

E AND R AMENDMENTS TO LB 818

Introduced by Ballard, 21, Chairman Enrollment and Review

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

3 Section 1. The State Treasurer shall transfer an amount as directed
4 by the budget administrator of the budget division of the Department of
5 Administrative Services, pursuant to subsections (2) and (3) of section
6 82-331, not to exceed \$1,000,000, from the General Fund to the Nebraska
7 Cultural Preservation Endowment Fund on December 31, 2023, or as soon
8 thereafter as administratively possible.

9 Sec. 2. The State Treasurer shall transfer an amount as directed by
10 the budget administrator of the budget division of the Department of
11 Administrative Services, pursuant to subsections (2) and (3) of section
12 82-331, not to exceed \$1,000,000, from the General Fund to the Nebraska
13 Cultural Preservation Endowment Fund on December 31, 2024, or as soon
14 thereafter as administratively possible.

15 Sec. 3. The State Treasurer shall transfer \$5,000,000 from the
16 Prison Overcrowding Contingency Fund to the Vocational and Life Skills
17 Programming Fund, on or after July 1, 2023, but before June 30, 2024, on
18 such dates and in such amounts as directed by the budget administrator of
19 the budget division of the Department of Administrative Services.

20 Sec. 4. The State Treasurer shall transfer \$5,000,000 from the
21 Prison Overcrowding Contingency Fund to the Vocational and Life Skills
22 Programming Fund, on or after July 1, 2024, but before June 30, 2025, on
23 such dates and in such amounts as directed by the budget administrator of
24 the budget division of the Department of Administrative Services.

25 Sec. 5. The State Treasurer shall transfer the remaining balance of
26 the Nebraska Competitive Telephone Marketplace Fund to the General Fund
27 on or before June 30, 2024, on such date as directed by the budget

1 administrator of the budget division of the Department of Administrative
2 Services.

3 Sec. 6. The State Treasurer shall transfer the remaining balance of
4 the Nebraska Agricultural Products Research Fund to the General Fund on
5 or before June 30, 2024, on such date as directed by the budget
6 administrator of the budget division of the Department of Administrative
7 Services.

8 Sec. 7. Section 9-1,101, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
11 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
12 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
13 9-701 shall be administered and enforced by the Charitable Gaming
14 Division of the Department of Revenue, which division is hereby created.
15 The Department of Revenue shall make annual reports to the Governor,
16 Legislature, Auditor of Public Accounts, and Attorney General on all tax
17 revenue received, expenses incurred, and other activities relating to the
18 administration and enforcement of such acts. The report submitted to the
19 Legislature shall be submitted electronically.

20 (2) The Charitable Gaming Operations Fund is hereby created. Any
21 money in the fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.

24 (3)(a) Forty percent of the taxes collected pursuant to sections
25 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
26 Gaming Division for administering and enforcing the acts listed in
27 subsection (1) of this section and providing administrative support for
28 the Nebraska Commission on Problem Gambling. The remaining sixty percent
29 shall be transferred to the General Fund. Any portion of the forty
30 percent not used by the division in the administration and enforcement of
31 such acts and section shall be distributed as provided in this

1 subsection.

2 (b) Beginning July 1, 2019, through June 30, ~~2025~~ 2023, on or before
3 the last day of the last month of each calendar quarter, the State
4 Treasurer shall transfer one hundred thousand dollars from the Charitable
5 Gaming Operations Fund to the Compulsive Gamblers Assistance Fund.

6 (c) Any money remaining in the Charitable Gaming Operations Fund
7 after the transfer pursuant to subdivision (b) of this subsection not
8 used by the Charitable Gaming Division in its administration and
9 enforcement duties pursuant to this section may be transferred to the
10 General Fund and the Compulsive Gamblers Assistance Fund at the direction
11 of the Legislature.

12 (4) The Tax Commissioner shall employ investigators who shall be
13 vested with the authority and power of a law enforcement officer to carry
14 out the laws of this state administered by the Tax Commissioner or the
15 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
16 to possession of a gambling device. For purposes of enforcing sections
17 28-1101 to 28-1117, the authority of the investigators shall be limited
18 to investigating possession of a gambling device, notifying local law
19 enforcement authorities, and reporting suspected violations to the county
20 attorney for prosecution.

21 (5) The Charitable Gaming Division may charge a fee for publications
22 and listings it produces. The fee shall not exceed the cost of
23 publication and distribution of such items. The division may also charge
24 a fee for making a copy of any record in its possession equal to the
25 actual cost per page. The division shall remit the fees to the State
26 Treasurer for credit to the Charitable Gaming Operations Fund.

27 (6) For administrative purposes only, the Nebraska Commission on
28 Problem Gambling shall be located within the Charitable Gaming Division.
29 The division shall provide office space, furniture, equipment, and
30 stationery and other necessary supplies for the commission. Commission
31 staff shall be appointed, supervised, and terminated by the director of

1 the Gamblers Assistance Program pursuant to section 9-1004.

2 Sec. 8. Section 37-324, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 37-324 (1) The funds derived from the sale of permits and
5 publications as provided in the Game Law, any unexpended balance now on
6 hand from the sale of hunting, fur-harvesting, and fishing permits, and
7 all money required by the Game Law to be paid into the State Game Fund
8 are hereby appropriated to the use of the commission (a) for the
9 propagation, importation, protection, preservation, and distribution of
10 game and fish and necessary equipment therefor and all things pertaining
11 thereto, (b) for the creation of cash funds under section 37-326, (c) for
12 the administration and enforcement of the State Boat Act, (d) for boating
13 safety educational programs, (e) for the construction and maintenance of
14 boating and docking facilities, navigation aids, and access to boating
15 areas and such other uses which will promote the safety and convenience
16 of the boating public in Nebraska, ~~and~~ (f) for payment of claims by
17 landowners in Nebraska for property damage caused by deer, antelope, or
18 elk, if such payment is in compliance with federal laws and regulations,
19 and (g) for publishing costs for publications relating to topics listed
20 in subdivisions (a) and (b) of this subsection and other topics of
21 general interest to the state as approved by the commission. An amount
22 equal to two dollars from each annual resident fishing permit and two
23 dollars from each combination hunting and fishing permit sold in this
24 state shall be used by the commission for the administration,
25 construction, operation, and maintenance of fish hatcheries and for the
26 distribution of fish.

27 (2) Expenditures for publications on topics of general interest to
28 the state shall not exceed the income derived from single-copy and
29 subscription sales of commission publications and advertising revenue
30 from such publications.

31 Sec. 9. Section 37-345, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 37-345 (1) The commission may establish and collect reasonable fees
3 for the use of state park-operated facilities of a personal-service
4 nature, such as cabins, camps, swimming facilities, boats, and other
5 equipment or services of a similar nature. The commission, in its sole
6 discretion, may grant concessions in state park areas for the provisions
7 of certain appropriate services to the public, may grant permits for
8 certain land or other resource utilization commensurate with the purposes
9 of sections 37-337 to 37-348, and may prescribe and collect appropriate
10 fees or rentals therefor.

11 (2) The proceeds of all such fees, rentals, or other revenue from
12 operated facilities, concessions, or permits shall be credited to the
13 State Park Cash Revolving Fund, which fund is hereby created in the state
14 treasury. The fund, and shall be used by the commission solely for the
15 improvement, maintenance, and operation of the state parks, except that
16 transfers may be made from the State Park Cash Revolving Fund to the Site
17 and Building Development Fund or the Economic Recovery Contingency Fund
18 at the direction of the Legislature. The State Treasurer shall transfer
19 one million nine hundred ninety-seven thousand four hundred nine dollars
20 on July 1, 2023, or as soon thereafter as administratively possible, from
21 the State Park Cash Revolving Fund to the Site and Building Development
22 Fund. The State Treasurer shall transfer two million dollars on July 1,
23 2023, or as soon thereafter as administratively possible, from the State
24 Park Cash Revolving Fund to the Economic Recovery Contingency Fund. The
25 State Treasurer shall transfer two million dollars on July 1, 2024, or as
26 soon thereafter as administratively possible, from the State Park Cash
27 Revolving Fund to the Economic Recovery Contingency Fund. Any money in
28 the State Park Cash Revolving Fund fund available for investment shall be
29 invested by the state investment officer pursuant to the Nebraska Capital
30 Expansion Act and the Nebraska State Funds Investment Act.

31 Sec. 10. Section 37-446, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 37-446 The permit fees charged under sections 37-438 and 37-439
3 shall be credited to the State Park Cash Revolving Fund and shall be
4 disbursed for the administration, improvement, operation, and maintenance
5 of those areas, or portion of areas, of the state park system which are
6 designated as permit areas, subject to section 37-345.

7 Sec. 11. Section 37-1804, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 37-1804 (1) The Water Recreation Enhancement Fund is created. The
10 fund shall be administered by the Game and Parks Commission. The State
11 Treasurer shall credit to the fund any money transferred to the fund by
12 the Legislature and such donations, gifts, bequests, or other money
13 received from any federal or state agency or public or private source.
14 Except as otherwise provided in subsections (2) and (3) of this section,
15 the The fund shall be used for water and recreational projects pursuant
16 to the Water Recreation Enhancement Act. Any money in the fund available
17 for investment shall be invested by the state investment officer pursuant
18 to the Nebraska Capital Expansion Act and the Nebraska State Funds
19 Investment Act. Any investment earnings from investment of money in the
20 fund shall be credited to the fund.

21 (2) For any amount credited to the fund from a source other than a
22 transfer authorized by the Legislature, the State Treasurer shall
23 transfer an equal amount from the Water Recreation Enhancement Fund to
24 the Jobs and Economic Development Initiative Fund at the end of the
25 fiscal year in which such funds were credited, on such dates as directed
26 by the budget administrator of the budget division of the Department of
27 Administrative Services to be used pursuant to section 61-405.

28 (3) Transfers may be made from the investment earnings in the Water
29 Recreation Enhancement Fund to the Panhandle Improvement Project Cash
30 Fund at the direction of the Legislature. The State Treasurer shall
31 transfer one million dollars on July 1, 2023, or as soon thereafter as

1 administratively possible, from the Water Recreation Enhancement Fund to
2 the Panhandle Improvement Project Cash Fund.

3 Sec. 12. Section 46-1,164, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 46-1,164 There is hereby created the Surface Water Irrigation
6 Infrastructure Fund to be administered by the Department of Natural
7 Resources. The fund shall be used to provide grants in accordance with
8 section 46-1,165 to irrigation districts. There shall be a one-time
9 transfer of fifty million dollars from the Cash Reserve Fund to the
10 Surface Water Irrigation Infrastructure Fund to carry out the purposes of
11 section 46-1,165. Any money in the Surface Water Irrigation
12 Infrastructure Fund available for investment shall be invested by the
13 state investment officer pursuant to the Nebraska Capital Expansion Act
14 and the Nebraska State Funds Investment Act. Investment earnings from
15 investment of money in the fund shall be credited to the fund.

16 Sec. 13. Section 61-218, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 61-218 (1) The Water Resources Cash Fund is created. The fund shall
19 be administered by the Department of Natural Resources. Any money in the
20 fund available for investment shall be invested by the state investment
21 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
22 State Funds Investment Act.

23 (2) The State Treasurer shall credit to the fund such money as is
24 (a) transferred to the fund by the Legislature, (b) paid to the state as
25 fees, deposits, payments, and repayments relating to the fund, both
26 principal and interest, (c) donated as gifts, bequests, or other
27 contributions to such fund from public or private entities, (d) made
28 available by any department or agency of the United States if so directed
29 by such department or agency, (e) allocated pursuant to section
30 81-15,175, and (f) received by the state for settlement of claims
31 regarding Colorado's past use of water under the Republican River

1 Compact.

2 (3) The fund shall be expended by the department (a) to aid
3 management actions taken to reduce consumptive uses of water or to
4 enhance streamflows or ground water recharge in river basins, subbasins,
5 or reaches which are deemed by the department overappropriated pursuant
6 to section 46-713 or fully appropriated pursuant to section 46-714 or are
7 bound by an interstate compact or decree or a formal state contract or
8 agreement, (b) for purposes of projects or proposals described in the
9 grant application as set forth in subdivision (2)(h) of section
10 81-15,175, and (c) to the extent funds are not expended pursuant to
11 subdivisions (a) and (b) of this subsection, the department may conduct a
12 statewide assessment of short-term and long-term water management
13 activities and funding needs to meet statutory requirements in sections
14 46-713 to 46-718 and 46-739 and any requirements of an interstate compact
15 or decree or formal state contract or agreement. The fund shall not be
16 used to pay for administrative expenses or any salaries for the
17 department or any political subdivision.

18 (4) It is the intent of the Legislature that three million three
19 hundred thousand dollars be transferred each fiscal year from the General
20 Fund to the Water Resources Cash Fund for FY2011-12 through FY2022-23,
21 except that for FY2012-13 it is the intent of the Legislature that four
22 million seven hundred thousand dollars be transferred from the General
23 Fund to the Water Resources Cash Fund. It is the intent of the
24 Legislature that the State Treasurer credit any money received from any
25 Republican River Compact settlement to the Water Resources Cash Fund in
26 the fiscal year in which it is received.

27 (5)(a) Expenditures from the Water Resources Cash Fund may be made
28 to natural resources districts eligible under subsection (3) of this
29 section for activities to either achieve a sustainable balance of
30 consumptive water uses or assure compliance with an interstate compact or
31 decree or a formal state contract or agreement and shall require a match

1 of local funding in an amount equal to or greater than forty percent of
2 the total cost of carrying out the eligible activity. The department
3 shall, no later than August 1 of each year, beginning in 2007, determine
4 the amount of funding that will be made available to natural resources
5 districts from the Water Resources Cash Fund and notify natural resources
6 districts of this determination. The department shall adopt and
7 promulgate rules and regulations governing application for and use of the
8 Water Resources Cash Fund by natural resources districts. Such rules and
9 regulations shall, at a minimum, include the following components:

10 (i) Require an explanation of how the planned activity will achieve
11 a sustainable balance of consumptive water uses or will assure compliance
12 with an interstate compact or decree or a formal state contract or
13 agreement as required by section 46-715 and the controls, rules, and
14 regulations designed to carry out the activity; and

15 (ii) A schedule of implementation of the activity or its components,
16 including the local match as set forth in subdivision (5)(a) of this
17 section.

18 (b) Any natural resources district that fails to implement and
19 enforce its controls, rules, and regulations as required by section
20 46-715 shall not be eligible for funding from the Water Resources Cash
21 Fund until it is determined by the department that compliance with the
22 provisions required by section 46-715 has been established.

23 (6) The Department of Natural Resources shall submit electronically
24 an annual report to the Legislature no later than October 1 of each year,
25 beginning in the year 2007, that shall detail the use of the Water
26 Resources Cash Fund in the previous year. The report shall provide:

27 (a) Details regarding the use and cost of activities carried out by
28 the department; and

29 (b) Details regarding the use and cost of activities carried out by
30 each natural resources district that received funds from the Water
31 Resources Cash Fund.

1 (7)(a) Prior to the application deadline for fiscal year 2011-12,
2 the Department of Natural Resources shall apply for a grant of nine
3 million nine hundred thousand dollars from the Nebraska Environmental
4 Trust Fund, to be paid out in three annual installments of three million
5 three hundred thousand dollars. The purposes listed in the grant
6 application shall be consistent with the uses of the Water Resources Cash
7 Fund provided in this section and shall be used to aid management actions
8 taken to reduce consumptive uses of water, to enhance streamflows, to
9 recharge ground water, or to support wildlife habitat in any river basin
10 determined to be fully appropriated pursuant to section 46-714 or
11 designated as overappropriated pursuant to section 46-713.

12 (b) If the application is granted, funds received from such grant
13 shall be remitted to the State Treasurer for credit to the Water
14 Resources Cash Fund for the purpose of supporting the projects set forth
15 in the grant application. The department shall include in its grant
16 application documentation that the Legislature has authorized a transfer
17 of three million three hundred thousand dollars from the General Fund
18 into the Water Resources Cash Fund for each of fiscal years 2011-12 and
19 2012-13 and has stated its intent to transfer three million three hundred
20 thousand dollars to the Water Resources Cash Fund for fiscal year
21 2013-14.

22 (c) It is the intent of the Legislature that the department apply
23 for an additional three-year grant that would begin in fiscal year
24 2014-15, an additional three-year grant from the Nebraska Environmental
25 Trust Fund that would begin in fiscal year 2017-18, and an additional
26 three-year grant from the Nebraska Environmental Trust Fund that would
27 begin in fiscal year 2020-21 if the criteria established in subsection
28 (4) of section 81-15,175 are achieved.

29 (8) The department shall establish a subaccount within the Water
30 Resources Cash Fund for the accounting of all money received as a grant
31 from the Nebraska Environmental Trust Fund as the result of an

1 application made pursuant to subsection (7) of this section. At the end
2 of each calendar month, the department shall calculate the amount of
3 interest earnings accruing to the subaccount and shall notify the State
4 Treasurer who shall then transfer a like amount from the Water Resources
5 Cash Fund to the Nebraska Environmental Trust Fund.

6 (9) Any funds transferred from the Nebraska Environmental Trust Fund
7 to the Water Resources Cash Fund shall be expended in accordance with
8 section 81-15,168.

9 Sec. 14. Section 61-224, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 61-224 There is hereby created the Critical Infrastructure
12 Facilities Cash Fund in the Department of Natural Resources. The fund
13 shall consist of funds appropriated or transferred by the Legislature.
14 The fund shall be used by the Department of Natural Resources (1) to
15 provide a grant to a natural resources district to offset costs related
16 to soil and water improvements intended to protect critical
17 infrastructure facilities within the district which includes military
18 installations, transportation routes, and wastewater treatment
19 facilities, ~~and~~ (2) to provide a grant to an irrigation district for
20 reimbursement of costs related to temporary repairs to the main canal and
21 tunnels of an interstate irrigation system which experienced a failure,
22 and (3) to provide a grant to an entity within a county with a population
23 exceeding one hundred thousand inhabitants formed pursuant to the
24 Interlocal Cooperation Act for the purpose of funding a portion of the
25 cost of a wastewater system. Any funds remaining after all such project
26 costs have been completely funded shall be transferred to the General
27 Fund. Transfers may be made from the Critical Infrastructure Facilities
28 Cash Fund to the General Fund at the direction of the Legislature. The
29 ~~State Treasurer shall transfer three hundred eighty four thousand two~~
30 ~~hundred twenty-two dollars plus any accrued interest through April 5,~~
31 ~~2018, from the Critical Infrastructure Facilities Cash Fund to the~~

1 ~~General Fund on or before June 30, 2019, on such dates and in such~~
2 ~~amounts as directed by the budget administrator of the budget division of~~
3 ~~the Department of Administrative Services.~~ Any money in the Critical
4 Infrastructure Facilities Cash Fund available for investment shall be
5 invested by the state investment officer pursuant to the Nebraska Capital
6 Expansion Act and the Nebraska State Funds Investment Act, and any
7 interest earned by the fund shall be credited to the General Fund.

8 Sec. 15. Section 61-305, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 61-305 (1) The Perkins County Canal Project Fund is created. The
11 fund shall be administered by the Department of Natural Resources. The
12 State Treasurer shall credit to the fund any money transferred by the
13 Legislature and such grants, loans, donations, gifts, bequests, or other
14 money received from any federal or state agency or public or private
15 source for use by the department for the canal project. Any fees
16 collected for water delivery may be credited to the fund. Any money in
17 the Perkins County Canal Project Fund available for investment shall be
18 invested by the state investment officer pursuant to the Nebraska Capital
19 Expansion Act and the Nebraska State Funds Investment Act. Any investment
20 earnings from investment of money in the fund shall be credited to the
21 fund.

22 (2)(a) The department shall use the fund to identify the optimal
23 route and purchase land for and develop, construct, manage, and operate
24 the Perkins County Canal ~~for design, engineering, permitting, and options~~
25 ~~to purchase land related to building a canal~~ as outlined by the South
26 Platte River Compact and to contract with an independent firm for the
27 purposes of completing a study of such canal. The study shall include,
28 but may not be limited to, the following:

29 (i) Costs of completion of a canal and adjoining reservoirs as
30 outlined in the South Platte River Compact;

31 (ii) A timeline for completion of a canal and adjoining reservoirs

1 as outlined in the South Platte River Compact;

2 (iii) A cost-effectiveness study examining alternatives, including
3 alternatives that may reduce environmental or financial impacts; and

4 (iv) The impacts of the canal on drinking water supplies for the
5 cities of Lincoln and Omaha.

6 (b) The department shall provide the findings of such study
7 electronically to the Clerk of the Legislature and present the findings
8 at a public hearing held by the Appropriations Committee of the
9 Legislature on or before December 31, 2022.

10 Sec. 16. Section 71-7611, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
13 Treasurer shall transfer (a) sixty million three hundred thousand dollars
14 on or before July 15, 2014, (b) sixty million three hundred fifty
15 thousand dollars on or before July 15, 2015, (c) sixty million three
16 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
17 million seven hundred thousand dollars on or before July 15, 2017, (e)
18 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one
19 million six hundred thousand dollars on or before July 15, 2018, (g)
20 sixty-two million dollars on or before July 15, 2019, (h) sixty-one
21 million four hundred fifty thousand dollars on or before July 15, 2020,
22 (i) sixty-six million two hundred thousand dollars on or before July 15,
23 2022, ~~and~~ (j) sixty-one million seven hundred thousand dollars on or
24 before July 15, 2023, (k) sixty-one million five hundred thousand dollars
25 on or before July 15, 2024, and (l) fifty-five million four hundred
26 thousand ~~fifty-one million~~ dollars on or before every July 15 thereafter
27 from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska
28 Tobacco Settlement Trust Fund to the Nebraska Health Care Cash Fund,
29 except that such amount shall be reduced by the amount of the unobligated
30 balance in the Nebraska Health Care Cash Fund at the time the transfer is
31 made. The state investment officer shall advise the State Treasurer on

1 the amounts to be transferred first from the Nebraska Medicaid
2 Intergovernmental Trust Fund until the fund balance is depleted and from
3 the Nebraska Tobacco Settlement Trust Fund thereafter in order to sustain
4 such transfers in perpetuity. The state investment officer shall report
5 electronically to the Legislature on or before October 1 of every even-
6 numbered year on the sustainability of such transfers. The Nebraska
7 Health Care Cash Fund shall also include money received pursuant to
8 section 77-2602. Except as otherwise provided by law, no more than the
9 amounts specified in this subsection may be appropriated or transferred
10 from the Nebraska Health Care Cash Fund in any fiscal year.

11 The State Treasurer shall transfer ten million dollars from the
12 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on
13 June 28, 2018, and June 28, 2019.

14 Except as otherwise provided in subsections (5) and (6) and ~~(7)~~ of
15 this section, it is the intent of the Legislature that no additional
16 programs are funded through the Nebraska Health Care Cash Fund until
17 funding for all programs with an appropriation from the fund during
18 FY2012-13 are restored to their FY2012-13 levels.

19 (2) Any money in the Nebraska Health Care Cash Fund available for
20 investment shall be invested by the state investment officer pursuant to
21 the Nebraska Capital Expansion Act and the Nebraska State Funds
22 Investment Act.

23 (3) The University of Nebraska and postsecondary educational
24 institutions having colleges of medicine in Nebraska and their affiliated
25 research hospitals in Nebraska, as a condition of receiving any funds
26 appropriated or transferred from the Nebraska Health Care Cash Fund,
27 shall not discriminate against any person on the basis of sexual
28 orientation.

29 ~~(4) The State Treasurer shall transfer fifty thousand dollars on or~~
30 ~~before July 15, 2016, from the Nebraska Health Care Cash Fund to the~~
31 ~~Board of Regents of the University of Nebraska for the University of~~

1 ~~Nebraska Medical Center. It is the intent of the Legislature that these~~
2 ~~funds be used by the College of Public Health for workforce training.~~

3 (4) (5) It is the intent of the Legislature that the cost of the
4 staff and operating costs necessary to carry out the changes made by Laws
5 2018, LB439, and not covered by fees or federal funds shall be funded
6 from the Nebraska Health Care Cash Fund for fiscal years 2018-19 and
7 2019-20.

8 (5) (6) It is the intent of the Legislature to fund the grants to be
9 awarded pursuant to section 75-1101 with the Nebraska Health Care Cash
10 Fund for FY2019-20 and FY2020-21.

11 (6) (7) The State Treasurer shall transfer fifteen million dollars
12 from the Nebraska Health Care Cash Fund on or after July 1, 2022, but
13 before June 30, 2023, to the Board of Regents of the University of
14 Nebraska for the University of Nebraska Medical Center for pancreatic
15 cancer research at the University of Nebraska Medical Center. Transfers
16 from the Nebraska Health Care Cash Fund in this subsection shall be
17 contingent upon receipt of any matching funds from private or other
18 sources, up to fifteen million dollars, certified by the budget
19 administrator of the budget division of the Department of Administrative
20 Services. Upon receipt of any matching funds certified by the budget
21 administrator, the State Treasurer shall transfer an equal amount of
22 funds to the Board of Regents of the University of Nebraska.

23 Sec. 17. Section 72-729.01, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 72-729.01 There is hereby created the Hall of Fame Trust Fund to be
26 administered by the Nebraska Hall of Fame Commission for the purpose of
27 the creation, design, size, configuration, and placement of busts or
28 other appropriate objects as authorized in section 72-729. Deposits to
29 such fund shall include money received from public donation and from
30 funds appropriated specifically for such purpose by the Legislature. The
31 State Treasurer shall transfer ~~It is the intent of the Legislature that~~

1 ten thousand dollars ~~be transferred~~ from the General Fund to the Hall of
2 Fame Trust Fund annually beginning with fiscal year 2021-22, between July
3 1 and July 30 of each year, on such date as directed by the budget
4 administrator of the budget division of the Department of Administrative
5 Services, except that if the balance of the Hall of Fame Trust Fund
6 exceeds fifty thousand dollars on the last day of the preceding fiscal
7 year, such transfer shall not take place. Any money in the fund available
8 for investment shall be invested by the state investment officer pursuant
9 to the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 Sec. 18. Section 72-2201, Revised Statutes Cumulative Supplement,
12 2022, is amended to read:

13 72-2201 Sections 72-2201 to 72-2215 and section 20 of this act shall
14 be known and may be cited as the Nebraska State Capitol Preservation and
15 Restoration Act.

16 Sec. 19. Section 72-2211, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 72-2211 (1) The Capitol Restoration Cash Fund is created. The
19 administrator shall administer the fund, which shall consist of money
20 received from the sale of material, rental revenue, private donations,
21 public donations, transfers from the Capitol Preservation, Restoration,
22 and Enhancement Endowment Fund, and transfers from the Nebraska Capital
23 Construction Fund as directed by the Legislature.

24 (2)(a) The Capitol Restoration Cash Fund shall be used to finance
25 projects for the restoration, preservation, and enhancement of ~~to restore~~
26 the State Capitol and its courtyards and capitol grounds ~~to their~~
27 ~~original condition,~~ to purchase and conserve items to be added to the
28 Nebraska Capitol Collections housed in the State Capitol, to produce
29 promotional material concerning the State Capitol, its grounds, and the
30 Nebraska State Capitol Environs District, and to pay the expenditures for
31 a project manager for the Capitol Heating, Ventilation, and Air

1 Conditioning Systems Replacement Project until such time as the project
2 is completed, except that transfers may be made from the fund to the
3 General Fund at the direction of the Legislature. Such expenditures shall
4 be prescribed by the administrator and approved by the commission.

5 (b) Money transferred to the fund from the Capitol Preservation,
6 Restoration, and Enhancement Endowment Fund shall only be used for the
7 restoration, preservation, and enhancement of the courtyards located at
8 the State Capitol.

9 (3) Any money in the Capitol Restoration Cash Fund available for
10 investment shall be invested by the state investment officer pursuant to
11 the Nebraska Capital Expansion Act and the Nebraska State Funds
12 Investment Act.

13 Sec. 20. (1) The Capitol Preservation, Restoration, and Enhancement
14 Endowment Fund is created. The commission shall administer the fund. The
15 fund shall consist of money transferred to the fund by the Legislature
16 and bequests, donations, gifts, grants, or other money received from any
17 federal or state agency or public or private source for the preservation,
18 restoration, and enhancement of the State Capitol and capitol grounds.
19 Any money accepted by the state for credit to the fund that is subject to
20 conditions shall be held in trust and used subject to such conditions.
21 Any money in the fund available for investment shall be invested by the
22 state investment officer pursuant to the Nebraska Capital Expansion Act
23 and the Nebraska State Funds Investment Act.

24 (2) The State Treasurer shall transfer money from the Capitol
25 Preservation, Restoration, and Enhancement Endowment Fund to the Capitol
26 Restoration Cash Fund in amounts and at times as directed by the
27 commission. Money transferred from the Capitol Preservation, Restoration,
28 and Enhancement Endowment Fund in any year shall not exceed four percent
29 of the total balance in the fund as the balance existed on January 1 of
30 the most recent odd-numbered year.

31 Sec. 21. Section 75-109.01, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 75-109.01 Except as otherwise specifically provided by law, the
3 Public Service Commission shall have jurisdiction, as prescribed, over
4 the following subjects:

5 (1) Common carriers, generally, pursuant to sections 75-101 to
6 75-158;

7 (2) Grain pursuant to the Grain Dealer Act and the Grain Warehouse
8 Act and sections 89-1,104 to 89-1,108;

9 (3) Manufactured homes and recreational vehicles pursuant to the
10 Uniform Standard Code for Manufactured Homes and Recreational Vehicles;

11 (4) Modular housing units pursuant to the Nebraska Uniform Standards
12 for Modular Housing Units Act;

13 (5) Motor carrier registration, licensure, and safety pursuant to
14 sections 75-301 to 75-343, 75-369.03, 75-370, and 75-371;

15 (6) Pipeline carriers and rights-of-way pursuant to the Major Oil
16 Pipeline Siting Act, the State Natural Gas Regulation Act, and sections
17 75-501 to 75-503. If the provisions of Chapter 75 are inconsistent with
18 the provisions of the Major Oil Pipeline Siting Act, the provisions of
19 the Major Oil Pipeline Siting Act control;

20 (7) Railroad carrier safety pursuant to sections 74-918, 74-919,
21 74-1323, and 75-401 to 75-430;

22 (8) Telecommunications carriers pursuant to the Automatic Dialing-
23 Announcing Devices Act, the Emergency Telephone Communications Systems
24 Act, the Enhanced Wireless 911 Services Act, the Intrastate Pay-Per-Call
25 Regulation Act, the Nebraska Telecommunications Regulation Act, the
26 Nebraska Telecommunications Universal Service Fund Act, the
27 Telecommunications Relay System Act, the Telephone Consumer Slamming
28 Prevention Act, and sections 86-574 to 86-578 ~~86-579~~, 86-1307, and
29 86-1308;

30 (9) Transmission lines and rights-of-way pursuant to sections 70-301
31 and 75-702 to 75-724;

1 (10) Water service pursuant to the Water Service Regulation Act; and
2 (11) Jurisdictional utilities governed by the State Natural Gas
3 Regulation Act. If the provisions of Chapter 75 are inconsistent with the
4 provisions of the State Natural Gas Regulation Act, the provisions of the
5 State Natural Gas Regulation Act control.

6 Sec. 22. Section 77-913, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 77-913 The Insurance Tax Fund is created. The State Treasurer shall
9 receive the funds paid pursuant to Chapter 77, article 9, and except as
10 provided in sections 77-912 and 77-918 shall keep all money received in
11 the Insurance Tax Fund. Any money in the fund available for investment
12 shall be invested by the state investment officer pursuant to the
13 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
14 Act.

15 Prior to June 1 of each year, the State Treasurer shall disburse or
16 allocate all of the funds in the Insurance Tax Fund on May 1 of each year
17 as follows:

18 (1) Ten percent of the total shall be allocated to the counties
19 proportionately in the proportion that the population of each county
20 bears to the entire state, as shown by the last federal decennial census;

21 (2) Thirty percent of the total shall be allocated to the Municipal
22 Equalization Fund; and

23 (3) Sixty percent of the total shall be allocated to the State
24 Department of Education for distribution to school districts as
25 equalization aid pursuant to the Tax Equity and Educational Opportunities
26 Support Act as follows: The Commissioner of Education shall (a) include
27 the amount certified by the State Treasurer pursuant to this section with
28 ~~the amount appropriated to the Tax Equity and Educational Opportunities~~
29 ~~Fund for distribution in the ensuing school fiscal year, (b) include such~~
30 ~~amounts~~ in the state aid certified to each school district pursuant to
31 section 79-1022, and (b) ~~(c)~~ distribute such funds as equalization aid

1 under the provisions of the act during the ensuing fiscal year.

2 Sec. 23. Section 79-1021, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-1021 (1) ~~The Education Future Tax Equity and Educational~~
5 ~~Opportunities~~ Fund is created. The fund shall be administered by the
6 department and shall consist of money transferred to the fund by the
7 Legislature receive dedicated income tax appropriations and
8 appropriations made by the Legislature to fund the Tax Equity and
9 Educational Opportunities Support Act and shall be administered by the
10 state board. Any money in the fund available for investment shall be
11 invested by the state investment officer pursuant to the Nebraska Capital
12 Expansion Act and the Nebraska State Funds Investment Act.

13 (2) The fund shall be used only for the following purposes, in order
14 of priority:

15 (a) To fully fund equalization aid under the Tax Equity and
16 Educational Opportunities Support Act;

17 (b) To fund special education supplemental aid under the Tax Equity
18 and Educational Opportunities Support Act;

19 (c) To fund foundation aid under the Tax Equity and Educational
20 Opportunities Support Act;

21 (d) To increase funding for school districts in a way that results
22 in direct property tax relief, which means a dollar-for-dollar
23 replacement of property taxes by a state funding source;

24 (e) To provide funding for a grant program created by the
25 Legislature to address teacher turnover rates and keep existing teachers
26 in classrooms;

27 (f) To provide funding to increase career and technical educational
28 classroom opportunities for students. Such funding must provide students
29 with the academic and technical skills, knowledge, and training necessary
30 to succeed in future careers; and

31 (g) To provide funding for a grant program created by the

1 Legislature to provide students the opportunity to have a mentor who will
2 continuously engage with the student directly to aid in the student's
3 professional growth and give ongoing support and encouragement to the
4 student.

5 (3)(a) The State Treasurer shall transfer one billion dollars from
6 the General Fund to the Education Future Fund in fiscal year 2023-24 on
7 such dates and in such amounts as directed by the budget administrator of
8 the budget division of the Department of Administrative Services.

9 (b) The State Treasurer shall transfer two hundred fifty million
10 dollars from the General Fund to the Education Future Fund in fiscal year
11 2024-25, on such dates and in such amounts as directed by the budget
12 administrator of the budget division of the Department of Administrative
13 Services.

14 (c) It is the intent of the Legislature that two hundred fifty
15 million dollars be transferred from the General Fund to the Education
16 Future Fund in fiscal year 2025-26 and each fiscal year thereafter.

17 Sec. 24. Section 80-401, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 80-401 (1) There is hereby established a fund to be known as the
20 Nebraska Veterans' Aid Fund. The Nebraska Investment Council is directed
21 to purchase bonds or notes issued by the government of the United States
22 or the State of Nebraska, or any county, school district, or municipality
23 therein, with a face value of twelve million dollars, as of August 1,
24 1984, to carry out sections 80-401 to 80-405 and to place them in the
25 custody and control of the State Treasurer of the State of Nebraska under
26 the same conditions as other state money.

27 (2) Such fund shall be managed as follows: (a) When necessary to pay
28 a premium for bonds for such fund, the amount of the premium shall be
29 amortized over the term of the bonds from the interest received on such
30 bonds; and (b) when bonds for such fund are purchased at a discount, the
31 amount of the discount shall be used to purchase additional bonds, it

1 being contemplated that the face amount of the bonds in such fund may in
2 this manner aggregate in excess of twelve million dollars at some future
3 time. Transfers may be made from the Nebraska Veterans' Aid Fund to the
4 Veteran Cemetery Construction Fund at the direction of the Legislature
5 until July 30, 2024. The State Treasurer shall transfer four million
6 dollars from the Nebraska Veterans' Aid Fund to the Veteran Cemetery
7 Construction Fund on July 15, 2023. The State Treasurer shall transfer
8 four million dollars from the Nebraska Veterans' Aid Fund to the Veteran
9 Cemetery Construction Fund on July 15, 2024.

10 (3) The interest on the Nebraska Veterans' Aid Fund, except so much
11 as may be required for amortization of premium bond purchases as
12 authorized in this section and so much as may be required to pay a pro
13 rata share of the budget appropriated for the Nebraska Investment Council
14 pursuant to section 72-1249.02, shall be paid to the Veterans' Aid Income
15 Fund, which fund is hereby created. The Veterans' Aid Income Fund, when
16 appropriated by the Legislature, shall be available to the Director of
17 Veterans' Affairs for aid to needy veterans as authorized by law.

18 (4) The Nebraska Investment Council shall manage the Nebraska
19 Veterans' Aid Fund, with investment and reinvestment to be made in the
20 same type securities authorized for investment of funds by the Nebraska
21 Capital Expansion Act and the Nebraska State Funds Investment Act.

22 (5) The director shall advise the Nebraska Investment Council when
23 amounts in the Veterans' Aid Income Fund are not immediately required for
24 aid to needy veterans. The state investment officer shall invest such
25 amounts available from the Veterans' Aid Income Fund in the same manner
26 as investments of the Nebraska Veterans' Aid Fund, and the interest
27 thereon shall also become a part of the Veterans' Aid Income Fund.

28 Sec. 25. Section 81-12,147, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 81-12,147 (1) Except as provided in subsection (2) of this section,
31 the Department of Economic Development shall use the Site and Building

1 Development Fund to finance loans, grants, subsidies, credit
2 enhancements, and other financial assistance for industrial site and
3 building development and for expenses of the department as appropriated
4 by the Legislature for administering the fund. The following activities
5 are eligible for assistance from the fund:

6 (a) Grants or zero-interest loans to villages, cities, or counties
7 to acquire land, infuse infrastructure, or otherwise make large sites and
8 buildings ready for industrial development;

9 (b) Matching funds for new construction, rehabilitation, or
10 acquisition of land and buildings to assist villages, cities, and
11 counties;

12 (c) Technical assistance, design and finance services, and
13 consultation for villages, cities, and counties for the preparation and
14 creation of industrial-ready sites and buildings;

15 (d) Loan guarantees for eligible projects;

16 (e) Projects making industrial-ready sites and buildings more
17 accessible to business and industry;

18 (f) Infrastructure projects necessary for the development of
19 industrial-ready sites and buildings;

20 (g) Projects that mitigate the economic impact of a closure or
21 downsizing of a private-sector entity by making necessary improvements to
22 buildings and infrastructure;

23 (h) Public and private sector initiatives that will improve the
24 military value of military installations by making necessary improvements
25 to buildings and infrastructure, including, but not limited to, a grant
26 for the establishment of the United States Strategic Command Nuclear
27 Command, Control, and Communications public-private-partnership facility;
28 and

29 (i) A grant to a city of the second class that is served by two
30 first-class railroads, that is within fifteen miles of two state borders,
31 and that ~~Grants to any city of the second class which partners with~~

1 public power utilities for purposes of expanding electrical system
2 capacities and enhancing redundancy and resilience; -

3 (j) A grant of up to two million dollars to a city of the first
4 class located in the first congressional district that is constructing
5 riverfront improvement projects, including water recreational facilities,
6 arts and entertainment facilities, and other projects associated with
7 riverfront improvement;

8 (k) A grant of two million dollars to a city of the first class
9 located in the first congressional district if the property previously
10 housed a university or college that is no longer extant and if the
11 improvement and revitalization of the real property is for purposes of
12 supporting the housing, employment, and program needs of youth exiting
13 the foster care system. In addition, the real property may be used for
14 youth exiting juvenile court supervision in an out-of-home placement;

15 (l) Public and private sector initiatives that will improve the
16 value of cities of the second class that have partnered with the United
17 States Department of Defense or its contractors on upgrades to ground-
18 based nuclear deterrence. Such improvements include the construction of
19 electrical, drinking water, and clean water infrastructure; and

20 (m) Identification, evaluation, and development of large commercial
21 and industrial sites and building infrastructure to attract major
22 investment and employment opportunities for advanced manufacturing,
23 processing, trade, technology, aerospace, automotive, clean energy, life
24 science, and other transformational industries in Nebraska by means of
25 the department providing grants to or partnering with political
26 subdivisions, including inland port authorities under the Municipal
27 Inland Port Authority Act, or nonprofit economic development corporations
28 and entering into contracts for consulting, engineering, and development
29 studies to identify, evaluate, and develop large commercial and
30 industrial sites in Nebraska.

31 (2) The Department of Economic Development shall use the subaccount

1 of the Site and Building Development Fund described in subsection (2) of
2 section 81-12,146 to provide financial assistance to any inland port
3 authority created under the Municipal Inland Port Authority Act to help
4 finance large shovel-ready commercial and industrial sites developed
5 under such act.

6 Sec. 26. Section 81-12,148, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 81-12,148 (1) Governmental subdivisions and Nebraska nonprofit
9 organizations are eligible to receive assistance under the Site and
10 Building Development Act. Any entity receiving assistance under
11 subsection (1) of section 81-12,147 shall provide, or cause to be
12 provided, matching funds for the eligible activity in an amount
13 determined by the Department of Economic Development, which amount shall
14 be at least equal to one hundred percent of the amount of assistance
15 provided by the Site and Building Development Fund. Nothing in the act
16 shall be construed to allow individuals or businesses to receive direct
17 loans from the fund.

18 (2) An applicant for a grant for development of a public-private-
19 partnership facility under subdivision (1)(h) of section 81-12,147 shall
20 provide the Director of Economic Development with a letter of support
21 from the United States Strategic Command prior to approval of the
22 application and with proof of the availability of twenty million dollars
23 in private or other funds for the facility. No funds shall be expended or
24 grants awarded until receipt of proof of the availability of twenty
25 million dollars in private or other funds for the facility and
26 certification is provided by the Director of Economic Development to the
27 budget administrator of the budget division of the Department of
28 Administrative Services.

29 (3) An applicant for a grant for development under subdivision (1)
30 (1) of section 81-12,147 is not required to meet the matching fund
31 requirements pursuant to this section but shall provide the Director of

1 Economic Development a letter from the United States Department of
2 Defense or contractor providing upgrades to ground-based nuclear
3 deterrence that infrastructure improvements, including the construction
4 of electrical, drinking water, and clean water infrastructure, will not
5 be included in the scope of the project. No grants shall be awarded or
6 funds expended until such letter is received.

7 (4) ~~(3)~~ This section does not apply to any inland port authority
8 receiving assistance under subsection (2) of section 81-12,147.

9 Sec. 27. Section 81-12,220, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 81-12,220 The purpose of the Shovel-Ready Capital Recovery and
12 Investment Act is to partner with the private sector by providing grants
13 to qualified nonprofit organizations to assist such organizations with
14 capital projects that have been delayed due to COVID-19 or and that will
15 provide a positive economic impact in the State of Nebraska.

16 Sec. 28. Section 81-12,221, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 81-12,221 For purposes of the Shovel-Ready Capital Recovery and
19 Investment Act:

20 (1) Capital project means a construction project to build, expand,
21 or develop a new or existing facility or facilities or restoration work
22 on a facility designated as a National Historic Landmark;

23 (2) Cost, in the context of a capital project, means the cost of
24 land, engineering, architectural planning, contract services,
25 construction, materials, and equipment needed to complete the capital
26 project;

27 (3) COVID-19 means the novel coronavirus identified as SARS-CoV-2,
28 the disease caused by the novel coronavirus SARS-CoV-2 or a virus
29 mutating therefrom, and the health conditions or threats associated with
30 the disease caused by the novel coronavirus SARS-CoV-2 or a virus
31 mutating therefrom;

1 (4) Department means the Department of Economic Development;

2 (5) Qualified nonprofit organization means a tax-exempt organization
3 under section 501(c)(3) of the Internal Revenue Code that:

4 (a) Is related to arts, culture, or the humanities, including any
5 organization formed for the purpose of developing and promoting the work
6 of artists and the humanities in various visual and performing forms,
7 such as film, sculpture, dance, painting, horticulture, multimedia,
8 poetry, photography, performing arts, zoology, or botany;~~or~~

9 (b) Operates a sports complex;or

10 (c) Is a postsecondary educational institution in a city of the
11 metropolitan class and partners with an organization hosting a regional
12 or national event for purposes of infrastructure development related to
13 furnishing and equipment for a health sciences education center, enhanced
14 mobility by vacation of a public street, pedestrian safety, and
15 construction of a community athletic complex;

16 (6) Sports complex means property that:

17 (a) Includes indoor areas, outdoor areas, or both;

18 (b) Is primarily used for competitive sports; and

19 (c) Contains multiple separate sports venues; and

20 (7) Sports venue includes, but is not limited to:

21 (a) A baseball field;

22 (b) A softball field;

23 (c) A soccer field;

24 (d) An outdoor stadium primarily used for competitive sports;

25 (e) An outdoor arena primarily used for competitive sports; and

26 (f) An enclosed, temperature-controlled building primarily used for
27 competitive sports.

28 Sec. 29. Section 81-12,222, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 81-12,222 (1) Beginning July 1, ~~2023~~ ~~2021~~, through July 1, 2024 ~~15,~~
31 ~~2021~~, a qualified nonprofit organization may apply to the department for

1 a grant under the Shovel-Ready Capital Recovery and Investment Act. The
2 application shall include, but not be limited to, the following
3 information:

4 (a) A description of the qualified nonprofit organization's capital
5 project;

6 (b) The estimated cost of the capital project; and

7 ~~(c) The date when the capital project was delayed due to COVID-19~~
8 ~~and the date when the capital project is expected to begin or resume,~~
9 ~~which shall be no later than June 30, 2022; and~~

10 (c) ~~(d)~~ Documentation on the amount of funds for the capital project
11 which have been received or will be received by the qualified nonprofit
12 organization from private sources. Such amount shall be at least equal to
13 the amount of any grant received under the act. The documentation
14 provided under this subdivision does not need to identify the names of
15 any donors.

16 (2) The department shall consider applications in the order in which
17 they are received. If an applicant is a qualified nonprofit organization
18 and otherwise qualifies for funding under the Shovel-Ready Capital
19 Recovery and Investment Act, the department shall, subject to subsection
20 (3) of this section, approve the application and notify the applicant of
21 the approval.

22 (3) The department may approve applications within the limits of
23 available funding. The amount of any grant approved under this section
24 shall be equal to the amount of funds to be supplied by the qualified
25 nonprofit organization from private sources, as documented under
26 subdivision (1)(c) ~~(1)(d)~~ of this section, subject to the following
27 limitations:

28 (a) For any capital project with an estimated cost of less than five
29 hundred thousand dollars, the grant shall not exceed two hundred fifty
30 thousand dollars;

31 (b) (a) For any capital project with an estimated cost of at least

1 five hundred thousand dollars but less than five million dollars, the
2 grant shall not exceed one million five hundred thousand dollars;

3 (c) (b) For any capital project with an estimated cost of at least
4 five million dollars but less than twenty-five million dollars, the grant
5 shall not exceed five million dollars;

6 (d) (c) For any capital project with an estimated cost of at least
7 twenty-five million dollars but less than fifty million dollars, the
8 grant shall not exceed ten million dollars; ~~and~~

9 (e) (d) For any capital project with an estimated cost of at least
10 fifty million dollars but less than one hundred million dollars or more,
11 the grant shall not exceed fifteen million dollars; and -

12 (f) For any capital project with an estimated cost of at least one
13 hundred million dollars, the grant shall not exceed thirty million
14 dollars.

15 Sec. 30. Section 81-12,223, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 81-12,223 (1) Each qualified nonprofit organization that receives a
18 grant under the Shovel-Ready Capital Recovery and Investment Act shall:

19 (a) Secure all of the private funds described in subdivision (1)(c)
20 (1)(d) of section 81-12,222 through a written pledge or payment by
21 December 31, 2024 ~~2021~~, and shall begin or resume construction on the
22 organization's capital project by June 30, 2025 ~~2022~~; and

23 (b) Abide by the federal laws commonly known as the Davis-Bacon and
24 Related Acts.

25 (2) Any qualified nonprofit organization that fails to meet the
26 requirements of subsection (1) of this section shall repay any grant
27 funds received under the act.

28 Sec. 31. Section 81-12,225, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 81-12,225 (1) For any federal funds appropriated to the department
31 pursuant to the Shovel-Ready Capital Recovery and Investment Act, it is

1 the intent of the Legislature that the department divide the total
2 appropriation for grants to capital projects eligible under the act
3 equally for each congressional district and give priority to grant
4 requests less than or equal to five million dollars. After eligible
5 grantees with priority status have been awarded grant funds, remaining
6 funds may be awarded on a statewide basis with the department considering
7 each project based on the overall economic impact of the project to the
8 respective community and the overall benefit to the State of Nebraska. It
9 is the intent of the Legislature that the department make reasonable
10 adjustments to dates and deadlines and request additional documentation
11 pursuant to any requirements for the use of funds received pursuant to
12 the federal American Rescue Plan Act of 2021.

13 (2) For any cash funds appropriated to the department pursuant to
14 the Shovel-Ready Capital Recovery and Investment Act, it is the intent of
15 the Legislature that the department divide the total appropriation for
16 grants to capital projects eligible under the act as follows:

17 (a) Thirty million dollars for grants to nonprofit organizations
18 holding a certificate of exemption under section 501(c)(3) of the
19 Internal Revenue Code that are qualified nonprofit organizations under
20 subdivision (5)(c) of section 81-12,221; and

21 (b) Remaining funds equally by each congressional district.

22 (3) The changes made in this section and sections 81-12,220,
23 81-12,221, 81-12,222, and 81-12,223 by this legislative bill apply to all
24 grant applications filed on or after July 1, 2023. For all applications
25 filed prior to the effective date of this act, the provisions of the
26 Shovel-Ready Capital Recovery and Investment Act as they existed
27 immediately prior to such date apply.

28 ~~It is the intent of the Legislature to allocate fifteen million~~
29 ~~dollars from the General Fund and an additional amount of federal funds,~~
30 ~~subject to the appropriations process, up to the amount needed to fully~~
31 ~~fund all approved grants, from federal funds allocated to states pursuant~~

1 ~~to the American Rescue Plan Act of 2021 from the Coronavirus State Fiscal~~
2 ~~Recovery Fund and received by the State of Nebraska on or after May 26,~~
3 ~~2021, if such use is permitted under section 9901 of the American Rescue~~
4 ~~Plan Act of 2021, for use by the department for purposes of carrying out~~
5 ~~the Shovel-Ready Capital Recovery and Investment Act.~~

6 Sec. 32. Section 81-12,241, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 81-12,241 (1) A primary responsibility of the Economic Recovery and
9 Incentives Division of the Department of Economic Development shall be to
10 utilize federal or state funding to award grants as provided in this
11 section. The division shall develop a coordinated plan and a grant
12 application and scoring process to award grants under subsection (3) of
13 this section.

14 (2) The coordinated plan developed pursuant to this section shall
15 direct and prioritize the use of grants toward the economic recovery of
16 those communities and neighborhoods within qualified census tracts
17 located within the boundaries of a city of the metropolitan class that
18 were disproportionately impacted by the COVID-19 public health emergency
19 and related challenges, with an emphasis on housing needs, assistance for
20 small businesses, job training, and business development within such
21 communities and neighborhoods. In prioritizing the use of grants, the
22 Economic Recovery and Incentives Division may rely on any studies
23 produced pursuant to section 81-12,242. Not later than August 1, 2022,
24 the division shall submit a copy of an initial coordinated plan to the
25 Economic Recovery Special Committee of the Legislature. Not later than
26 December 1, 2022, the division shall submit a final copy of such
27 coordinated plan to the Economic Recovery Special Committee of the
28 Legislature.

29 (3)(a) The Economic Recovery and Incentives Division shall create a
30 Qualified Census Tract Recovery Grant Program to provide funding to
31 public and private entities located within qualified census tracts

1 throughout the state to respond to the negative impact of the COVID-19
2 public health emergency.

3 (b) Not to exceed ten million dollars in grants shall be distributed
4 under the grant program to eligible grantees in qualified census tracts
5 that are located in a city of the primary class.

6 (c) Not to exceed ten million dollars in grants shall be distributed
7 under the grant program to eligible grantees in qualified census tracts
8 that are located outside of a city of the metropolitan class or a city of
9 the primary class.

10 (d) All remaining funds shall be allocated for grants distributed
11 under the grant program to eligible grantees in qualified census tracts
12 that are located in a city of the metropolitan class, with no less than
13 thirty-five million dollars in such grants allocated to eligible grantees
14 which are located south of Dodge Street and east of 72nd Street in such
15 city and no less than fifty-five million dollars in such grants allocated
16 to eligible grantees which are located north of Dodge Street and east of
17 72nd Street in such city. Any funds not applied for within such areas may
18 be allocated for grants to eligible grantees in any qualified census
19 tract in such city.

20 (4) In addition to grants under the Qualified Census Tract Recovery
21 Grant Program, the Economic Recovery and Incentives Division shall
22 provide grant funding for the following purposes:

23 (a) Not to exceed ninety ~~sixty~~ million dollars in grants to a
24 nonprofit economic development organization for the development of a
25 business park located within or adjacent to one or more qualified census
26 tracts located within the boundaries of a city of the metropolitan class
27 and within two miles of a major airport as defined in section 13-3303;

28 (b) Not to exceed thirty million dollars in grants to one or more
29 innovation hubs located in one or more qualified census tracts and within
30 two miles of a major airport as defined in section 13-3303 providing
31 services and resources within qualified census tracts located within the

1 boundaries of a city of the metropolitan class;

2 (c) Not to exceed ~~six~~ three million dollars in grants ~~in fiscal year~~
3 ~~2022-23 and not to exceed three million dollars in fiscal year 2023-24~~ to
4 a nonprofit organization partnering with a city of the metropolitan class
5 for the purpose of providing internships and crime prevention within
6 qualified census tracts located within the boundaries of such city;

7 (d) Not to exceed five million dollars in grants pursuant to the
8 purposes of the Nebraska Film Office Fund on or before June 30, 2023, for
9 the purpose of producing a film on Chief Standing Bear, a portion of
10 which is to be filmed in one or more qualified census tracts located
11 within the boundaries of a city of the metropolitan class;

12 (e) Not to exceed twenty million dollars in grants to public or
13 private entities to prepare land parcels for affordable housing or
14 conduct other eligible affordable housing interventions under the federal
15 American Rescue Plan Act of 2021 including production, rehabilitation,
16 and preservation of affordable rental housing and affordable
17 homeownership units within qualified census tracts which are located in a
18 city of the metropolitan class;

19 (f) Not to exceed twenty million dollars in grants to public or
20 private entities to prepare land parcels for affordable housing or
21 conduct other eligible affordable housing interventions under the federal
22 American Rescue Plan Act of 2021 including production, rehabilitation,
23 and preservation of affordable rental housing and affordable
24 homeownership units within qualified census tracts which are located in a
25 city of the primary class;

26 (g) Not to exceed nine ~~five~~ million dollars in grants to a county
27 agricultural society with facilities within a city of the primary class
28 to recoup lost revenue or upgrade facilities; and

29 (h) Not to exceed one million dollars in grants to a postsecondary
30 institution located in a qualified census tract in a city of the
31 metropolitan class to provide funding for a financial literacy program to

1 improve economic and health outcomes for individuals residing in
2 qualified census tracts.

3 (5) For purposes of subdivisions (4)(e) and (f) of this section,
4 preparing land parcels shall include:

5 (a) Laying drinking water mains, lines, pipes, or channels;

6 (b) Rehabilitation, renovation, maintenance, or other costs to
7 secure vacant or abandoned properties in disproportionately impacted
8 communities;

9 (c) Acquiring and securing legal title of vacant or abandoned
10 properties in disproportionately impacted communities;

11 (d) Removal and remediation of environmental contaminants or hazards
12 from vacant or abandoned properties in disproportionately impacted
13 communities when conducted in compliance with applicable environmental
14 laws or regulations;

15 (e) Demolition or deconstruction of vacant or abandoned buildings in
16 disproportionately impacted communities; and

17 (f) Costs associated with inspection fees and other administrative
18 costs incurred to ensure compliance with applicable environmental laws
19 and regulations for demolition or other remediation activities in
20 disproportionately impacted communities.

21 (6) All grants made by the Economic Recovery and Incentives Division
22 utilizing federal funds allocated to the State of Nebraska from the
23 federal Coronavirus State Fiscal Recovery Fund under the federal American
24 Rescue Plan Act of 2021 shall meet the eligible uses under such act and
25 any relevant guidance on the use of such funds by the United States
26 Department of the Treasury.

27 Sec. 33. Section 81-12,243, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 81-12,243 (1) The Economic Recovery Contingency Fund is created. The
30 fund shall consist of transfers by the Legislature to carry out the
31 Economic Recovery Act. Any money in the fund available for investment

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

4 (2) The Department of Economic Development may review the projects
5 listed in the coordination plan and the appendices by the Economic
6 Recovery Special Committee of the Legislature dated January 10, 2023, and
7 shall prioritize the use of the fund on projects listed in the
8 coordination plan followed by the projects in the appendices ~~No funds~~
9 ~~shall be expended from the Economic Recovery Contingency Fund until the~~
10 ~~Economic Recovery and Incentives Division of the Department of Economic~~
11 ~~Development has submitted a final copy of its coordinated plan to the~~
12 ~~Economic Recovery Special Committee of the Legislature pursuant to~~
13 ~~section 81-12,241 and to the budget administrator of the budget division~~
14 ~~of the Department of Administrative Services.~~

15 Sec. 34. Section 81-15,174, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 81-15,174 The Nebraska Environmental Trust Fund is created. The fund
18 shall be maintained in the state accounting system as a cash fund. Except
19 as otherwise provided in this section, the fund shall be used to carry
20 out the purposes of the Nebraska Environmental Trust Act, including the
21 payment of administrative costs. Money in the fund shall include proceeds
22 credited pursuant to section 9-812 and proceeds designated by the board
23 pursuant to section 81-15,173. Transfers may be made from the Nebraska
24 Environmental Trust Fund to the Water Resources Cash Fund at the
25 direction of the Legislature, and any money so transferred shall be
26 expended in accordance with section 81-15,168. Any money in the fund
27 available for investment shall be invested by the state investment
28 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
29 State Funds Investment Act.

30 Sec. 35. Section 84-612, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 84-612 (1) There is hereby created within the state treasury a fund
2 known as the Cash Reserve Fund which shall be under the direction of the
3 State Treasurer. The fund shall only be used pursuant to this section.

4 (2) The State Treasurer shall transfer funds from the Cash Reserve
5 Fund to the General Fund upon certification by the Director of
6 Administrative Services that the current cash balance in the General Fund
7 is inadequate to meet current obligations. Such certification shall
8 include the dollar amount to be transferred. Any transfers made pursuant
9 to this subsection shall be reversed upon notification by the Director of
10 Administrative Services that sufficient funds are available.

11 (3) In addition to receiving transfers from other funds, the Cash
12 Reserve Fund shall receive federal funds received by the State of
13 Nebraska for undesignated general government purposes, federal revenue
14 sharing, or general fiscal relief of the state.

15 (4) The State Treasurer shall transfer two million dollars from the
16 Governor's Emergency Cash Fund to the Cash Reserve Fund on or before June
17 30, 2024, on such dates and in such amounts as directed by the budget
18 administrator of the budget division of the Department of Administrative
19 Services.

20 ~~(4) The State Treasurer shall transfer fifty four million seven~~
21 ~~hundred thousand dollars on or after July 1, 2019, but before June 15,~~
22 ~~2021, from the Cash Reserve Fund to the Nebraska Capital Construction~~
23 ~~Fund on such dates and in such amounts as directed by the budget~~
24 ~~administrator of the budget division of the Department of Administrative~~
25 ~~Services.~~

26 (5) The State Treasurer shall transfer two hundred sixteen fifteen
27 million one five hundred twenty ~~eighty~~ thousand dollars from the Cash
28 Reserve Fund to the Nebraska Capital Construction Fund on or after July
29 1, 2022, but before June 15, 2023, on such dates and in such amounts as
30 directed by the budget administrator of the budget division of the
31 Department of Administrative Services.

1 (6) The State Treasurer shall transfer one hundred eighty-two
2 million six hundred twenty-three thousand eight hundred twenty-five
3 dollars from the Cash Reserve Fund to the Nebraska Capital Construction
4 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
5 and in such amounts as directed by the budget administrator of the budget
6 division of the Department of Administrative Services.

7 (7) {6} The State Treasurer shall transfer fifty-three million five
8 hundred thousand dollars from the Cash Reserve Fund to the Perkins County
9 Canal Project Fund on or before June 30, 2023, on such dates and in such
10 amounts as directed by the budget administrator of the budget division of
11 the Department of Administrative Services.

12 (8) {7} No funds shall be transferred from the Cash Reserve Fund to
13 fulfill the obligations created under the Nebraska Property Tax Incentive
14 Act unless the balance in the Cash Reserve Fund after such transfer will
15 be at least equal to five hundred million dollars.

16 (9) {8} The State Treasurer shall transfer thirty million dollars
17 from the Cash Reserve Fund to the Military Base Development and Support
18 Fund on or before June 30, 2023, but not before July 1, 2022, on such
19 dates and in such amounts as directed by the budget administrator of the
20 budget division of the Department of Administrative Services.

21 (10) {9} The State Treasurer shall transfer eight million three
22 hundred thousand dollars from the Cash Reserve Fund to the Trail
23 Development and Maintenance Fund on or after July 1, 2022, but before
24 July 30, 2022, on such dates and in such amounts as directed by the
25 budget administrator of the budget division of the Department of
26 Administrative Services.

27 (11) {10} The State Treasurer shall transfer fifty million dollars
28 from the Cash Reserve Fund to the Nebraska Rural Projects Fund on or
29 after July 1, 2022, but before July 15, 2023, on such dates and in such
30 amounts as directed by the budget administrator of the budget division of
31 the Department of Administrative Services.

1 (12) ~~(11)~~ The State Treasurer shall transfer thirty million dollars
2 from the Cash Reserve Fund to the Rural Workforce Housing Investment Fund
3 on or after July 1, 2022, but before July 15, 2023, on such dates and in
4 such amounts as directed by the budget administrator of the budget
5 division of the Department of Administrative Services.

6 (13) ~~(12)~~ The State Treasurer shall transfer twenty million dollars
7 from the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after
8 July 1, 2022, but before June 15, 2023, on such dates and in such amounts
9 as directed by the budget administrator of the budget division of the
10 Department of Administrative Services.

11 (14) ~~(13)~~ The State Treasurer shall transfer twenty million dollars
12 from the Cash Reserve Fund to the Middle Income Workforce Housing
13 Investment Fund on July 15, 2022, or as soon thereafter as
14 administratively possible, and in such amounts as directed by the budget
15 administrator of the budget division of the Department of Administrative
16 Services.

17 (15) ~~(14)~~ The State Treasurer shall transfer eighty million dollars
18 from the Cash Reserve Fund to the Jobs and Economic Development
19 Initiative Fund on or after July 1, 2022, but before July 15, 2023, on
20 such dates and in such amounts as directed by the budget administrator of
21 the budget division of the Department of Administrative Services.

22 (16) ~~(15)~~ The State Treasurer shall transfer twenty million dollars
23 from the Cash Reserve Fund to the Site and Building Development Fund on
24 July 15, 2022, or as soon thereafter as administratively possible, and in
25 such amounts as directed by the budget administrator of the budget
26 division of the Department of Administrative Services.

27 (17) ~~(16)~~ The State Treasurer shall transfer fifty million dollars
28 from the Cash Reserve Fund to the Surface Water Irrigation Infrastructure
29 Fund on or after July 15, 2022, but before January 1, 2023, on such dates
30 and in such amounts as directed by the budget administrator of the budget
31 division of the Department of Administrative Services.

1 ~~(18)~~ (17) The State Treasurer shall transfer fifteen million dollars
2 from the Cash Reserve Fund to the Site and Building Development Fund on
3 or before June 30, 2022, on such dates and in such amounts as directed by
4 the budget administrator of the budget division of the Department of
5 Administrative Services.

6 ~~(19)~~ (18) The State Treasurer shall transfer fifty-five million
7 dollars from the Cash Reserve Fund to the Economic Recovery Contingency
8 Fund on or before June 30, 2022, on such dates and in such amounts as
9 directed by the budget administrator of the budget division of the
10 Department of Administrative Services.

11 (20) The State Treasurer shall transfer three million dollars from
12 the Cash Reserve Fund to the Risk Loss Trust on or before June 30, 2024,
13 on such dates and in such amounts as directed by the budget administrator
14 of the budget division of the Department of Administrative Services.

15 (21) The State Treasurer shall transfer eleven million three hundred
16 twenty thousand dollars from the Cash Reserve Fund to the Health and
17 Human Services Cash Fund on or after July 1, 2023, but on or before June
18 30, 2024, on such dates and in such amounts as directed by the budget
19 administrator of the budget division of the Department of Administrative
20 Services.

21 (22) The State Treasurer shall transfer five hundred seventy-four
22 million five hundred thousand dollars from the Cash Reserve Fund to the
23 Perkins County Canal Project Fund on or before June 30, 2024, on such
24 dates and in such amounts as directed by the budget administrator of the
25 budget division of the Department of Administrative Services.

26 (23) The State Treasurer shall transfer one million four hundred
27 thousand dollars from the Cash Reserve Fund to the State Building
28 Revolving Fund on or before July 10, 2023, on such dates and in such
29 amounts as directed by the budget administrator of the budget division of
30 the Department of Administrative Services.

31 (24) The State Treasurer shall transfer one million one hundred

1 thousand dollars from the Cash Reserve Fund to the Accounting Division
2 Revolving Fund on or before July 10, 2023, on such dates and in such
3 amounts as directed by the budget administrator of the budget division of
4 the Department of Administrative Services.

5 (25) The State Treasurer shall transfer one million one hundred
6 fifteen thousand dollars from the Cash Reserve Fund to the Public Safety
7 Cash Fund on or after July 1, 2023, but before June 30, 2024, on such
8 dates and in such amounts as directed by the budget administrator of the
9 budget division of the Department of Administrative Services.

10 (26) The State Treasurer shall transfer one hundred million dollars
11 from the Cash Reserve Fund to the Roads Operations Cash Fund before June
12 30, 2023, on such dates and in such amounts as directed by the budget
13 administrator of the budget division of the Department of Administrative
14 Services.

15 (27) The State Treasurer shall transfer eighteen million seven
16 hundred fifty thousand dollars from the Cash Reserve Fund to the State
17 Self-Insured Indemnification Fund before June 30, 2023, on such dates and
18 in such amounts as directed by the budget administrator of the budget
19 division of the Department of Administrative Services.

20 (28) The State Treasurer shall transfer five million dollars from
21 the Cash Reserve Fund to the Nebraska Public Safety Communication System
22 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
23 such dates and in such amounts as directed by the budget administrator of
24 the budget division of the Department of Administrative Services.

25 (29) The State Treasurer shall transfer ninety million dollars from
26 the Cash Reserve Fund to the Shovel-Ready Capital Recovery and Investment
27 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
28 and in such amounts as directed by the budget administrator of the budget
29 division of the Department of Administrative Services.

30 (30) The State Treasurer shall transfer two million dollars from the
31 Cash Reserve Fund to the Site and Building Development Fund on or after

1 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
2 as directed by the budget administrator of the budget division of the
3 Department of Administrative Services.

4 (31) The State Treasurer shall transfer twenty million dollars from
5 the Cash Reserve Fund to the Economic Development Cash Fund on or after
6 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
7 as directed by the budget administrator of the budget division of the
8 Department of Administrative Services.

9 (32) The State Treasurer shall transfer twenty million dollars from
10 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on
11 or after July 1, 2023, but before June 30, 2024, on such dates and in
12 such amounts as directed by the budget administrator of the budget
13 division of the Department of Administrative Services.

14 (33) The State Treasurer shall transfer twenty million dollars from
15 the Cash Reserve Fund to the Middle Income Workforce Housing Investment
16 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
17 and in such amounts as directed by the budget administrator of the budget
18 division of the Department of Administrative Services.

19 (34) The State Treasurer shall transfer two hundred forty million
20 dollars from the Cash Reserve Fund to the Economic Recovery Contingency
21 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
22 and in such amounts as directed by the budget administrator of the budget
23 division of the Department of Administrative Services.

24 (35) The State Treasurer shall transfer ten million dollars from the
25 Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund on
26 or after July 1, 2023, but before June 30, 2024, on such dates and in
27 such amounts as directed by the budget administrator of the budget
28 division of the Department of Administrative Services.

29 (36) The State Treasurer shall transfer six hundred ten million one
30 hundred twenty-five thousand dollars from the General Fund to the Cash
31 Reserve Fund on or after July 1, 2023, but before June 30, 2024, on such

1 dates and in such amounts as directed by the budget administrator of the
2 budget division of the Department of Administrative Services.

3 (37) The State Treasurer shall transfer ten million dollars from the
4 Cash Reserve Fund to the Site and Building Development Fund on or after
5 July 1, 2024, but before June 30, 2025, on such dates and in such amounts
6 as directed by the budget administrator of the budget division of the
7 Department of Administrative Services.

8 (38) The State Treasurer shall transfer one million dollars from the
9 Cash Reserve Fund to the General Fund on or after July 1, 2024, but
10 before June 30, 2025, on such dates and in such amounts as directed by
11 the budget administrator of the budget division of the Department of
12 Administrative Services.

13 (39) The State Treasurer shall transfer twenty-five million four
14 hundred fifty-eight thousand eight hundred dollars from the Cash Reserve
15 Fund to the Nebraska Capital Construction Fund on or after July 1, 2024,
16 but before June 30, 2025, on such dates and in such amounts as directed
17 by the budget administrator of the budget division of the Department of
18 Administrative Services.

19 (40) The State Treasurer shall transfer two million five hundred
20 thousand dollars from the Cash Reserve Fund to the Materiel Division
21 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
22 such dates and in such amounts as directed by the budget administrator of
23 the budget division of the Department of Administrative Services.

24 (41) The State Treasurer shall transfer ten million dollars from the
25 Cash Reserve Fund to the Youth Outdoor Education Innovation Fund on or
26 after July 1, 2023, but before June 30, 2024, on such dates and in such
27 amounts as directed by the budget administrator of the budget division of
28 the Department of Administrative Services.

29 Sec. 36. Section 86-163, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 86-163 The commission shall file with the Clerk of the Legislature

1 an annual report on or before September 30 of each year on the status of
2 the Nebraska telecommunications industry. The report shall be submitted
3 in electronic format. The report shall:

4 (1) Describe the quality of telecommunications service being
5 provided to the citizens of Nebraska;

6 (2) Describe the availability of diverse and affordable
7 telecommunications service to all of the people of Nebraska;

8 (3) Describe the level of telecommunications service rates;

9 (4) Describe the use and continued need for the Nebraska
10 Telecommunications Universal Service Fund;

11 (5) Describe the availability and location of 911 service and E-911
12 service as required by section 86-437;

13 (6) Describe the availability and location of wireless 911 service
14 or enhanced wireless 911 service as required by section 86-460;

15 (7) Address the need for further legislation to achieve the purposes
16 of the Nebraska Telecommunications Regulation Act; and

17 ~~(8) Address the funding level of the Nebraska Competitive Telephone~~
18 ~~Marketplace Fund and an accounting of commission expenses related to its~~
19 ~~duties under section 86-127; and~~

20 (8) ~~(9)~~ Assess, based on information provided by public safety
21 answering points, the level of wireless E-911 location accuracy
22 compliance for wireless carriers.

23 Sec. 37. Section 86-324, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 86-324 (1) The Nebraska Telecommunications Universal Service Fund is
26 hereby created. The fund shall provide the assistance necessary to make
27 universal access to telecommunications services available to all persons
28 in the state consistent with the policies set forth in the Nebraska
29 Telecommunications Universal Service Fund Act. Only eligible
30 telecommunications companies designated by the commission shall be
31 eligible to receive support to serve high-cost areas from the fund. A

1 telecommunications company that receives such support shall use that
2 support only for the provision, maintenance, and upgrading of facilities
3 and services for which the support is intended. Any such support should
4 be explicit and sufficient to achieve the purpose of the act.

5 (2) Notwithstanding the provisions of section 86-124, in addition to
6 other provisions of the act, and to the extent not prohibited by federal
7 law, the commission:

8 (a) Shall have authority and power to subject eligible
9 telecommunications companies to service quality, customer service, and
10 billing regulations. Such regulations shall apply only to the extent of
11 any telecommunications services or offerings made by an eligible
12 telecommunications company which are eligible for support by the fund.
13 The commission shall be reimbursed from the fund for all costs related to
14 drafting, implementing, and enforcing the regulations and any other
15 services provided on behalf of customers pursuant to this subdivision;

16 (b) Shall have authority and power to issue orders carrying out its
17 responsibilities and to review the compliance of any eligible
18 telecommunications company receiving support for continued compliance
19 with any such orders or regulations adopted pursuant to the act;

20 (c) May withhold all or a portion of the funds to be distributed
21 from any telecommunications company failing to continue compliance with
22 the commission's orders or regulations;

23 (d) Shall require every telecommunications company to contribute to
24 any universal service mechanism established by the commission pursuant to
25 state law. The commission shall require, as reasonably necessary, an
26 annual audit of any telecommunications company to be performed by a
27 third-party certified public accountant to insure the billing,
28 collection, and remittance of a surcharge for universal service. The
29 costs of any audit required pursuant to this subdivision shall be paid by
30 the telecommunications company being audited;

31 (e) Shall require an audit of information provided by a

1 telecommunications company to be performed by a third-party certified
2 public accountant for purposes of calculating universal service fund
3 payments to such telecommunications company. The costs of any audit
4 required pursuant to this subdivision shall be paid by the
5 telecommunications company being audited; and

6 (f) May administratively fine pursuant to section 75-156 any person
7 who violates the Nebraska Telecommunications Universal Service Fund Act.

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

11 (4) Transfers may be made from earnings on the Nebraska
12 Telecommunications Universal Service Fund to the 211 Cash Fund at the
13 direction of the Legislature. The State Treasurer shall transfer one
14 million two hundred seventy-five ~~nine hundred fifty-five~~ thousand dollars
15 on July 1, 2023, ~~beginning in 2022~~ from the earnings on the Nebraska
16 Telecommunications Universal Service Fund to the 211 Cash Fund. The State
17 Treasurer shall transfer one million four hundred fifty-five thousand
18 dollars on July 1, 2024, from the earnings on the Nebraska
19 Telecommunications Universal Service Fund to the 211 Cash Fund.

20 Sec. 38. The HCBS Enhanced FMAP Fund is created. The fund shall be
21 used to enhance and expand home and community-based services (HCBS)
22 spending as outlined in the federal American Rescue Plan Act of 2021, 42
23 U.S.C. 802, as amended. The fund shall be administered by the Department
24 of Health and Human Services. The fund shall consist of transfers
25 authorized by the Legislature and any gifts, grants, or bequests for such
26 purposes from any source, including federal, state, public, and private
27 sources. Any money in the fund available for investment may be invested
28 by the state investment officer pursuant to the Nebraska Capital
29 Expansion Act and the Nebraska State Funds Investment Act.

30 Sec. 39. The Department of Health and Human Services shall submit a
31 state plan amendment to the federal Administration for Children and

1 Families, pursuant to Section 404(a)(2) of the federal Personal
2 Responsibility and Work Opportunity Reconciliation Act of 1996, to allow
3 the funds provided to the state for the Temporary Assistance for Needy
4 Families program established in 42 U.S.C. 601 et seq., as such sections
5 existed on January 1, 2023, to be used for the following purposes:

6 (1) Activities of child advocacy centers pursuant to sections 28-728
7 to 28-730;

8 (2) Coordination activities of the state chapter of child advocacy
9 centers as defined in 34 U.S.C. 20302, as such section existed on January
10 1, 2023, including, but not limited to, development of a distribution
11 formula for funding provided pursuant to subdivision (1) of this section,
12 data collection and analysis required for reports to the federal
13 Administration for Children and Families, accounting of the fund
14 expenditures per state and federal requirements, and preparing the annual
15 Temporary Assistance for Needy Families reports for funds appropriated
16 pursuant to this subdivision and subdivision (1) of this section, which
17 shall be filed with the Department of Health and Human Services on a date
18 specified by the department;

19 (3) Domestic violence services; and

20 (4) Grants to nonprofit organizations that provide food assistance,
21 which shall be applicable for FY2023-24 only.

22 Sec. 40. The Economic Development Cash Fund is created. The
23 Department of Economic Development shall administer the fund to provide a
24 grant to a community college serving a city of the metropolitan class to
25 partner with a four-year public university serving a city of the
26 metropolitan class to offer microcredentials to support education
27 expansion, curricula development, and staff hires to meet demand for
28 microchip fabrication and microelectronics manufacturing in the state in
29 conjunction with the Creating Helpful Incentives to Produce
30 Semiconductors (CHIPS) for America Act, Public Law 116-283. The fund
31 shall consist of money transferred by the Legislature and gifts, grants,

1 or bequests from any source, including money remitted to the fund from
2 any other federal, state, public, and private sources. Any money in the
3 fund available for investment shall be invested by the state investment
4 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
5 State Funds Investment Act.

6 Sec. 41. The Lead Service Line Cash Fund is created. The fund shall
7 be administered by the Department of Environment and Energy. The fund
8 shall consist of funds transferred by the Legislature. The fund shall be
9 used for grants to utilities districts to expedite the replacement of
10 homeowner-owned lead service lines. Any money in the fund available for
11 investment shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act.

14 Sec. 42. (1) The Panhandle Improvement Project Cash Fund is created.
15 The fund shall be administered by the Department of Economic Development.
16 The fund shall consist of funds transferred by the Legislature. Any money
17 in the fund available for investment shall be invested by the state
18 investment officer pursuant to the Nebraska Capital Expansion Act and the
19 Nebraska State Funds Investment Act.

20 (2) The fund shall be used for grants for the following purposes:

21 (a) A grant to a county in the third congressional district that
22 owns and operates the county fairgrounds for renovation to the
23 fairgrounds. A grant under this subdivision shall be limited to nine
24 hundred ninety-five thousand dollars; and

25 (b) A grant to a village with a population of less than ten persons
26 for renovation to a community facility that serves the surrounding rural
27 area. A grant under this subdivision shall be limited to five thousand
28 dollars.

29 (3) The Department of Economic Development shall develop criteria
30 for grant applications pursuant to this section.

31 Sec. 43. (1) For purposes of this section:

1 (a) Department means the Department of Economic Development;

2 (b) Director means the Director of Economic Development;

3 (c) Eligible grantee means a nonprofit organization holding a
4 certificate of exemption under section 501(c)(3) of the Internal Revenue
5 Code of 1986; and

6 (d) Eligible location means a location on or contiguous to the
7 location of a youth outdoor education camp that is located west of the
8 one hundredth meridian where youth outdoor education camp facilities were
9 destroyed by a natural or manmade disaster that occurred after January 1,
10 2022.

11 (2)(a) An eligible grantee may apply to the department for a grant
12 for ten million dollars for the uses described in subsection (4) of this
13 section at an eligible location.

14 (b) The department shall award one grant for ten million dollars to
15 an eligible grantee if:

16 (i) The eligible grantee completes a feasibility study for the
17 intended use of the grant and presents such completed feasibility study
18 to the director on or before June 30, 2024; and

19 (ii) The director finds that the results of the completed
20 feasibility study demonstrate the viability of the project and approves
21 such completed feasibility study.

22 (3) The grantee shall receive grant money on a dollar-for-dollar
23 matching basis from the department, which may be released in multiple
24 stages, at any time within ten years after being awarded the grant, if
25 the applicant provides documentation to the department that matching
26 funds have been received in the amount requested for release and that the
27 grant money is being used to complete the project in conformity with the
28 approved feasibility study. At the end of the ten-year allowable grant
29 period, if any grant money was not spent in conformity with the approved
30 feasibility study or if any unmatched grant money was erroneously awarded
31 to the grantee, the grantee shall remit such grant money to the State

1 Treasurer for credit to the Youth Outdoor Education Innovation Fund. The
2 matching funds may include any money, real estate subject to section
3 81-1108.33, in-kind donation, private or public grant, gift, endowment
4 raised to sustain the uses described in subsection (4) of this section,
5 expense for a feasibility study, or planning cost.

6 (4) The grant may be used to pay for:

7 (a) Construction of physical structures;

8 (b) Construction of year-round facilities, including lodging,
9 conference, and meeting facilities, and related infrastructure, to
10 generate local and regional economic development;

11 (c) Equipment that will be used for construction and maintenance of
12 physical structures, facilities, and infrastructure described in this
13 subsection; and

14 (d) Infrastructure necessary to ensure accessibility to the physical
15 structures and facilities by the public.

16 (5) The department may adopt and promulgate rules and regulations to
17 carry out this section.

18 Sec. 44. The Youth Outdoor Education Innovation Fund is created. The
19 fund shall consist of transfers made by the Legislature and any gifts,
20 grants, bequests, donations, or money remitted pursuant to section 43 of
21 this act for credit to the fund. The Department of Economic Development
22 shall administer the fund for the purposes described in section 43 of
23 this act. Any money in the fund available for investment shall be
24 invested by the state investment officer pursuant to the Nebraska Capital
25 Expansion Act and the Nebraska State Funds Investment Act. Investment
26 earnings from investment of money in the fund shall be credited to the
27 fund.

28 Sec. 45. Original sections 9-1,101, 37-324, 37-345, 37-446,
29 72-2211, 77-913, 79-1021, 80-401, and 81-15,174, Reissue Revised Statutes
30 of Nebraska, and sections 37-1804, 46-1,164, 61-218, 61-224, 61-305,
31 71-7611, 72-729.01, 72-2201, 75-109.01, 81-12,147, 81-12,148, 81-12,220,

1 81-12,221, 81-12,222, 81-12,223, 81-12,225, 81-12,241, 81-12,243, 84-612,
2 86-163, and 86-324, Revised Statutes Cumulative Supplement, 2022, are
3 repealed.

4 Sec. 46. The following sections are outright repealed: Sections
5 72-2208, 81-1278, 81-1279, and 81-1280, Reissue Revised Statutes of
6 Nebraska, and sections 86-127 and 86-579, Revised Statutes Cumulative
7 Supplement, 2022.

8 Sec. 47. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

10 2. On page 1, strike beginning with "funds" in line 1 through line 9
11 and insert "funds; to amend sections 9-1,101, 37-324, 37-345, 37-446,
12 72-2211, 77-913, 79-1021, 80-401, and 81-15,174, Reissue Revised Statutes
13 of Nebraska, and sections 37-1804, 46-1,164, 61-218, 61-224, 61-305,
14 71-7611, 72-729.01, 72-2201, 75-109.01, 81-12,147, 81-12,148, 81-12,220,
15 81-12,221, 81-12,222, 81-12,223, 81-12,225, 81-12,241, 81-12,243, 84-612,
16 86-163, and 86-324, Revised Statutes Cumulative Supplement, 2022; to
17 provide for fund transfers; to change and eliminate provisions regarding
18 the sources, uses, and transfers of funds; to change provisions relating
19 to the Shovel-Ready Capital Recovery and Investment Act; to transfer
20 funds to and from the Cash Reserve Fund; to create funds; to provide a
21 duty for the Department of Health and Human Services; to eliminate funds
22 and obsolete provisions; to harmonize provisions; to repeal the original
23 sections; to outright repeal sections 72-2208, 81-1278, 81-1279, and
24 81-1280, Reissue Revised Statutes of Nebraska, and sections 86-127 and
25 86-579, Revised Statutes Cumulative Supplement, 2022; and to declare an
26 emergency."