section 9-812, Revised Statutes Supplement, 2011,
18 is amended to read:

19 9-812 (1) All money received from the operation of
20 lottery games conducted pursuant to the State Lottery Act in
21 Nebraska shall be credited to the State Lottery Operation Trust
22 Fund, which fund is hereby created. All payments of the costs
23 of establishing and maintaining the lottery games shall be made
24 from the State Lottery Operation Cash Fund. In accordance with
25 legislative appropriations, money for payments for expenses of the
26 division shall be transferred from the State Lottery Operation
27 Trust Fund to the State Lottery Operation Cash Fund, which fund

1 is hereby created. All money necessary for the payment of lottery
2 prizes shall be transferred from the State Lottery Operation Trust
3 Fund to the State Lottery Prize Trust Fund, which fund is hereby
4 created. The amount used for the payment of lottery prizes shall
5 not be less than forty percent of the dollar amount of the lottery
6 tickets which have been sold.

7 (2) Beginning October 1, 2003, a portion of the dollar
8 amount of the lottery tickets which have been sold on an annualized
9 basis shall be transferred from the State Lottery Operation Trust
10 Fund to the Education Innovation Fund, the Nebraska Opportunity
11 Grant Fund, the Nebraska Environmental Trust Fund, the Nebraska
12 State Fair Board, and the Compulsive Gamblers Assistance Fund. The
13 dollar amount transferred pursuant to this subsection shall equal
14 the greater of (a) the dollar amount transferred to the funds
15 in fiscal year 2002-03 or (b) any amount which constitutes at
16 least twenty-two percent and no more than twenty-five percent of
17 the dollar amount of the lottery tickets which have been sold on
18 an annualized basis. To the extent that funds are available, the
19 Tax Commissioner and director may authorize a transfer exceeding
20 twenty-five percent of the dollar amount of the lottery tickets
21 sold on an annualized basis.

22 (3) Of the money available to be transferred to the
23 Education Innovation Fund, the Nebraska Opportunity Grant Fund, the
24 Nebraska Environmental Trust Fund, the Nebraska State Fair Board,
25 and the Compulsive Gamblers Assistance Fund:

26 (a) The first five hundred thousand dollars shall be
27 transferred to the Compulsive Gamblers Assistance Fund to be used

1 as provided in section 71-817;

2 (b) Nineteen and three-fourths percent of the money
3 remaining after the payment of prizes and operating expenses and
4 the initial transfer to the Compulsive Gamblers Assistance Fund
5 shall be transferred to the Education Innovation Fund;

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

10 (d) Forty-four and one-half percent of the money
11 remaining after the payment of prizes and operating expenses and
12 the initial transfer to the Compulsive Gamblers Assistance Fund
13 shall be transferred to the Nebraska Environmental Trust Fund to be
14 used as provided in the Nebraska Environmental Trust Act;

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

1 (f) One percent of the money remaining after the payment
2 of prizes and operating expenses and the initial transfer to the
3 Compulsive Gamblers Assistance Fund shall be transferred to the
4 Compulsive Gamblers Assistance Fund to be used as provided in
5 section 71-817.

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

9 (b) For fiscal year 2010-11, the Education Innovation
10 Fund shall be allocated as follows: The first one million
11 dollars shall be transferred to the Excellence in Teaching Cash
12 Fund to fund the Excellence in Teaching Act, and the amount
13 remaining in the Education Innovation Fund shall be allocated,
14 after administrative expenses, for distance education equipment and
15 incentives pursuant to sections 79-1336 and 79-1337.

16 (c) For fiscal year 2011-12, the Education Innovation
17 Fund shall be allocated as follows: (i) The first two hundred
18 twenty-five thousand dollars shall be transferred to the Excellence
19 in Teaching Cash Fund to fund the Attracting Excellence to Teaching
20 Program; (ii) the next three million three hundred sixty-five
21 thousand nine hundred sixty-two dollars shall be distributed
22 to school districts as grants pursuant to the Early Childhood
23 Education Grant Program; (iii) the next two million one hundred
24 seventy-five thousand six hundred seventy-three dollars shall be
25 distributed to local systems as grants for approved accelerated
26 or differentiated curriculum programs for students identified as
27 learners with high ability pursuant to section 79-1108.02; (iv)

1 the next four hundred ninety-one thousand five hundred forty-one
2 dollars shall be used by the State Department of Education for
3 the development of an integrated early childhood, elementary,
4 secondary, and postsecondary student information system; (v) the
5 next four hundred fifty thousand dollars shall fund the Center
6 for Student Leadership and Extended Learning Act; (vi) the next
7 one hundred fourteen thousand six hundred twenty-nine dollars shall
8 fund the multicultural education program created under section
9 79-720; (vii) the next one hundred twenty-three thousand four
10 hundred sixty-eight dollars shall be used by the department to
11 employ persons to investigate and prosecute alleged violations as
12 provided in section 79-868; (viii) up to the next one hundred
13 sixty thousand dollars shall be used by the department to implement
14 section 79-759; and (ix) the amount remaining shall be allocated,
15 after administrative expenses, for distance education equipment and
16 incentives pursuant to sections 79-1336 and 79-1337.

17 (d) For fiscal year 2012-13, the Education Innovation
18 Fund shall be allocated as follows: (i) The first forty-five
19 thousand dollars shall be transferred to the Excellence in Teaching
20 Cash Fund to fund the Attracting Excellence to Teaching Program;
21 (ii) the next three million three hundred sixty-five thousand
22 nine hundred sixty-two dollars shall be distributed to school
23 districts as grants pursuant to the Early Childhood Education
24 Grant Program; (iii) the next two million one hundred seventy-five
25 thousand six hundred seventy-three dollars shall be distributed to
26 local systems as grants for approved accelerated or differentiated
27 curriculum programs for students identified as learners with

1 high ability pursuant to section 79-1108.02; (iv) the next one
2 hundred eight thousand one hundred thirty-six dollars shall be
3 used by the department for the development of an integrated
4 early childhood, elementary, secondary, and postsecondary student
5 information system; (v) the next four hundred fifty thousand
6 dollars shall fund the Center for Student Leadership and Extended
7 Learning Act; (vi) the next one hundred fourteen thousand six
8 hundred twenty-nine dollars shall be used by the department to fund
9 the multicultural education program created under section 79-720;
10 (vii) the next one hundred twenty-three thousand four hundred
11 sixty-eight dollars shall be used by the department to employ
12 persons to investigate and prosecute alleged violations as provided
13 in section 79-868; (viii) up to the next one hundred sixty thousand
14 dollars shall be used by the department to implement section
15 79-759; (ix) the next twenty-seven thousand two hundred dollars
16 shall be used to fund the Interstate Compact on Educational
17 Opportunity for Military Children; (x) the next two hundred
18 thousand dollars shall be used to provide grants to establish
19 bridge programs pursuant to sections 1 to 7 of this act; and ~~(*)~~
20 (xi) the amount remaining shall be allocated, after administrative
21 expenses, for distance education equipment and incentives pursuant
22 to sections 79-1336 and 79-1337.

23 (e) For fiscal year 2013-14, the Education Innovation
24 Fund shall be allocated as follows: (i) The first one million
25 dollars shall be transferred to the Excellence in Teaching Cash
26 Fund to fund the Excellence in Teaching Act; (ii) the next
27 allocation shall be distributed to local systems as grants for

1 approved accelerated or differentiated curriculum programs for
2 students identified as learners with high ability pursuant to
3 section 79-1108.02 in an aggregated amount up to the amount
4 distributed in the prior fiscal year for such purposes increased
5 by the basic allowable growth rate pursuant to section 79-1025;
6 (iii) the next allocation shall be used by the State Department
7 of Education for the integrated early childhood, elementary,
8 secondary, and postsecondary student information system in an
9 aggregated amount up to the amount used in the prior fiscal year
10 for such purposes increased by the basic allowable growth rate
11 pursuant to section 79-1025; (iv) the next allocation shall fund
12 the Center for Student Leadership and Extended Learning Act in
13 an aggregated amount up to the amount used in the prior fiscal
14 year for such purposes increased by the basic allowable growth
15 rate pursuant to section 79-1025; (v) the next allocation shall be
16 used by the department to fund the multicultural education program
17 created under section 79-720 in an aggregated amount up to the
18 amount used in the prior fiscal year for such purposes increased
19 by the basic allowable growth rate pursuant to section 79-1025;
20 (vi) the next allocation shall be used by the department to employ
21 persons to investigate and prosecute alleged violations as provided
22 in section 79-868 in an aggregated amount up to the amount used
23 in the prior fiscal year for such purposes increased by the basic
24 allowable growth rate pursuant to section 79-1025; (vii) up to
25 the next one hundred sixty thousand dollars shall be used by the
26 department to implement section 79-759; (viii) the next two hundred
27 thousand dollars shall be used to provide grants to establish

1 bridge programs pursuant to sections 1 to 7 of this act; and ~~(viii)~~
2 (ix) the amount remaining shall be allocated, after administrative
3 expenses, for distance education equipment and incentives pursuant
4 to sections 79-1336 and 79-1337.

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

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

1 by the basic allowable growth rate pursuant to section 79-1025;
2 (vi) the next allocation shall be used by the department to employ
3 persons to investigate and prosecute alleged violations as provided
4 in section 79-868 in an aggregated amount up to the amount used
5 in the prior fiscal year for such purposes increased by the basic
6 allowable growth rate pursuant to section 79-1025; (vii) the next
7 two hundred thousand dollars shall be used to provide grants to
8 establish bridge programs pursuant to sections 1 to 7 of this
9 act; and ~~(vii)~~ (viii) the amount remaining shall be allocated,
10 after administrative expenses, for distance education equipment and
11 incentives pursuant to sections 79-1336 and 79-1337.

12 (g) For fiscal year 2015-16, 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
5 be used by the department to fund the multicultural education
6 program created under section 79-720 in an aggregated amount up
7 to the amount used in the prior fiscal year for such purposes
8 increased by the basic allowable growth rate pursuant to section
9 79-1025; (vi) the next allocation shall be used by the department
10 to employ persons to investigate and prosecute alleged violations
11 as provided in section 79-868 in an aggregated amount up to the
12 amount used in the prior fiscal year for such purposes increased
13 by the basic allowable growth rate pursuant to section 79-1025; and
14 (vii) the amount remaining shall be allocated, after administrative
15 expenses, for distance education equipment and incentives pursuant
16 to sections 79-1336 and 79-1337.

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

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

27 (6) Unclaimed prize money on a winning lottery ticket

1 shall be retained for a period of time prescribed by rules and
2 regulations. If no claim is made within such period, the prize
3 money shall be used at the discretion of the Tax Commissioner for
4 any of the purposes prescribed in this section.

5 Sec. 10. Original section 9-812, Revised Statutes
6 Supplement, 2011, is repealed.

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

9 2. On page 1, strike beginning with "state" in line 1
10 through line 5 and insert "amend section 9-812, Revised Statutes
11 Supplement, 2011; to state findings; to define terms; to provide
12 for grants and funding for such grants for bridge programs
13 as prescribed; to provide for allocations from the Education
14 Innovation Fund; to provide duties for the State Department of
15 Education and the Department of Health and Human Services; to
16 provide a termination date; to repeal the original section; and to
17 declare an emergency."