

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 818

FINAL READING

Introduced by Arch, 14; at the request of the Governor.

Read first time January 25, 2023

Committee: Appropriations

1 A BILL FOR AN ACT relating to government funds; to amend sections
2 9-1,101, 37-324, 39-2805, 72-2211, 77-913, 79-1021, 80-401, and
3 81-15,174, Reissue Revised Statutes of Nebraska, and sections
4 37-1804, 46-1,164, 61-218, 61-224, 61-305, 71-7611, 72-729.01,
5 72-2201, 75-109.01, 81-12,147, 81-12,148, 81-12,220, 81-12,221,
6 81-12,222, 81-12,223, 81-12,225, 81-12,241, 81-12,243, 84-612,
7 86-163, and 86-324, Revised Statutes Cumulative Supplement, 2022; to
8 provide for fund transfers; to provide, change, and eliminate
9 provisions regarding the sources, uses, and transfers of funds; to
10 provide for and change provisions regarding grants and funding of
11 various projects; to create funds; to provide a duty for the
12 Department of Health and Human Services; to eliminate funds and
13 obsolete provisions; to harmonize provisions; to repeal the original
14 sections; to outright repeal sections 72-2208, 81-1278, 81-1279, and
15 81-1280, Reissue Revised Statutes of Nebraska, and sections 86-127
16 and 86-579, Revised Statutes Cumulative Supplement, 2022; and to
17 declare an emergency.

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

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

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

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

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

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

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

1 Services.

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

4 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
5 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
6 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
7 9-701 shall be administered and enforced by the Charitable Gaming
8 Division of the Department of Revenue, which division is hereby created.
9 The Department of Revenue shall make annual reports to the Governor,
10 Legislature, Auditor of Public Accounts, and Attorney General on all tax
11 revenue received, expenses incurred, and other activities relating to the
12 administration and enforcement of such acts. The report submitted to the
13 Legislature shall be submitted electronically.

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

18 (3)(a) Forty percent of the taxes collected pursuant to sections
19 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
20 Gaming Division for administering and enforcing the acts listed in
21 subsection (1) of this section and providing administrative support for
22 the Nebraska Commission on Problem Gambling. The remaining sixty percent
23 shall be transferred to the General Fund. Any portion of the forty
24 percent not used by the division in the administration and enforcement of
25 such acts and section shall be distributed as provided in this
26 subsection.

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

31 (c) Any money remaining in the Charitable Gaming Operations Fund

1 after the transfer pursuant to subdivision (b) of this subsection not
2 used by the Charitable Gaming Division in its administration and
3 enforcement duties pursuant to this section may be transferred to the
4 General Fund and the Compulsive Gamblers Assistance Fund at the direction
5 of the Legislature.

6 (4) The Tax Commissioner shall employ investigators who shall be
7 vested with the authority and power of a law enforcement officer to carry
8 out the laws of this state administered by the Tax Commissioner or the
9 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
10 to possession of a gambling device. For purposes of enforcing sections
11 28-1101 to 28-1117, the authority of the investigators shall be limited
12 to investigating possession of a gambling device, notifying local law
13 enforcement authorities, and reporting suspected violations to the county
14 attorney for prosecution.

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

21 (6) For administrative purposes only, the Nebraska Commission on
22 Problem Gambling shall be located within the Charitable Gaming Division.
23 The division shall provide office space, furniture, equipment, and
24 stationery and other necessary supplies for the commission. Commission
25 staff shall be appointed, supervised, and terminated by the director of
26 the Gamblers Assistance Program pursuant to section 9-1004.

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

29 37-324 (1) The funds derived from the sale of permits and
30 publications as provided in the Game Law, any unexpended balance now on
31 hand from the sale of hunting, fur-harvesting, and fishing permits, and

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

21 (2) Expenditures for publications on topics of general interest to
22 the state shall not exceed the income derived from single-copy and
23 subscription sales of commission publications and advertising revenue
24 from such publications.

25 Sec. 9. Section 37-1804, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 37-1804 (1) The Water Recreation Enhancement Fund is created. The
28 fund shall be administered by the Game and Parks Commission. The State
29 Treasurer shall credit to the fund any money transferred to the fund by
30 the Legislature and such donations, gifts, bequests, or other money
31 received from any federal or state agency or public or private source.

1 Except as otherwise provided in subsections (2) and (3) of this section,
2 the The fund shall be used for water and recreational projects pursuant
3 to the Water Recreation Enhancement Act. Any money in the fund available
4 for investment shall be invested by the state investment officer pursuant
5 to the Nebraska Capital Expansion Act and the Nebraska State Funds
6 Investment Act. Any investment earnings from investment of money in the
7 fund shall be credited to the fund.

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

15 (3) Transfers may be made from the investment earnings in the Water
16 Recreation Enhancement Fund to the Panhandle Improvement Project Cash
17 Fund at the direction of the Legislature. The State Treasurer shall
18 transfer one million dollars on July 1, 2023, or as soon thereafter as
19 administratively possible, from the Water Recreation Enhancement Fund to
20 the Panhandle Improvement Project Cash Fund.

21 Sec. 10. Section 39-2805, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 39-2805 (1) The County Bridge Match Program is created. The
24 department shall administer the program using funds from the
25 Transportation Infrastructure Bank Fund. Forty ~~except that no more than~~
26 ~~forty~~ million dollars shall be expended for this program. The purpose of
27 the program is to promote innovative solutions and provide additional
28 funding to accelerate the repair and replacement of deficient bridges on
29 the county road system. The department shall develop the program,
30 including participation criteria and matching fund requirements for
31 counties, in consultation with a statewide association representing

1 county officials. Participation by counties in the program shall be
2 voluntary. The details of the program shall be presented to the
3 Appropriations Committee and the Transportation and Telecommunications
4 Committee of the Legislature on or before December 1, 2016.

5 (2) The County Bridge Match Program terminates on June 30, 2029
6 ~~2023~~.

7 Sec. 11. Section 46-1,164, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

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

20 Sec. 12. Section 61-218, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 61-218 (1) The Water Resources Cash Fund is created. The fund shall
23 be administered by the Department of Natural Resources. Any money in the
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 (2) The State Treasurer shall credit to the fund such money as is
28 (a) transferred to the fund by the Legislature, (b) paid to the state as
29 fees, deposits, payments, and repayments relating to the fund, both
30 principal and interest, (c) donated as gifts, bequests, or other
31 contributions to such fund from public or private entities, (d) made

1 available by any department or agency of the United States if so directed
2 by such department or agency, (e) allocated pursuant to section
3 81-15,175, and (f) received by the state for settlement of claims
4 regarding Colorado's past use of water under the Republican River
5 Compact.

6 (3) The fund shall be expended by the department (a) to aid
7 management actions taken to reduce consumptive uses of water or to
8 enhance streamflows or ground water recharge in river basins, subbasins,
9 or reaches which are deemed by the department overappropriated pursuant
10 to section 46-713 or fully appropriated pursuant to section 46-714 or are
11 bound by an interstate compact or decree or a formal state contract or
12 agreement, (b) for purposes of projects or proposals described in the
13 grant application as set forth in subdivision (2)(h) of section
14 81-15,175, and (c) to the extent funds are not expended pursuant to
15 subdivisions (a) and (b) of this subsection, the department may conduct a
16 statewide assessment of short-term and long-term water management
17 activities and funding needs to meet statutory requirements in sections
18 46-713 to 46-718 and 46-739 and any requirements of an interstate compact
19 or decree or formal state contract or agreement. The fund shall not be
20 used to pay for administrative expenses or any salaries for the
21 department or any political subdivision.

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

31 (5)(a) Expenditures from the Water Resources Cash Fund may be made

1 to natural resources districts eligible under subsection (3) of this
2 section for activities to either achieve a sustainable balance of
3 consumptive water uses or assure compliance with an interstate compact or
4 decree or a formal state contract or agreement and shall require a match
5 of local funding in an amount equal to or greater than forty percent of
6 the total cost of carrying out the eligible activity. The department
7 shall, no later than August 1 of each year, beginning in 2007, determine
8 the amount of funding that will be made available to natural resources
9 districts from the Water Resources Cash Fund and notify natural resources
10 districts of this determination. The department shall adopt and
11 promulgate rules and regulations governing application for and use of the
12 Water Resources Cash Fund by natural resources districts. Such rules and
13 regulations shall, at a minimum, include the following components:

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

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

22 (b) Any natural resources district that fails to implement and
23 enforce its controls, rules, and regulations as required by section
24 46-715 shall not be eligible for funding from the Water Resources Cash
25 Fund until it is determined by the department that compliance with the
26 provisions required by section 46-715 has been established.

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

31 (a) Details regarding the use and cost of activities carried out by

1 the department; and

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

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

16 (b) If the application is granted, funds received from such grant
17 shall be remitted to the State Treasurer for credit to the Water
18 Resources Cash Fund for the purpose of supporting the projects set forth
19 in the grant application. The department shall include in its grant
20 application documentation that the Legislature has authorized a transfer
21 of three million three hundred thousand dollars from the General Fund
22 into the Water Resources Cash Fund for each of fiscal years 2011-12 and
23 2012-13 and has stated its intent to transfer three million three hundred
24 thousand dollars to the Water Resources Cash Fund for fiscal year
25 2013-14.

26 (c) It is the intent of the Legislature that the department apply
27 for an additional three-year grant that would begin in fiscal year
28 2014-15, an additional three-year grant from the Nebraska Environmental
29 Trust Fund that would begin in fiscal year 2017-18, and an additional
30 three-year grant from the Nebraska Environmental Trust Fund that would
31 begin in fiscal year 2020-21 if the criteria established in subsection

1 (4) of section 81-15,175 are achieved.

2 (8) The department shall establish a subaccount within the Water
3 Resources Cash Fund for the accounting of all money received as a grant
4 from the Nebraska Environmental Trust Fund as the result of an
5 application made pursuant to subsection (7) of this section. At the end
6 of each calendar month, the department shall calculate the amount of
7 interest earnings accruing to the subaccount and shall notify the State
8 Treasurer who shall then transfer a like amount from the Water Resources
9 Cash Fund to the Nebraska Environmental Trust Fund.

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

13 Sec. 13. Section 61-224, Revised Statutes Cumulative Supplement,
14 2022, is amended to read:

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

1 Cash Fund to the General Fund at the direction of the Legislature. ~~The~~
2 ~~State Treasurer shall transfer three hundred eighty four thousand two~~
3 ~~hundred twenty two dollars plus any accrued interest through April 5,~~
4 ~~2018, from the Critical Infrastructure Facilities Cash Fund to the~~
5 ~~General Fund on or before June 30, 2019, on such dates and in such~~
6 ~~amounts as directed by the budget administrator of the budget division of~~
7 ~~the Department of Administrative Services.~~ Any money in the Critical
8 Infrastructure Facilities Cash Fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act, and any
11 interest earned by the fund shall be credited to the General Fund.

12 Sec. 14. Section 61-305, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

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

26 (2)(a) The department shall use the fund to identify the optimal
27 route and purchase land for and develop, construct, manage, and operate
28 the Perkins County Canal ~~for design, engineering, permitting, and options~~
29 ~~to purchase land related to building a canal~~ as outlined by the South
30 Platte River Compact and to contract with an independent firm for the
31 purposes of completing a study of such canal. The study shall include,

1 but may not be limited to, the following:

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

4 (ii) A timeline for completion of a canal and adjoining reservoirs
5 as outlined in the South Platte River Compact;

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

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

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

14 Sec. 15. Section 71-7611, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
17 Treasurer shall transfer (a) sixty million three hundred thousand dollars
18 on or before July 15, 2014, (b) sixty million three hundred fifty
19 thousand dollars on or before July 15, 2015, (c) sixty million three
20 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
21 million seven hundred thousand dollars on or before July 15, 2017, (e)
22 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one
23 million six hundred thousand dollars on or before July 15, 2018, (g)
24 sixty-two million dollars on or before July 15, 2019, (h) sixty-one
25 million four hundred fifty thousand dollars on or before July 15, 2020,
26 (i) sixty-six million two hundred thousand dollars on or before July 15,
27 2022, ~~and~~ (j) sixty-one million seven hundred thousand dollars on or
28 before July 15, 2023, (k) sixty-one million five hundred thousand dollars
29 on or before July 15, 2024, and (l) fifty-five million four hundred
30 thousand ~~fifty-one million~~ dollars on or before every July 15 thereafter
31 from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska

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

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

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

23 (2) Any money in the Nebraska Health Care Cash Fund available for
24 investment shall be invested by the state investment officer pursuant to
25 the Nebraska Capital Expansion Act and the Nebraska State Funds
26 Investment Act.

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

1 orientation.

2 ~~(4) The State Treasurer shall transfer fifty thousand dollars on or~~
3 ~~before July 15, 2016, from the Nebraska Health Care Cash Fund to the~~
4 ~~Board of Regents of the University of Nebraska for the University of~~
5 ~~Nebraska Medical Center. It is the intent of the Legislature that these~~
6 ~~funds be used by the College of Public Health for workforce training.~~

7 (4) ~~(5)~~ It is the intent of the Legislature that the cost of the
8 staff and operating costs necessary to carry out the changes made by Laws
9 2018, LB439, and not covered by fees or federal funds shall be funded
10 from the Nebraska Health Care Cash Fund for fiscal years 2018-19 and
11 2019-20.

12 (5) ~~(6)~~ It is the intent of the Legislature to fund the grants to be
13 awarded pursuant to section 75-1101 with the Nebraska Health Care Cash
14 Fund for FY2019-20 and FY2020-21.

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

27 Sec. 16. Section 72-729.01, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 72-729.01 There is hereby created the Hall of Fame Trust Fund to be
30 administered by the Nebraska Hall of Fame Commission for the purpose of
31 the creation, design, size, configuration, and placement of busts or

1 other appropriate objects as authorized in section 72-729. Deposits to
2 such fund shall include money received from public donation and from
3 funds appropriated specifically for such purpose by the Legislature. The
4 State Treasurer shall transfer ~~It is the intent of the Legislature that~~
5 ~~ten thousand dollars be transferred~~ from the General Fund to the Hall of
6 Fame Trust Fund annually beginning with fiscal year 2021-22, between July
7 1 and July 30 of each year, on such date as directed by the budget
8 administrator of the budget division of the Department of Administrative
9 Services, except that if the balance of the Hall of Fame Trust Fund
10 exceeds fifty thousand dollars on the last day of the preceding fiscal
11 year, such transfer shall not take place. Any money in the fund available
12 for investment shall be invested by the state investment officer pursuant
13 to the Nebraska Capital Expansion Act and the Nebraska State Funds
14 Investment Act.

15 Sec. 17. Section 72-2201, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 72-2201 Sections 72-2201 to 72-2215 and section 19 of this act shall
18 be known and may be cited as the Nebraska State Capitol Preservation and
19 Restoration Act.

20 Sec. 18. Section 72-2211, Reissue Revised Statutes of Nebraska, is
21 amended to read:

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

28 (2)(a) The Capitol Restoration Cash Fund shall be used to finance
29 projects for the restoration, preservation, and enhancement of ~~to restore~~
30 the State Capitol and its courtyards and capitol grounds ~~to their~~
31 ~~original condition,~~ to purchase and conserve items to be added to the

1 Nebraska Capitol Collections housed in the State Capitol, to produce
2 promotional material concerning the State Capitol, its grounds, and the
3 Nebraska State Capitol Environs District, and to pay the expenditures for
4 a project manager for the Capitol Heating, Ventilation, and Air
5 Conditioning Systems Replacement Project until such time as the project
6 is completed, except that transfers may be made from the fund to the
7 General Fund at the direction of the Legislature. Such expenditures shall
8 be prescribed by the administrator and approved by the commission.

9 (b) Money transferred to the fund from the Capitol Preservation,
10 Restoration, and Enhancement Endowment Fund shall only be used for the
11 restoration, preservation, and enhancement of the courtyards located at
12 the State Capitol.

13 (3) Any money in the Capitol Restoration Cash Fund available for
14 investment shall be invested by the state investment officer pursuant to
15 the Nebraska Capital Expansion Act and the Nebraska State Funds
16 Investment Act.

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

28 (2) The State Treasurer shall transfer money from the Capitol
29 Preservation, Restoration, and Enhancement Endowment Fund to the Capitol
30 Restoration Cash Fund in amounts and at times as directed by the
31 commission. Money transferred from the Capitol Preservation, Restoration,

1 and Enhancement Endowment Fund in any year shall not exceed four percent
2 of the total balance in the fund as the balance existed on January 1 of
3 the most recent odd-numbered year.

4 Sec. 20. Section 75-109.01, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 75-109.01 Except as otherwise specifically provided by law, the
7 Public Service Commission shall have jurisdiction, as prescribed, over
8 the following subjects:

9 (1) Common carriers, generally, pursuant to sections 75-101 to
10 75-158;

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

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

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

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

19 (6) Pipeline carriers and rights-of-way pursuant to the Major Oil
20 Pipeline Siting Act, the State Natural Gas Regulation Act, and sections
21 75-501 to 75-503. If the provisions of Chapter 75 are inconsistent with
22 the provisions of the Major Oil Pipeline Siting Act, the provisions of
23 the Major Oil Pipeline Siting Act control;

24 (7) Railroad carrier safety pursuant to sections 74-918, 74-919,
25 74-1323, and 75-401 to 75-430;

26 (8) Telecommunications carriers pursuant to the Automatic Dialing-
27 Announcing Devices Act, the Emergency Telephone Communications Systems
28 Act, the Enhanced Wireless 911 Services Act, the Intrastate Pay-Per-Call
29 Regulation Act, the Nebraska Telecommunications Regulation Act, the
30 Nebraska Telecommunications Universal Service Fund Act, the
31 Telecommunications Relay System Act, the Telephone Consumer Slamming

1 Prevention Act, and sections 86-574 to ~~86-578~~ ~~86-579~~, 86-1307, and
2 86-1308;

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

5 (10) Water service pursuant to the Water Service Regulation Act; and

6 (11) Jurisdictional utilities governed by the State Natural Gas
7 Regulation Act. If the provisions of Chapter 75 are inconsistent with the
8 provisions of the State Natural Gas Regulation Act, the provisions of the
9 State Natural Gas Regulation Act control.

10 Sec. 21. Section 77-913, Reissue Revised Statutes of Nebraska, is
11 amended to read:

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

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

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

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

27 (3) Sixty percent of the total shall be allocated to the State
28 Department of Education for distribution to school districts as
29 equalization aid pursuant to the Tax Equity and Educational Opportunities
30 Support Act as follows: The Commissioner of Education shall (a) include
31 the amount certified by the State Treasurer pursuant to this section with

1 ~~the amount appropriated to the Tax Equity and Educational Opportunities~~
2 ~~Fund for distribution in the ensuing school fiscal year, (b) include such~~
3 ~~amounts in the state aid certified to each school district pursuant to~~
4 ~~section 79-1022, and (b) (c) distribute such funds as equalization aid~~
5 ~~under the provisions of the act during the ensuing fiscal year.~~

6 Sec. 22. Section 79-1021, Reissue Revised Statutes of Nebraska, is
7 amended to read:

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

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

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

21 (b) To fund reimbursements related to special education under
22 section 79-1142;

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

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

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

31 (f) To provide funding to increase career and technical educational

1 classroom opportunities for students. Such funding must provide students
2 with the academic and technical skills, knowledge, and training necessary
3 to succeed in future careers; and

4 (g) To provide funding for a grant program created by the
5 Legislature to provide students the opportunity to have a mentor who will
6 continuously engage with the student directly to aid in the student's
7 professional growth and give ongoing support and encouragement to the
8 student.

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

13 (b) The State Treasurer shall transfer two hundred fifty million
14 dollars from the General Fund to the Education Future Fund in fiscal year
15 2024-25, on such dates and in such amounts as directed by the budget
16 administrator of the budget division of the Department of Administrative
17 Services.

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

21 Sec. 23. Section 80-401, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 80-401 (1) There is hereby established a fund to be known as the
24 Nebraska Veterans' Aid Fund. The Nebraska Investment Council is directed
25 to purchase bonds or notes issued by the government of the United States
26 or the State of Nebraska, or any county, school district, or municipality
27 therein, with a face value of twelve million dollars, as of August 1,
28 1984, to carry out sections 80-401 to 80-405 and to place them in the
29 custody and control of the State Treasurer of the State of Nebraska under
30 the same conditions as other state money.

31 (2) Such fund shall be managed as follows: (a) When necessary to pay

1 a premium for bonds for such fund, the amount of the premium shall be
2 amortized over the term of the bonds from the interest received on such
3 bonds; and (b) when bonds for such fund are purchased at a discount, the
4 amount of the discount shall be used to purchase additional bonds, it
5 being contemplated that the face amount of the bonds in such fund may in
6 this manner aggregate in excess of twelve million dollars at some future
7 time. Transfers may be made from the Nebraska Veterans' Aid Fund to the
8 Veteran Cemetery Construction Fund at the direction of the Legislature
9 until July 30, 2024. The State Treasurer shall transfer four million
10 dollars from the Nebraska Veterans' Aid Fund to the Veteran Cemetery
11 Construction Fund on July 15, 2023. The State Treasurer shall transfer
12 four million dollars from the Nebraska Veterans' Aid Fund to the Veteran
13 Cemetery Construction Fund on July 15, 2024.

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

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

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

1 Sec. 24. Section 81-12,147, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-12,147 (1) Except as provided in subsection (2) of this section,
4 the Department of Economic Development shall use the Site and Building
5 Development Fund to finance loans, grants, subsidies, credit
6 enhancements, and other financial assistance for industrial site and
7 building development and for expenses of the department as appropriated
8 by the Legislature for administering the fund. The following activities
9 are eligible for assistance from the fund:

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

13 (b) Matching funds for new construction, rehabilitation, or
14 acquisition of land and buildings to assist villages, cities, and
15 counties;

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

19 (d) Loan guarantees for eligible projects;

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

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

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

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

1 and

2 (i) A grant to a city of the second class that is served by two
3 first-class railroads, that is within fifteen miles of two state borders,
4 and that Grants to any city of the second class which partners with
5 public power utilities for purposes of expanding electrical system
6 capacities and enhancing redundancy and resilience; -

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

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

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

30 (2) The Department of Economic Development shall use the subaccount
31 of the Site and Building Development Fund described in subsection (2) of

1 section 81-12,146 to provide financial assistance to any inland port
2 authority created under the Municipal Inland Port Authority Act to help
3 finance large shovel-ready commercial and industrial sites developed
4 under such act.

5 Sec. 25. Section 81-12,148, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 81-12,148 (1) Governmental subdivisions and Nebraska nonprofit
8 organizations are eligible to receive assistance under the Site and
9 Building Development Act. Any entity receiving assistance under
10 subsection (1) of section 81-12,147 shall provide, or cause to be
11 provided, matching funds for the eligible activity in an amount
12 determined by the Department of Economic Development, which amount shall
13 be at least equal to one hundred percent of the amount of assistance
14 provided by the Site and Building Development Fund. Nothing in the act
15 shall be construed to allow individuals or businesses to receive direct
16 loans from the fund.

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

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

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

6 (4) ~~(3)~~ This section does not apply to any inland port authority
7 receiving assistance under subsection (2) of section 81-12,147.

8 Sec. 26. Section 81-12,220, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 81-12,220 The purpose of the Shovel-Ready Capital Recovery and
11 Investment Act is to partner with the private sector by providing grants
12 to qualified nonprofit organizations to assist such organizations with
13 capital projects that have been delayed due to COVID-19 or and that will
14 provide a positive economic impact in the State of Nebraska.

15 Sec. 27. Section 81-12,221, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 81-12,221 For purposes of the Shovel-Ready Capital Recovery and
18 Investment Act:

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

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

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

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

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

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

8 (b) Operates a sports complex; or

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

15 (6) Sports complex means property that:

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

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

18 (c) Contains multiple separate sports venues; and

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

20 (a) A baseball field;

21 (b) A softball field;

22 (c) A soccer field;

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

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

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

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

29 81-12,222 (1) Beginning July 1, ~~2023~~ 2021, through July 1, 2024 ~~15,~~
30 ~~2021~~, a qualified nonprofit organization may apply to the department for
31 a grant under the Shovel-Ready Capital Recovery and Investment Act. The

1 application shall include, but not be limited to, the following
2 information:

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

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

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

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

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

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

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

30 (b) ~~(a)~~ For any capital project with an estimated cost of at least
31 five hundred thousand dollars but less than five million dollars, the

1 grant shall not exceed one million five hundred thousand dollars;

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

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

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

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

14 Sec. 29. Section 81-12,223, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 81-12,223 (1) Each qualified nonprofit organization that receives a
17 grant under the Shovel-Ready Capital Recovery and Investment Act shall:

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

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

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

27 Sec. 30. Section 81-12,225, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 81-12,225 (1) For any federal funds appropriated to the department
30 pursuant to the Shovel-Ready Capital Recovery and Investment Act, it is
31 the intent of the Legislature that the department divide the total

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

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

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

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

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

27 ~~It is the intent of the Legislature to allocate fifteen million~~
28 ~~dollars from the General Fund and an additional amount of federal funds,~~
29 ~~subject to the appropriations process, up to the amount needed to fully~~
30 ~~fund all approved grants, from federal funds allocated to states pursuant~~
31 ~~to the American Rescue Plan Act of 2021 from the Coronavirus State Fiscal~~

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

5 Sec. 31. Section 81-12,241, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 81-12,241 (1) A primary responsibility of the Economic Recovery and
8 Incentives Division of the Department of Economic Development shall be to
9 utilize federal or state funding to award grants as provided in this
10 section. The division shall develop a coordinated plan and a grant
11 application and scoring process to award grants under subsection (3) of
12 this section.

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

28 (3)(a) The Economic Recovery and Incentives Division shall create a
29 Qualified Census Tract Recovery Grant Program to provide funding to
30 public and private entities located within qualified census tracts
31 throughout the state to respond to the negative impact of the COVID-19

1 public health emergency.

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

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

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

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

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

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

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

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

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

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

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

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

1 qualified census tracts.

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

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

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

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

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

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

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

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

26 Sec. 32. Section 81-12,243, Revised Statutes Cumulative Supplement,
27 2022, is amended to read:

28 81-12,243 (1) The Economic Recovery Contingency Fund is created. The
29 fund shall consist of transfers by the Legislature to carry out the
30 Economic Recovery Act. Any money in the fund available for investment
31 shall be invested by the state investment officer pursuant to the

1 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
2 Act.

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

14 Sec. 33. Section 81-15,174, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 81-15,174 The Nebraska Environmental Trust Fund is created. The fund
17 shall be maintained in the state accounting system as a cash fund. Except
18 as otherwise provided in this section, the fund shall be used to carry
19 out the purposes of the Nebraska Environmental Trust Act, including the
20 payment of administrative costs. Money in the fund shall include proceeds
21 credited pursuant to section 9-812 and proceeds designated by the board
22 pursuant to section 81-15,173. Transfers may be made from the Nebraska
23 Environmental Trust Fund to the Water Resources Cash Fund at the
24 direction of the Legislature, and any money so transferred shall be
25 expended in accordance with section 81-15,168. Any money in the fund
26 available for investment shall be invested by the state investment
27 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
28 State Funds Investment Act.

29 Sec. 34. Section 84-612, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 84-612 (1) There is hereby created within the state treasury a fund

1 known as the Cash Reserve Fund which shall be under the direction of the
2 State Treasurer. The fund shall only be used pursuant to this section.

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

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

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

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

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

31 (6) The State Treasurer shall transfer one hundred eighty-two

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

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

11 (8) ~~(7)~~ No funds shall be transferred from the Cash Reserve Fund to
12 fulfill the obligations created under the Nebraska Property Tax Incentive
13 Act unless the balance in the Cash Reserve Fund after such transfer will
14 be at least equal to five hundred million dollars.

15 (9) ~~(8)~~ The State Treasurer shall transfer thirty million dollars
16 from the Cash Reserve Fund to the Military Base Development and Support
17 Fund on or before June 30, 2023, but not before July 1, 2022, on such
18 dates and in such amounts as directed by the budget administrator of the
19 budget division of the Department of Administrative Services.

20 (10) ~~(9)~~ The State Treasurer shall transfer eight million three
21 hundred thousand dollars from the Cash Reserve Fund to the Trail
22 Development and Maintenance Fund on or after July 1, 2022, but before
23 July 30, 2022, on such dates and in such amounts as directed by the
24 budget administrator of the budget division of the Department of
25 Administrative Services.

26 (11) ~~(10)~~ The State Treasurer shall transfer fifty million dollars
27 from the Cash Reserve Fund to the Nebraska Rural Projects Fund on or
28 after July 1, 2022, but before July 15, 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 (12) ~~(11)~~ The State Treasurer shall transfer thirty million dollars

1 from the Cash Reserve Fund to the Rural Workforce Housing Investment Fund
2 on or after July 1, 2022, but before July 15, 2023, on such dates and in
3 such amounts as directed by the budget administrator of the budget
4 division of the Department of Administrative Services.

5 (13) ~~(12)~~ The State Treasurer shall transfer twenty million dollars
6 from the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after
7 July 1, 2022, but before June 15, 2023, on such dates and in such amounts
8 as directed by the budget administrator of the budget division of the
9 Department of Administrative Services.

10 (14) ~~(13)~~ The State Treasurer shall transfer twenty million dollars
11 from the Cash Reserve Fund to the Middle Income Workforce Housing
12 Investment Fund on July 15, 2022, or as soon thereafter as
13 administratively possible, and in such amounts as directed by the budget
14 administrator of the budget division of the Department of Administrative
15 Services.

16 (15) ~~(14)~~ The State Treasurer shall transfer eighty million dollars
17 from the Cash Reserve Fund to the Jobs and Economic Development
18 Initiative Fund on or after July 1, 2022, but before July 15, 2023, on
19 such dates and in such amounts as directed by the budget administrator of
20 the budget division of the Department of Administrative Services.

21 (16) ~~(15)~~ The State Treasurer shall transfer twenty million dollars
22 from the Cash Reserve Fund to the Site and Building Development Fund on
23 July 15, 2022, or as soon thereafter as administratively possible, and in
24 such amounts as directed by the budget administrator of the budget
25 division of the Department of Administrative Services.

26 (17) ~~(16)~~ The State Treasurer shall transfer fifty million dollars
27 from the Cash Reserve Fund to the Surface Water Irrigation Infrastructure
28 Fund on or after July 15, 2022, but before January 1, 2023, on such dates
29 and in such amounts as directed by the budget administrator of the budget
30 division of the Department of Administrative Services.

31 (18) ~~(17)~~ The State Treasurer shall transfer fifteen million dollars

1 from the Cash Reserve Fund to the Site and Building Development Fund on
2 or before June 30, 2022, on such dates and in such amounts as directed by
3 the budget administrator of the budget division of the Department of
4 Administrative Services.

5 (19) ~~(18)~~ The State Treasurer shall transfer fifty-five million
6 dollars from the Cash Reserve Fund to the Economic Recovery Contingency
7 Fund on or before June 30, 2022, on such dates and in such amounts as
8 directed by the budget administrator of the budget division of the
9 Department of Administrative Services.

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

14 (21) The State Treasurer shall transfer eleven million three hundred
15 twenty thousand dollars from the Cash Reserve Fund to the Health and
16 Human Services Cash Fund on or after July 1, 2023, but 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 (22) The State Treasurer shall transfer five hundred seventy-four
21 million five hundred thousand dollars from the Cash Reserve Fund to the
22 Perkins County Canal Project Fund on or before June 30, 2024, on such
23 dates and in such amounts as directed by the budget administrator of the
24 budget division of the Department of Administrative Services.

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

30 (24) The State Treasurer shall transfer one million one hundred
31 thousand dollars from the Cash Reserve Fund to the Accounting Division

1 Revolving Fund on or before July 10, 2023, 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.

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

9 (26) The State Treasurer shall transfer one hundred million dollars
10 from the Cash Reserve Fund to the Roads Operations Cash Fund before June
11 30, 2023, 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 (27) The State Treasurer shall transfer eighteen million seven
15 hundred fifty thousand dollars from the Cash Reserve Fund to the State
16 Self-Insured Indemnification Fund before June 30, 2023, on such dates and
17 in such amounts as directed by the budget administrator of the budget
18 division of the Department of Administrative Services.

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

29 (30) The State Treasurer shall transfer two million dollars from the
30 Cash Reserve Fund to the Site and Building Development Fund on or after
31 July 1, 2023, but before June 30, 2024, on such dates and in such amounts

1 as directed by the budget administrator of the budget division of the
2 Department of Administrative Services.

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

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

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

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

28 (36) The State Treasurer shall transfer four hundred forty million
29 dollars from the General Fund to the Cash Reserve Fund on or after July
30 1, 2023, but before June 30, 2024, on such dates and in such amounts as
31 directed by the budget administrator of the budget division of the

1 Department of Administrative Services.

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

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

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

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

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

28 Sec. 35. Section 86-163, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 86-163 The commission shall file with the Clerk of the Legislature
31 an annual report on or before September 30 of each year on the status of

1 the Nebraska telecommunications industry. The report shall be submitted
2 in electronic format. The report shall:

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

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

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

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

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

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

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

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

19 (8) ~~(9)~~ Assess, based on information provided by public safety
20 answering points, the level of wireless E-911 location accuracy
21 compliance for wireless carriers.

22 Sec. 36. Section 86-324, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 86-324 (1) The Nebraska Telecommunications Universal Service Fund is
25 hereby created. The fund shall provide the assistance necessary to make
26 universal access to telecommunications services available to all persons
27 in the state consistent with the policies set forth in the Nebraska
28 Telecommunications Universal Service Fund Act. Only eligible
29 telecommunications companies designated by the commission shall be
30 eligible to receive support to serve high-cost areas from the fund. A
31 telecommunications company that receives such support shall use that

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

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

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

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

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

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

30 (e) Shall require an audit of information provided by a
31 telecommunications company to be performed by a third-party certified

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

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

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

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

19 Sec. 37. The HCBS Enhanced FMAP Fund is created. The fund shall be
20 used to enhance and expand home and community-based services (HCBS)
21 spending as outlined in the federal American Rescue Plan Act of 2021, 42
22 U.S.C. 802, as amended. The fund shall be administered by the Department
23 of Health and Human Services. The fund shall consist of transfers
24 authorized by the Legislature and any gifts, grants, or bequests for such
25 purposes from any source, including federal, state, public, and private
26 sources. Any money in the fund available for investment may be invested
27 by the state investment officer pursuant to the Nebraska Capital
28 Expansion Act and the Nebraska State Funds Investment Act.

29 Sec. 38. The Department of Health and Human Services shall submit a
30 state plan amendment to the federal Administration for Children and
31 Families, pursuant to Section 404(a)(2) of the federal Personal

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

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

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

18 (3) Domestic violence services; and

19 (4) Grants to nonprofit organizations holding a certificate of
20 exemption under section 501(c)(3) of the Internal Revenue Code that
21 distribute food in ten or more counties in Nebraska and qualify for the
22 Emergency Food Assistance Program administered by the United States
23 Department of Agriculture, which shall be applicable for FY2023-24 only.

24 Sec. 39. The Economic Development Cash Fund is created. The
25 Department of Economic Development shall administer the fund to provide a
26 grant to a community college serving a city of the metropolitan class to
27 partner with a four-year public university serving a city of the
28 metropolitan class to offer microcredentials to support education
29 expansion, curricula development, and staff hires to meet demand for
30 microchip fabrication and microelectronics manufacturing in the state in
31 conjunction with the Creating Helpful Incentives to Produce

1 Semiconductors (CHIPS) for America Act, Public Law 116-283. The fund
2 shall consist of money transferred by the Legislature and gifts, grants,
3 or bequests from any source, including money remitted to the fund from
4 any other federal, state, public, and private sources. Any money in the
5 fund available for investment shall be invested by the state investment
6 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
7 State Funds Investment Act.

8 Sec. 40. The Lead Service Line Cash Fund is created. The fund shall
9 be administered by the Department of Environment and Energy. The fund
10 shall consist of funds transferred by the Legislature. The fund shall be
11 used for grants to utilities districts to expedite the replacement of
12 homeowner-owned lead service lines. Any money in the fund available for
13 investment shall be invested by the state investment officer pursuant to
14 the Nebraska Capital Expansion Act and the Nebraska State Funds
15 Investment Act.

16 Sec. 41. (1) The Panhandle Improvement Project Cash Fund is
17 created. The fund shall be administered by the Department of Economic
18 Development. The fund shall consist of funds transferred by the
19 Legislature. Any money in the fund available for investment shall be
20 invested by the state investment officer pursuant to the Nebraska Capital
21 Expansion Act and the Nebraska State Funds Investment Act.

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

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

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

31 (3) The Department of Economic Development shall develop criteria

1 for grant applications pursuant to this section.

2 Sec. 42. (1) For purposes of this section:

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

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

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

8 (d) Eligible location means a location on or contiguous to the
9 location of a youth outdoor education camp that is located west of the
10 one hundredth meridian where youth outdoor education camp facilities were
11 destroyed by a natural or manmade disaster that occurred after January 1,
12 2022.

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

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

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

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

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

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

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

9 (a) Construction of physical structures;

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

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

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

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

20 Sec. 43. The Youth Outdoor Education Innovation Fund is created.
21 The fund shall consist of transfers made by the Legislature and any
22 gifts, grants, bequests, donations, or money remitted pursuant to section
23 42 of this act for credit to the fund. The Department of Economic
24 Development shall administer the fund for the purposes described in
25 section 42 of this act. Any money in the fund available for investment
26 shall be invested by the state investment officer pursuant to the
27 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
28 Act. Investment earnings from investment of money in the fund shall be
29 credited to the fund.

30 Sec. 44. Original sections 9-1,101, 37-324, 39-2805, 72-2211,
31 77-913, 79-1021, 80-401, and 81-15,174, Reissue Revised Statutes of

1 Nebraska, and sections 37-1804, 46-1,164, 61-218, 61-224, 61-305,
2 71-7611, 72-729.01, 72-2201, 75-109.01, 81-12,147, 81-12,148, 81-12,220,
3 81-12,221, 81-12,222, 81-12,223, 81-12,225, 81-12,241, 81-12,243, 84-612,
4 86-163, and 86-324, Revised Statutes Cumulative Supplement, 2022, are
5 repealed.

6 Sec. 45. The following sections are outright repealed: Sections
7 72-2208, 81-1278, 81-1279, and 81-1280, Reissue Revised Statutes of
8 Nebraska, and sections 86-127 and 86-579, Revised Statutes Cumulative
9 Supplement, 2022.

10 Sec. 46. Since an emergency exists, this act takes effect when
11 passed and approved according to law.