

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 319

Introduced by Bostar, 29.

Read first time January 11, 2023

Committee:

1 A BILL FOR AN ACT relating to child care funding; to amend section
2 84-612, Revised Statutes Cumulative Supplement, 2022; to create
3 funds; to provide duties for the State Department of Education and
4 the Department of Health and Human Services; to provide for
5 transfers from the Cash Reserve Fund; to repeal the original
6 section; and to declare an emergency.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. There is hereby created the Child Care Wages Fund to be
2 administered by the State Department of Education. The fund shall be used
3 to contract with a statewide organization in accordance with section 2 of
4 this act for the purpose of state aid. It is the intent of the
5 Legislature that a one-time transfer of ten million dollars from the Cash
6 Reserve Fund be used to establish the Child Care Wages Fund. Any money in
7 the Child Care Wages Fund available for investment shall be invested by
8 the state investment officer pursuant to the Nebraska Capital Expansion
9 Act and the Nebraska State Funds Investment Act.

10 Sec. 2. The State Department of Education shall establish
11 procedures and criteria for purposes of distributions from the Child Care
12 Wages Fund to the Child Care WAGES Nebraska program to be used for
13 providing salary supplements to child care and early education providers
14 working with children five years of age or less in child care programs
15 licensed pursuant to sections 71-1908 to 71-1923. It is the intent of the
16 Legislature that the supplements are expended by June 30, 2027.

17 Sec. 3. There is hereby created the Child Care Capacity Expansion
18 Fund to be administered by the Department of Health and Human Services.
19 The department shall contract with a statewide nonprofit organization in
20 accordance with section 4 of this act for the purpose of state aid. It is
21 the intent of the Legislature that a one-time transfer of forty million
22 dollars from the Cash Reserve Fund be used to establish the Child Care
23 Capacity Expansion Fund. Any money in the Child Care Capacity Expansion
24 Fund available for investment shall be invested by the state investment
25 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
26 State Funds Investment Act.

27 Sec. 4. The Department of Health and Human Services shall establish
28 procedures and criteria for purposes of providing grants to increase
29 child care capacity in areas of need from the Child Care Capacity
30 Expansion Fund to community organizations, entities, and child care
31 providers licensed pursuant to sections 71-1908 to 71-1923 to start or

1 expand child care programs for children from birth through five years of
2 age. It is the intent of the Legislature that the grants be expended by
3 June 30, 2027.

4 Sec. 5. Section 84-612, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 84-612 (1) There is hereby created within the state treasury a fund
7 known as the Cash Reserve Fund which shall be under the direction of the
8 State Treasurer. The fund shall only be used pursuant to this section.

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

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

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 fifteen million
27 five hundred eighty thousand dollars from the Cash Reserve Fund to the
28 Nebraska Capital Construction Fund on or after July 1, 2022, but before
29 June 15, 2023, on such dates and in such amounts as directed by the
30 budget administrator of the budget division of the Department of
31 Administrative Services.

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

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

10 (8) The State Treasurer shall transfer thirty million dollars from
11 the Cash Reserve Fund to the Military Base Development and Support Fund
12 on or before June 30, 2023, but not before July 1, 2022, on such dates
13 and in such amounts as directed by the budget administrator of the budget
14 division of the Department of Administrative Services.

15 (9) The State Treasurer shall transfer eight million three hundred
16 thousand dollars from the Cash Reserve Fund to the Trail Development and
17 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, 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 (10) The State Treasurer shall transfer fifty million dollars from
21 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after
22 July 1, 2022, but before July 15, 2023, on such dates and in such amounts
23 as directed by the budget administrator of the budget division of the
24 Department of Administrative Services.

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

30 (12) The State Treasurer shall transfer twenty million dollars from
31 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July

1 1, 2022, but before June 15, 2023, on such dates and in such amounts as
2 directed by the budget administrator of the budget division of the
3 Department of Administrative Services.

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

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

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

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

24 (17) The State Treasurer shall transfer fifteen million dollars from
25 the Cash Reserve Fund to the Site and Building Development Fund on or
26 before June 30, 2022, on such dates and in such amounts as directed by
27 the budget administrator of the budget division of the Department of
28 Administrative Services.

29 (18) The State Treasurer shall transfer fifty-five million dollars
30 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on
31 or before June 30, 2022, on such dates and in such amounts as directed by

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

3 (19) The State Treasurer shall transfer fifty million dollars from
4 the Cash Reserve Fund to the Early Childhood Education Endowment Cash
5 Fund on or after July 1, 2023, but before June 15, 2024, on such dates
6 and in such amounts as directed by the budget administrator of the budget
7 division of the Department of Administrative Services.

8 (20) The State Treasurer shall transfer ten million dollars from the
9 Cash Reserve Fund to the Child Care Wages Fund on July 1, 2023, or as
10 soon thereafter as administratively possible, on such date as directed by
11 the budget administrator of the budget division of the Department of
12 Administrative Services.

13 (21) The State Treasurer shall transfer forty million dollars from
14 the Cash Reserve Fund to the Child Care Capacity Expansion Fund on July
15 1, 2023, or as soon thereafter as administratively possible, on such date
16 as directed by the budget administrator of the budget division of the
17 Department of Administrative Services.

18 Sec. 6. Original section 84-612, Revised Statutes Cumulative
19 Supplement, 2022, is repealed.

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