

Revised to reflect AM1468

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	\$1,963,281		\$2,904,958	
CASH FUNDS	\$43,864,300	\$33,010,000	\$33,553,900	\$23,470,200
FEDERAL FUNDS				
OTHER FUNDS		(\$10,000,000)		
<b>TOTAL FUNDS</b>	<b>\$45,827,581</b>	<b>\$23,010,000</b>	<b>\$36,458,858</b>	<b>\$23,470,200</b>

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

AM1468 amends LB705 as follows:

For FY2023-24, all lottery funds available to be used for education will be transferred into the Nebraska Education Improvement Fund & distributed accordingly:

<b>Statutory Earmarks: §9-812 (4)</b>	<b>Current</b>	<b>LB705</b>	<b>Current Law – FY2022-23</b>	<b>LB705 – FY2023-24</b>
Nebraska Opportunity Grant Fund	62.0%	62.0%	\$14,039,761	\$14,266,200
Department of Education Innovative Grant Fund	17.0%	17.0%	\$3,849,612	\$3,911,700
Community College Gap Assistance Program Fund	9.0%	9.0%	\$2,038,030	\$2,070,900
Excellence in Teaching Cash Fund	8.0%	8.0%	\$1,811,582	\$1,840,800
Distance Education Incentives	3.0%	3.0%	\$679,344	\$690,300
Expanded Learning Opportunity Grant Fund	1.0%	1.0%	\$226,448	\$230,100
<b>Totals</b>	<b>100.0%</b>	<b>100.0%</b>	<b>\$22,644,777*</b>	<b>\$23,010,000*</b>

\*Estimated Totals

For FY2024-25 through FY2028-29, all lottery funds available to be used for education will be transferred as follows:

- 58% - Nebraska Opportunity Grant Fund
- 10% - Department of Education Innovative Grant Fund
- 8% - Behavioral Training Cash Fund
- 8% - Excellence in Teaching Cash Fund
- 7% - Community College Gap Assistance Program Fund
- 3% - Distance Education Incentives
- 2% - College Pathway Program Cash Fund
- 1.5% - Expanded Learning Opportunity Grant Fund
- 1.5% - Mental Health Training Cash Fund
- 1% - Door to College Scholarship Fund

For FY2029 & each year thereafter, all lottery funds available to be used for education will be transferred as the Legislature directs.

<b>Statutory Earmarks: §9-812 (4)</b>	<b>Current</b>	<b>LB705</b>	<b>Current Law – FY2022-23</b>	<b>LB705 – FY2024-25</b>
Nebraska Opportunity Grant Fund	62.0%	58.0%	\$14,039,761	\$13,612,716
Department of Education Innovative Grant Fund	17.0%	10.0%	\$3,849,612	\$2,347,020
Behavioral Training Cash Fund		8.0%	\$0	\$1,877,616
Excellence in Teaching Cash Fund	8.0%	8.0%	\$1,811,582	\$1,877,616
Community College Gap Assistance Program Fund	9.0%	7.0%	\$2,038,030	\$1,642,914
Distance Education Incentives	3.0%	3.0%	\$679,344	\$704,106
College Pathway Program Cash Fund		2.0%	\$0	\$469,404
Expanded Learning Opportunity Grant Fund		1.5%	\$0	\$352,053
Mental Health Training Cash Fund		1.5%	\$0	\$352,053
Expanded Learning Opportunity Grant Fund	1.0%	1.0%	\$226,448	\$234,702
<b>Totals</b>	<b>100.0%</b>	<b>100.0%</b>	<b>\$22,644,777*</b>	<b>\$23,470,200*</b>

\*Estimated Totals

Of the ten percent of funds transferred into the Department of Education Innovative Grant Fund, eight & three-fourths percent will be used for innovation grants, & the remaining one & one-fourth percent will be used for innovation & improvement grants.

For FY2024-25 through 2028-29, the difference of the amount transferred into the Distance Education Incentives Fund on August 1, when the applications were due, will be divided by the number of distance education units to determine the incentive per distance education unit, except that the incentive per distance education unit will not equal an amount greater than one thousand dollars.

The balance of the Nebraska Education Improvement Fund on July 26, 2024, less three percent of the money received for the fourth quarter of FY2023-24, will be transferred into the Behavioral Training Cash Fund.

The State College Facility Fee Fund created in §85-328 will now be called The State College Capitol Improvement Fee Fund.

The Behavioral Training Cash Fund is created. The fund will be administered by the Nebraska Department of Education (NDE), & will consist of money transferred by §9-812 & the Legislature, & will be used for the purposes of coordinating training & administering the teacher support system in compliance with the Behavioral Intervention Training & Teacher Support Act.

The Mental Health Training Cash Fund is created. The fund will be administered by NDE, & will consist of money transferred by §9-812 & the Legislature, & will be used for mental health training grants. NDE will establish a mental health training grant program. NDE will award mental health training grants from any money available in the Mental Health Training Cash Fund. A grantee will be a school district or an Educational Service Unit (ESU).

The College Pathway Program Cash Fund is created. The fund will be administered by NDE, & will consist of money transferred by §9-812 & the Legislature, & will be used carry out the College Pathway Program Act.

The Career-Readiness & Dual-Credit Education Grant Program is established. The program will be administered by the CCPE. The commission, in consultation with NDE, the Department of Labor (DOL), & any advisory committee established by the commission will:

- Create & establish teacher education pathways enabling the instruction of dual-credit courses & career & technical education courses
- Correlate & prioritize teacher education pathways with Nebraska workforce demand
- Establish a grant program beginning on or after July 1, 2024, to distribute money from the Excellence in Teaching Cash Fund to teachers enrolled in education pathways leading to qualification to teach dual-credit courses & career & technical education courses
- Establish a directory of available teacher education pathways in Nebraska identified by sequence & location

The School Safety & Security Fund is created. The fund will be administered by NDE & will consist of any money transferred by the Legislature & any gifts, grants, or bequests. NDE will use money in the fund to provide grants to school districts & ESUs on behalf of approved or accredited non-public schools for security-related infrastructure projects.

The Door to College Scholarship Fund is created. The CCPE will administer the fund, which will consist of amounts transferred from the State Lottery Operation Trust Fund prior to July 1, 2029, as well as any money transferred by the Legislature & gifts, grants, or bequests from any source, including federal, state, public, & private sources. All amounts accruing to the Door to College Scholarship Fund will be used to carry out the Door to College Scholarship Act.

The Extraordinary Increase in Special Education Expenditures Fund is created. The fund will be administered by NDE & will consist of money transferred by the Legislature. NDE will make a payment to each qualifying applicant school district from the Extraordinary Increase in Special Education Expenditures Fund for an extraordinary increase in special education expenditures. NDE will reimburse the fund for each payment from the appropriation for special education & support services reimbursements in the school fiscal year immediately following the school fiscal year in which each payment was made. For each school district that received a payment from the Extraordinary Increase in Special Education Expenditures Fund in the school year for which the special education expenditures were reimbursed, an amount equal to that payment will be subtracted from the reimbursement calculated & that amount will be transferred to the Extraordinary Increase in Special Education Expenditures Fund.

The High School Equivalency Grant Fund is created. The fund will be used to provide assistance to institutions that offer high school equivalency programs & for expanding services & programs to support the completion of the general educational development program. Each institution will offer to eligible individuals adult dropout recovery services, including recruitment & learning plan development, & provide proactive coaching & mentoring to such individuals, culminating in qualification for a high school diploma.

The Paraprofessional to Teacher Program Fund is created. The fund will be administered by NDE to carry out the program. The fund will consist of money transferred by the Legislature & any gifts, grants, bequests, donations, or other contributions from public or private sources. The purpose of the program is to help recruit & increase the number of teachers throughout the state by utilizing individuals employed as a paraprofessional or paraeducator at a school in this state through an alternative paraprofessional certification process.

The Nebraska Teacher Recruitment & Retention Act is created to provide financial incentives to recruit & retain teachers in Nebraska's classrooms. New teachers would be eligible for a two thousand five-hundred dollar grant at the beginning of years two, four, & six. Teachers with a high-need certification will be eligible for a one-time grant worth five thousand dollars at the beginning of a school year in which such high-need subjects are taught by the grant recipient. The Nebraska Teacher Recruitment & Retention Act terminates on January 1, 2028.

To facilitate the open enrollment provisions, each school year each member school district in a Learning Community will establish a maximum capacity for each school building under that district's control pursuant to procedures & criteria established by NDE.

Capacity for special education services operated by an option school district will be determined on a case-by-case basis. If an application for option enrollment received by a district indicates that the student has an individualized education plan (IEP) under the Individuals with Disabilities Education Act or has been diagnosed with a disability as defined in §79-118.01,13, the application will be evaluated by the district's director of special education services, on a case-by-case basis, who will then determine if the district has the capacity to provide the applicant the appropriate services & accommodations.

Each school board will establish policies & procedures to allow any student who is a resident of the school district & is enrolled in a school which elects not to meet accreditation or approval requirements to participate in any extracurricular activities including, but not limited to, interschool competitions, to the same extent & subject to the same requirements, conditions, & procedures as a student enrolled in a public school governed by that board, except that any school which elects not to meet accreditation or approval requirements will set the standards for satisfactory academic performance for a student from the school to participate in extracurricular activities & will provide assurances of compliance with those academic standards. School board policies & procedures will require any student participating in extracurricular activities to be enrolled in no more & no less than five credit hours offered by the school district in any semester, will not allow any preference in the selection of a student for participation in an extracurricular activity based on the student's status as a full-time student in the school district, & could require any student participating in extracurricular activities to follow school policies that apply to other students when present on school grounds or at a school-sponsored activity or athletic event. The Legislature finds that & declares that there is an educator workforce shortage & efforts need to be made to recruit, prepare, retain, & support the teaching profession while maintaining high-quality educators in our classrooms around the state. The purpose of §79-806 to §79-815 is to provide more flexibility in the certification of qualified educators for Nebraska schools & not to decrease any requirements for certificates to teach, provide special services, & administer in Nebraska Schools. The rules & regulations will not require any test of basic skills. In addition to certificates issued, the Commissioner of Education will issue an alternative certificate to teach on a full-time basis to any applicant who meets the criteria established by NDE.

An elementary school will not suspend a student in pre-kindergarten through second grade. Each school district will develop a policy to implement which will include disciplinary measures inside the school as an alternative to suspension. An elementary school can suspend a student in pre-kindergarten through second grade if the student brings a deadly weapon on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or their designee, or at a school-sponsored activity or athletic event.

Amends several sections of §79-254 through §79-259, to change provisions relating to intent, suspension, expulsion, reassignment, discipline, & hearings within the Student Discipline Act.

Amends §79-2,103 to require school districts to allow youth organizations to provide information about the services & activities that they offer to the students.

On or before September 20, 2022, & on or before each September 20 thereafter, any department or agency receiving a transfer or acting as the administrator for a fund receiving a transfer or any recipient or subsequent recipient of money from any lottery fund, & any service contractor responsible for managing any portion of any lottery fund or any money disbursed from any lottery fund on behalf of any entity will prepare & submit an annual report to the Auditor of Public Accounts (APA) for the immediately preceding fiscal year detailing information regarding the use of lottery funds or lottery money.

The APA will annually compile a summary of all the annual reports received & any findings or recommendations related to lottery transfers into a consolidated annual report & will submit that report electronically to the Legislature on or before January 1, 2023, & on or before each January 1 thereafter.

Beginning in FY2023-24, at least five of the minimum credit hours will be a high school course in personal finance or financial literacy.

Beginning in FY2023-24, under the direction of the state school security director: all public-school employees who interact with students & any other employees determined by the district's superintendent, will receive at least one hour of behavioral & Mental health training with a focus being on suicide awareness & prevention.

Beginning in FY2023-24, all public-school employees who interact with students & any other appropriate personnel, as determined by the school superintendent, will receive at least one hour of behavioral & mental health training with a focus on suicide awareness & prevention training each year. The training can include, but is not limited to, topics such as identification of early warning signs & symptoms of behavioral & mental health issues in students, appropriate & effective responses for educators to student behavioral & mental health issues, trauma-informed care, & procedures for making students & parents & guardians aware of services & supports for behavioral & mental health issues.

On or before October 1, 2023, NDE, the Department of Health & Human Services (DHHS), the Office of Probation Administration, & the State Court Administrator will enter into a memorandum of understanding for the sharing of data relevant to students who are under the jurisdiction of the juvenile court. The purpose for the sharing of data is to provide systems-wide coordination to improve educational opportunities, outcomes, & to facilitate service coordination for those students. The memorandum will include the intent for NDE to contract with an outside consultant with expertise in the education of court-involved students to assist in the development of those policies & procedures. The consultant will provide a draft report containing the recommendations to the appropriate agency representatives & to the Commissioner of Education, the chief executive officer of DHHS, & the Chief Justice of the Supreme Court on or before September 1, 2024. NDE will complete a final report detailing the recommendations of the consultant & any policies & procedures that are being considered for adoption by NDE, DHHS, the Office of Probation Administration, & the State Court Administrator. The report will be delivered electronically to the Chief Justice of the Supreme Court, the Governor, & the Clerk of the Legislature on or before December 1, 2024.

Beginning January 1, 2024, NDE will establish an innovation grant program to procure or purchase an annual license for learning platforms for use in schools to engage students in coursework & careers in science, technology, engineering, entrepreneurship, & mathematics. On or before December 1 of each calendar year, the state board will electronically submit a report to the Clerk of the Legislature on all grant programs, including, but not limited to, the recipients of the programs & evaluations of the effectiveness of each grant program.

On or before March 1, 2024, the State Board of Education will adopt measurable academic content standards for computer science & technology education under the mathematics, science, or career & technical education standards.

Through June 30, 2024, school boards & boards of education will purchase & loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade twelve of a private school which is approved for continued legal operation under rules & regulations established by NDE pursuant to §79-318.

Beginning on July 1, 2024, NDE will purchase & loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade twelve of a private school which is approved for continued legal operation under rules & regulations established by the State Board of Education pursuant to §79-318. NDE is not obligated to spend any money for the purchase & loan of textbooks to children enrolled in private schools other than funds specifically appropriated by the Legislature.

Beginning July 1, 2024, NDE will establish an improvement grant program in areas that include, but not limited to teacher recruitment & retention, improvement for schools & school districts, improvement in student performance in the subject areas of reading & mathematics, & other improvement areas identified by the board. The grants will be funded using lottery funds. On or before December 1 of each calendar year, the state board will electronically submit a report to the Clerk of the Legislature on all grant programs, including, but not limited to, the recipients of the programs & evaluations of the effectiveness of each grant program.

On & after July 1, 2024, all powers, duties, & functions that NDE had pursuant to the Excellence in Teaching Act are transferred to the Coordinating Commission for Postsecondary Education (CCPE). All documents & records of NDE pertaining to duties & functions under the Excellence in Teaching Act will be transferred to CCPE & will become the property of the commission.

Beginning July 1, 2024, & on or before July 1 of each year thereafter, each school district will provide NDE with information relating to all applications rejected by the option school district. NDE will annually compile the information received & provide a report on that information electronically to the Legislature beginning on September 1, 2024, & on or before September 1 of each year thereafter.

Beginning in FY24-25, the Commissioner of Education will grant a temporary certificate to teach on a full-time basis to any applicant who meets the criteria established by NDE.

Beginning in FY2024-25, the Educational Service Unit Coordinating Council (ESUCC) will ensure annual behavioral awareness training is available statewide & develop, implement, & administer an ongoing statewide teacher support system.

On or before December 1, 2024, & each December 1 thereafter, NDE will electronically submit a report to the Clerk of the Legislature regarding the College Pathway Program Act, including, but not limited to, the recipients of grants & evaluations of the effectiveness of the grant program.

On or before July 1, 2025, NDE will develop & adopt a model policy relating to behavioral intervention, behavioral management, classroom management, & removal of a student from a classroom in school. The model policy will include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, & removal of a student from a classroom in schools & how frequently that training will be required.

On or before July 1, 2025, & on or before July 1 of each year thereafter, each school district will submit a behavioral awareness training report to the ESUCC. The report will include the district behavioral awareness training plan & summarize how the plan fulfills the requirements.

On or before August 1, 2025, each school district will develop & adopt a policy consistent with or comparable to the model policy developed by NDE which will be a requirement for accreditation in accordance with §79-703. The policy will be filed with the Commissioner of Education. The policy developed & adopted by a school district will be included with any notifications required under the Student Discipline Act.

Beginning August 1, 2025, accreditation standards will require each school district to develop & adopt a policy relating to behavioral intervention, behavioral management, classroom management, & removal of a student from a classroom.

On or before December 31, 2025, & each December 31 thereafter, the ESUCC will submit a report electronically to the Education Committee of the Legislature summarizing the behavioral awareness training reports received by districts, the various trainings provided across the state, the teacher support system, & a financial report of funding received & expended in accordance with the Behavioral Intervention Training & Teacher Support Act.

On December 31, 2025, & each December 31 thereafter, electronically submit an annual report on grants awarded pursuant to the Career-Readiness & Dual-Credit Education Grant Program to the Clerk of the Legislature. The report will include, but not limited to, the number & amount of grants awarded, the postsecondary educational institutions attended by grant recipients, & information regarding the completion of instructor requirements to teach dual-credit courses & career & technical education courses.

Beginning in FY2026-27, each school district will ensure that each administrator, teacher, paraprofessional, school nurse, & counselor receives behavioral awareness training. Each administrator, teacher, paraprofessional, school nurse, & counselor who has received training will receive a behavioral awareness training review at least once every three years. Each district can offer training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees will have a basic awareness of the goals, strategies, & schoolwide plans included in the training.

Beginning in FY2026-27, each school district will ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness & intervention training consistent with the school district policy. The training will be provided by the school district or the school district's ESU.

Beginning in FY2027-28, at least five of the minimum credit hours will include be a high school course or the equivalent of a one-semester high school course in computer science & technology. The requirement can be completed through a single course or combination of high school courses that cover the computer science & technology academic content standards.

On or before December 31, 2027, the Education Committee of the Legislature will electronically submit recommendations to the Clerk of the Legislature regarding how the money used for education from the State Lottery Operation Trust Fund should be allocated to best advance the educational priorities of the state for the five-year period beginning with FY2029-30.

On or before October 1, 2028, & every five years thereafter, NDE will electronically provide to the Education Committee of the Legislature recommended changes that reflect advances in technology & educational content for students.

#### EXPENDITURES:

The bill states the intent to transfer two million five hundred thousand dollars from the Education Future Fund to the Extraordinary Increase in Special Education Expenditures Fund for FY2023-24 to carry out the Extraordinary Increase in Special Education Expenditures Act. It is the intent of the Legislature that the Extraordinary Increase in Special Education Expenditures Fund maintain a minimum balance at the start of each fiscal year of two million five hundred thousand dollars & that the Legislature make transfers from the Education Future Fund to the Extraordinary Increase in Special Education Expenditures Fund annually to maintain the minimum balance.

The bill states the intent to use funds from the Education Future Fund to carry out the Nebraska Teacher Recruitment & Retention Act. NDE estimates 650 teachers will be eligible for a retention one grant, which totals \$1,625,000 for both FY2023-24 & FY2024-25. NDE estimates 729 teachers in FY2023-24 & 656 teachers in FY2024-25 will be eligible for a retention two grant, which totals \$1,822,500 for

FY2023-24 & \$1,640,000 for FY2024-25. NDE estimates 891 teachers in FY2023-24 & 663 teachers in FY2024-25 will be eligible for a retention three grant, which totals \$2,227,500 for FY2023-24 & \$1,657,500 for FY2024-25. The Legislative Fiscal Office (LFO) estimates 325 teachers for both FY2023-24 & FY2024-25 will be eligible for a high-need retention grant, which totals \$1,625,000 for both FY2023-24 & FY2024-25.

The bill states the intent to appropriate eight hundred seventy thousand dollars from the General Fund for FY2024-25 & each fiscal year thereafter to NDE to carry out the School Safety & Security Reporting System Act.

The current allocation to the Textbook Loan Program is \$1,465,500, so the five percent being allocated to the administer the program is equal to \$73,275. The five percent being appropriated to administer the funds will need to be done through the NDE's Program 025 Department Administration/Operations with the remaining balance funded through NDE's Program 158 Education Aid.

The bill states the intent of the Legislature to appropriate seven hundred fifty thousand dollars annually from the General Fund to provide assistance to institutions that offer high school equivalency programs & for expanding services & program to support the completion of the general education test. The current appropriation for high school equivalency is \$750,000 per year. This language allows another use for these funds.

The bill transfers ten million dollars from the Cash Reserve Fund to the School Safety & Security Fund as soon as administratively possible after the operative date, on dates & in amounts as directed by the budget administrator of the budget division of the Department of Administrative services.

NDE estimates that the contract for the outside consultant will be \$400,000 for FY2023-24 to carry out the memorandum of understanding between the Office of Probation Administration, the State Court Administrator, NDE, & DHHS.

The bill states the intent of the Legislature to transfer one million dollars for FY2023-24 & each fiscal year thereafter from the Education Future Fund to the Paraprofessional to Teacher Program Fund for the purposes of carrying out the program.

Beginning on and after July 1, 2024, the commission will allocate on an annual basis up to two hundred fifty thousand dollars of the funds transferred for grants to teachers pursuant to the Career-Readiness and Dual-Credit Education Grant Program.

The CCPE estimates the need to add additional FTEs to accommodate the changes in the administration of programs. For FY24-25, the FTEs will have a salary/benefits expense of \$182,100; & operating expenses of \$47,200. These expenses should be offset by reductions to NDE staffing.

NDE estimates the need to add 4 FTEs to administer the changes from LB705. For FY23-24. the FTEs will have a salary/benefits expense of \$440,892; operating expenses of \$108,726; & travel expenses of 9,452. For FY24-25. the FTEs will have a salary/benefits expense of \$459,898; operating expenses of \$104,007; & travel expenses of \$9,736. NDE should have reductions in personnel expenses due to some programs ending, which will offset some or all of these costs.

NSP will need to add 3 new FTEs to handle the increase in background checks. The salary & benefits for the FTEs will cost \$140,690, the operating expenses will be \$23,352, & capital outlay will be \$12,000 for FY2023-24. The salary & benefits for the FTEs will cost \$140,690 & the operating expenses will be \$18,052 for FY2024-25.

The Nebraska State College System (NSCS) estimates that each state college campus (Peru St., Wayne St., & Chadron St.) will need 20 hours to validate & test the updated admission applications & remove the questions related to criminal backgrounds. NSCS also estimates the need for a total of 60 hours of contract work to complete the provisions. The expenses to the campuses is estimated to be \$1,377 & the expense for the contract work is estimated to be \$3,297.

#### REVENUES:

NSP has estimated that they will need to do 1,200 background checks in FY2023-24 & 800 in FY2024-25. The fee being charged to the youth organization for each background check will be \$45.25, resulting in \$54,300 in Cash Fund revenue for FY2023-24 & \$36,200 for FY2024-25.

#### TECHNICAL NOTE:

The current provisions of the Educational Future Fund do not allow the fund to be used for the Extraordinary Increase in Special Education Expenditures Fund or the Paraprofessional to Teacher Program Fund.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705 (revised fiscal note)	AM:	1468 AGENCY/POLT. SUB: Nebraska Department of Education
REVIEWED BY:	Gary Bush	DATE:	5/08/23 PHONE: (402) 471-4161
COMMENTS: Disagree with the estimate provided by the agency. Most of the costs involved would be paid from the Education Future Fund, which is a cash fund. The agency has shown most expense coming from the General Fund, where the state aid portion (\$3.5 million) is cash fund. Disagree that additionally positions would be needed. Currently, the Excellence in Teaching program is located in the Department. Under the amended bill, it would be moved to the Coordinating Commission on Postsecondary Education. The positions currently used for the Excellence in Teaching program could be used for any new positions or eliminated. Disagree that the agency would need additional staff for sections 67. The bill is specific in the intent that 5% be used to administer the program. Technical Note: The current appropriation language in sections 42, 61 and 86 is not sufficient to create an appropriation. The fiscal impact assessment assumes an accompanying A-bill articulating appropriation in accordance with §49-804.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM:	1468 AGENCY/POLT. SUB: Auditor of Public Accounts
REVIEWED BY:	Gary Bush	DATE:	4/27/23 PHONE: (402) 471-4161
COMMENTS: Agree with the agency that there would be no fiscal impact.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM:	1468 AGENCY/POLT. SUB: Nebraska Community College Association
REVIEWED BY:	Gary Bush	DATE:	5/02/23 PHONE: (402) 471-4161
COMMENTS: Agree with the agency that the bill would reduce funding available to students to attend college			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM:	1468 AGENCY/POLT. SUB: Metropolitan Community College
REVIEWED BY:	Gary Bush	DATE:	5/01/23 PHONE: (402) 471-4161
COMMENTS: Agree with the agency that students would receive less funding from the Nebraska Opportunity Grant program.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM:	1468 AGENCY/POLT. SUB: Coordinating Commission for Postsecondary Education
REVIEWED BY:	Gary Bush	DATE:	4/27/23 PHONE: (402) 471-4161
COMMENTS: No basis to disagree with the agency's estimate of fiscal impact. Agree less funding would be made available for the Nebraska Opportunity Grant program. The actual reduction would depend on the actual proceeds received from Lottery fund. The assumption of available funding from Lottery appears high given the uncertainty caused by legalized gambling in the state.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM: 1468	AGENCY/POLT. SUB: Nebraska Crime Commission
REVIEWED BY:	Gary Bush	DATE: 4/27/23	PHONE: (402) 471-4161
COMMENTS: Agree with the agency that there would be no fiscal impact.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM: 1468	AGENCY/POLT. SUB: Nebraska Department of Labor
REVIEWED BY:	Gary Bush	DATE: 5/01/23	PHONE: (402) 471-4161
COMMENTS: Agree with the agency's estimate of no fiscal impact.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM: 1468	AGENCY/POLT. SUB: Nebraska Public Employees Retirement Systems
REVIEWED BY:	Gary Bush	DATE: 4/27/23	PHONE: (402) 471-4161
COMMENTS: Agree with the agency that there would be no fiscal impact.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM: 1468	AGENCY/POLT. SUB: Nebraska State College System
REVIEWED BY:	Gary Bush	DATE: 4/27/23	PHONE: (402) 471-4161
COMMENTS: Agree with the agency that students would receive less funding from the Nebraska Opportunity Grant program.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	705	AM: 1468	AGENCY/POLT. SUB: Nebraska Supreme Court
REVIEWED BY:	Gary Bush	DATE: 5/01/23	PHONE: (402) 471-4161
COMMENTS: Agree with the agency's estimate of no fiscal impact.			



Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705 & AM1468 UPDATED**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Education

Prepared by: <sup>(3)</sup> Lane Carr & Bryce Wilson Date Prepared: <sup>(4)</sup> 5.1.23 Phone: <sup>(5)</sup> 4024193012

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$4,346,133		\$3,922,473	
CASH FUNDS	\$1,000,000		\$1,000,000	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$4,496,133</u>	<u>0</u>	<u>\$4,922,473</u>	<u>0</u>

Explanation of Estimate:

**Section 1 to Section 13 – Lottery Fund Re-Appropriations and Uses for Funds**

Outlines funding priorities for the Nebraska Education Improvement Fund for fiscal years 2024-25 through 2028-29 as follows:

- 8% for Behavioral Training Cash Fund
- 2% to College Pathway Program Cash Fund
- 7% to Community College Gap Assistance Program Fund
- 10% to Nebraska Department of Education Innovative Grant Fund
- 3% to fund distance education incentivizes
- 1% to Door to College Scholarship Fund
- 8% Excellence in Teaching Cash Fund
- 1.5% to Expanded Learning Opportunity Grant Fund
- 1.5% in Mental Health Training Cash Fund
- 58% to Nebraska Opportunity Grant Fund

Innovation Grant Manager & Ed Specialists would be required to fulfill these provisions.

**Section 13 to 27 – Excellence in Teaching Act**

Transfers authority for the Excellence in Teaching Act program from the Nebraska Department of Education to the Coordinating Commission for Postsecondary Education in 2024-25 fiscal year.

**Section 28 to 38 – Door to College Scholarship Act**

Defines and creates the Door to College Scholarship Act and assigns duties to the Coordinating Commission for Postsecondary Education to carry out provisions.

**Section 39 to 42 - Extraordinary Increase in SPED Expenditures**

The intent of these sections is to appropriate \$2.5 million to the Extraordinary Increase in Special Education Cost Fund for fiscal year 2023/24 from the Education Future Fund. Additionally, the stated intent is for a balance of \$2.5 million to remain in this fund, so future fiscal cost may be up to \$2.5 million per year.

This increases the dollar amount necessary to comply with IDEA Maintenance of State Financial Support (MFS). 34 CFR 300.163(a) "A State must not reduce the total amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year." States that fail to maintain support will have their Federal IDEA Part B Section 611 grant reduced by the same amount by

which the state failed to meet the requirement.

To qualify for the extraordinary special education funding a district may submit an application to NDE on or before January 15th with their special education expenditures as of December 31st for the current year. If the district's special education expenditures exceed half of the special education expenditures of the prior year multiplied by one hundred seven percent, the excess current year expenditures will be reimbursed on or before January 31st. If there are more qualifying reimbursements than what is allocated by the State, the reimbursements will be proportionally reduced for all districts submitting qualifying expenses for the early reimbursement. Any reimbursement received would be later reduced when the final financial reports for special education costs are submitted.

### **Section 43 to 50 – Teacher Recruitment and Retention Act**

This section would create a new grant program aimed at recruiting and retaining educators. The NDE would need a staff member dedicated directly to the implementation of this program and/or would require authority to contract with a third party to manage the program.

Funding would be transferred from the Education Futures Fund, but there is no specified amount.

### **Section 51 – Para to Teacher Program**

Creates the Nebraska Paraprofessional to Teacher Program, and transfers \$1 million beginning in FY2023-24 and into the future.

### **Section 52 – 53 – Lottery Fund**

Harmonizes language.

### **Section 54 – Alternate Certificate Pathway**

This section expands alternative teaching certification in NE. The cost associated with updating rules would be negligible.

### **Section 55 - 56 – Option Enrollment**

This amendment changes how capacity for option enrollment is determined for students using special education services. This bill requires capacity for special education services to be determined by the special education director for each specific student requesting to use the option enrollment program on a case-by-case basis. Currently, capacity limits can be set by districts for all programs without specific guidance on how capacity can be determined. There would be minimal fiscal impact to NDE. School district fiscal impact cannot be determined at this time.

For NDE to build a system to capture the required data NDE would have the costs in FY 23/24. To maintain the system the costs in FY 24/25 would go each year of the system thereafter and have small increase over time. If NDE hired more staff this work could be done for \$45,482 in FY 23/24 and \$6,822 in FY 24/25 with small increases thereafter.

### **Section 58-59 – Model Policy on Behavioral Intervention**

Provides for duties for the NDE to develop a model policy relating to behavioral intervention, behavioral management, classroom management, and the removal of a student from a classroom. Requires districts to adopt a policy consistent with or comparable to the model policy. The costs associated with this section would be negligible.

Costs associated with the training are described Section 2 of AM1468.

### **Section 60 -- 64 – Prekindergarten to Grade 2 Suspensions**

Prohibits districts from suspending students in prekindergarten to second grades with exceptions. Requires districts to update their discipline plans. There would be no fiscal impact to implement these provisions.

### **Section 64 – Part Time Enrollment**

Extends extracurricular access to home schooled students, and changes requirements for the number of

credits students must be enrolled in to participate. The potential costs incurred by districts are unknown at this time.

### **Section 65 – Amends Accreditation Requirements**

Adds behavioral policies as an additional requirement for accreditation. No fiscal impact.

### **Section 66 – Computer Science Bill**

#### **Section 67 – Textbook Loan**

Transfers responsibility for textbook loan purchases for non-public school students to the State Department of Education beginning July 1, 2024. The bill allows the NDE to use up to five percent of appropriated funds for administration, and allows for a third-party vendor to support implementation. NDE will need to hire a staff person to manage this program in addition to the five percent allowed for administrative money allowed for the program.

Does not specify a total amount of funds to be used for the program.

### **Section 68 – Computer Science**

#### **Section 69-72 – Eliminates Basic Skills and Content Test Requirements for Educators**

Eliminates basic skills and content testing requirements for teacher certification. There would be no cost for the NDE or other political subdivisions.

### **Section 73 - 75– Alternate Certification Pathway**

#### **Section 76-77 – STEEM Innovation Grants**

Beginning July 1, 2024, the NDE shall create a learning platform to engage students in coursework and careers in science, technology, engineering, entrepreneurship, and mathematics. Funding for the grant shall be from the Innovative Grant Program described in Section 1.

### **Section 78 - Extraordinary Increase in Special Education**

Harmonizes provisions.

### **Section 79 – Mental Health Training**

Outlines lottery as source of funds for mental health training

### **Section 80 – Lottery Fund**

Harmonizes provisions.

### **Section 81 – Changes in Diversity Plans and Option Enrollment**

#### **Section 82-84 – Adult Basic Education Funding**

Sections 82-84 creates a new pathway for adult learners, and changes provisions for program providers. Provides programming would access one-time funds currently held at the NDE, and therefore there would be no fiscal impact.

#### **Section 85-86 – School Safety and Security Reporting System**

Sections 85-86 provide the NDE \$850,000 beginning in the 2024-25 fiscal year and every year thereafter for the purpose of funding the School Safety and Security Reporting System.

#### **Section 87-88 – Computer Science and Technology Act**

Amends graduation requirements brought about by the Computer Science and Technology Act (2022). Costs associated with these changes would be negligible.

### **Section 89-95– Materiel Division – State College & University**

### **Section 96 – Veterans Education**

Aligns statutory language with federal law. No state fiscal impact.

**Section 97-102 – Higher Education Discipline**

**Section 102 – 107 – Cleanup for Postsecondary Commission**

**Section 108 – Systems Involved Youth Data Sharing**

Requires the Nebraska Department of Education, Department of Health and Human Services, Office of Probation Administration, and State Court Administrator to enter a memorandum of understanding for sharing of data relevant to students who are under jurisdiction of the juvenile court. As part of this MOU, the NDE is to include a contract with a consultant to assist in the development of policies and procedures.

To estimate the cost of the consultant, the NDE looked to similar cross-agency, intersectoral projects. During the planning stage, the Early Childhood Integrated Data System (ECIDS) cost \$300,000. Similarly, the LB1173 (2022) workgroup received an appropriation of \$500,000 to hire a consultant to advance a practice and finance model to transform child and family well-being in Nebraska. As such, the NDE estimates \$400,000 would be needed for a consultant.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Education Specialists	4.0	4.0	278,500	292,477
Benefits.....			162,392	167,421
Operating.....			545,789	952,839
Travel.....			9,452	9,736
Capital outlay.....				
Aid.....			3,500,000	3,500,000
Capital improvements.....				
<b>TOTAL.....</b>			<b>\$4,496,133</b>	<b>\$4,922,473</b>

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705 AM1468**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Auditor of Public Accounts

Prepared by: <sup>(3)</sup> Craig Kubicek Date Prepared: <sup>(4)</sup> 4/27/2023 Phone: <sup>(5)</sup> 402-326-3063

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$0		\$0	
CASH FUNDS	\$0		\$0	
FEDERAL FUNDS	\$0		\$0	
OTHER FUNDS	\$0		\$0	
<b>TOTAL FUNDS</b>	<b>\$0</b>		<b>\$0</b>	

Explanation of Estimate:

Not a significant change to our current process.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>				

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705 AM1468**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Community Colleges

Prepared by: <sup>(3)</sup> Courtney Wittstruck Date Prepared: <sup>(4)</sup> 05/01/23 Phone: <sup>(5)</sup> 402-381-2084

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

Although LB705 AM1468 is not anticipated to affect community colleges' general, cash, federal, or other funds, a loss of or reduction in scholarship and grant funding will affect community college students (especially low-income students), and, by extension, Nebraska's workforce.

The Nebraska Opportunity Grant ("NOG") is the State of Nebraska's only need-based financial aid program for postsecondary students. Student need far exceeds available funding. Over 13,000 students received NOG awards in 2021-22 — but over 15,000 students qualified for grants and did not receive them due to a lack of NOG funds.

Community college students represent 27% of all NOG recipients.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705 AM1468**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Metropolitan Community College

Prepared by: <sup>(3)</sup> Brenda Schumacher Date Prepared: <sup>(4)</sup> 04/28/2023 Phone: <sup>(5)</sup> (531)622-2406

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>0</u>	<u></u>	<u>0</u>	<u></u>
CASH FUNDS	<u>0</u>	<u></u>	<u>0</u>	<u></u>
FEDERAL FUNDS	<u>0</u>	<u></u>	<u>0</u>	<u></u>
OTHER FUNDS	<u>0</u>	<u>(150,000)</u>	<u>0</u>	<u>(150,000)</u>
	<u>0</u>	<u>(150,000)</u>	<u>0</u>	<u>(150,000)</u>

**Explanation of Estimate:**

The reduction from 9% to 7% of GAP allocation from Lottery funds, would result in a possible loss of approximately \$150,000 to MCC. The difference between 9% and 7% of total lottery funds is approximately \$490,000. MCC on average receives approximately 30% of these funds each year.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	<u></u>	<u></u>	<u></u>	<u></u>
Operating.....	<u></u>	<u></u>	<u></u>	<u></u>
Travel.....	<u></u>	<u></u>	<u></u>	<u></u>
Capital outlay.....	<u></u>	<u></u>	<u></u>	<u></u>
Aid.....	<u></u>	<u></u>	<u></u>	<u></u>
Capital improvements.....	<u></u>	<u></u>	<u></u>	<u></u>
<b>TOTAL.....</b>	<u></u>	<u></u>	<u></u>	<u></u>

Please complete ALL (5) blanks in the first three lines.

2023

LB<sup>(1)</sup> 705 AM1468

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Coordinating Commission for Postsecondary Education

Prepared by: <sup>(3)</sup> Gary Timm Date Prepared: <sup>(4)</sup> 4/27/2023 Phone: <sup>(5)</sup> 402.471.0020

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	2,194,000	727,000
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	2,194,000	727,000

**Explanation of Estimate:**

LB 705 AM1468, Sec. 1 redistributes the percentage transferred from lottery proceeds for education purposes and does not provide any new overall funding for education purposes. Any new or increased transfers to one fund will be offset by reduced transfers from another fund. This fiscal note only pertains to the aid programs mentioned below.

The Coordinating Commission for Postsecondary Education (Commission) administers two financial aid programs that receive lottery proceeds: the Nebraska Opportunity Grant (NOG) program, which provides financial aid to low-income, Nebraska residents at postsecondary institution, and the Community College Gap Assistance (Gap) program, which provides financial aid to low-income, Nebraska residents enrolled in non-Pell eligible programs in high-need fields.

Beginning in fiscal year 2024-25, Sec. 1 reduces the percentage transferred from the lottery fund for education to the Community College Gap Assistance Program Funds from 9% to 7%, or approximately \$489,000 per year. The existing Gap Assistance cash fund balance would be sufficient to maintain the current level of spending authority with no reduction in expenditures for the next budget cycle.

Section 1 also reduces the percentage transferred from the lottery fund for education to the Nebraska Opportunity Grant from 62% to 58%, or approximately \$978,000 per year. The existing NOG cash fund balance would be sufficient to maintain the current level of spending authority with no reduction in expenditures for the next budget cycle. However, current expenditure levels of, and anticipated lottery transfers to, the NOG cash fund may require reducing aid expenditures in future budget cycles.

To arrive at the revenue amount of \$727,000 above, the \$978,000 reduction in NOG and the \$489,000 reduction in Gap was subtracted from the estimate lottery transfer of \$1,950,000 for the Excellence in Teaching program and the \$244,000 in aid for Door to College program.

LB 705 AM1468, Sec. 13 through 27 transfers the duties and responsibilities of the Excellence in Teaching Act, which include the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program financial aid programs, from the Department of Education (Education) to the commission



The Act provides loans to postsecondary students who are pursuing a degree in a shortage area of instruction and agree to complete a teacher education program and commit to teach in a Nebraska public or private school. This Act also provides loans to certified teachers enrolled in a graduate program and majoring in a shortage area or subject area. Teachers meeting specific location and shortage work requirements can have a portion of the loan forgiven each year. This program requires the commission to track compliance with loan covenants, collect and track repayments from loan recipients that are not in compliance, and potentially institute legal proceeding for non-payment.

Section 13 and 23 through 27 incorporates the Career Readiness and Dual Credit Education Grant Program into the Excellence in Teaching Act in order to 1) create and establish teacher education pathways enabling the instruction of dual credit courses and career and technical education courses, 2) correlate and prioritize teacher education pathways with Nebraska work force demand and data, 3) establish a grant or scholarship program for teachers enrolled in educational pathways leading to qualification to teach dual credit courses and career and technical education courses, and 4) establish a directory of available teacher education pathways in Nebraska identified by sequence and location.

Education’s current costs of operating the program were used to estimate the Commission’s administrative costs and financial aid requirements for the Excellence in Teaching programs. With no attorney on staff at the commission, an additional \$31,500 for contractual legal services related to loan repayment and other program matters was included. To administer all three financial aid programs, a Program Director and a Program Associate would be needed with estimated administrative and aid costs of: Salary \$115,500, Benefits \$66,600, Postage \$2,900, CIO Charges \$6,400, Rent \$6,400, Legal Services \$31,500, Aid \$1,720,700. Total expected transfer from lottery funds - \$1,950,000.

LB705 AM1468, Sec. 28 through 38 creates the Door to College Scholarship Act and transfers 1.0% of lottery funds for education, estimated to be \$244,000, to the newly created Door to College Scholarship Cash Fund. This Act will provide up to \$5,000 annually to students that have graduated from a high school affiliated with a Youth Rehabilitation and Treatment Center in Nebraska or have successfully completed such programming and within one year of such completion graduated from a Nebraska high school, to attend a postsecondary institution.

The commission estimates fewer than 100 scholarships would be awarded/renewed each year and believes administration of this new program could be accomplished with the previously requested two positions.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Program Director		1.0		63,000
Program Associate		1.0		52,500
Benefits.....				66,600
Operating.....				47,200
Travel.....				
Capital outlay.....				
Aid.....				1,964,700
Capital improvements.....				
<b>TOTAL.....</b>				<b>2,194,000</b>

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705 AM1468**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Crime Commission

Prepared by: <sup>(3)</sup> Amanda Limbach Date Prepared: <sup>(4)</sup> 04/26/23 Phone: <sup>(5)</sup> 402-471-8799

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

No fiscal impact

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2023

LB<sup>(1)</sup> 705 AM1468

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Labor

Prepared by: <sup>(3)</sup> Rea Easton Date Prepared: <sup>(4)</sup> 04/26/2023 Phone: <sup>(5)</sup> 402-416-6809

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate: There is no fiscal impact to the Nebraska Department of Labor for LB 705 AM1468.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705 AM1468** (LB385) **FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Public Employees Retirement Systems (NPERS)-085

Prepared by: <sup>(3)</sup> Teresa Zulauf Date Prepared: <sup>(4)</sup> 4/26/2023 Phone: <sup>(5)</sup> 402-471-7745

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Explanation of Estimate:**

LB 385 has been included into LB 705 AM 1468.

LB 385 is a grant program managed by the Nebraska Department of Education.

The payment of the grant does not appear to be processed through the school district's payroll.  
The payment does not appear to be paid as wages or salaries.

No fiscal impact to NPERS Agency 085 operations expenditures.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____



Beginning fiscal year 2029-30, the Fund must be allocated as the legislature may direct.

The bill contains an emergency clause and becomes law upon enactment.

It is estimated that LB 705 will have no impact on General Fund revenues.

It is estimated that there will be no cost to Department of Revenue to implement this bill.

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> LB705 AM1468**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State College System

Prepared by: <sup>(3)</sup> Monte Kramer Date Prepared: <sup>(4)</sup> 04/27/2023 Phone: <sup>(5)</sup> 402-471-2507

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	(\$87,000)
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b> (\$87,000)

**Explanation of Estimate:**

The NOG allocation from the Nebraska Education Improvement Fund will go from 62% down to 58% in FY2024-25. Based on our FY23 estimated allocation of NOG funds from the Coordinating Commission for Postsecondary Education of \$2,176,476, FY25 funding would decrease by \$87,000. This would mean a loss of scholarship funding for approximately 58 students using an average award of \$1,490 (21-22 Average). Even if lottery funds were to increase the portion allocated to NOG will decrease. This will be an on-going loss of funding committed to the Nebraska Opportunity Grant program.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	(\$87,000)
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b> (\$87,000)

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 705, AM1468**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 5/1/2023 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

**Explanation of Estimate:**

The following sections of LB705 as amended by AM1468, relate to the Judicial Branch.

1. Sections 28-38. Door to College Scholarship Act. There is no direct impact on Probation from this program. However, youth that leave the Youth Rehabilitation and Treatment Centers on probation may be eligible. This program would be a resource for successful completion of probation.

2. Section 107. Memorandum of understanding. No additional resources needed to enter into and participate in a collaborative agreement. The General Fund impact of implementing any recommendations in the final report, however, could be significant.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____