

AMENDMENTS TO LB1413

(Amendments to Standing Committee amendments, AM2698)

Introduced by Clements, 2.

1 1. Purpose: Correct fund name for transfers.

2 Amendment to sections 1 and 2:

3 a. On page 1, lines 4 and 9, strike "Nebraska Education Improvement"  
4 and insert "Department of Education Innovative Grant".

5 2. Purpose: Reduce the transfer from the Behavioral Health Services  
6 Fund to the General Fund.

7 Amendment to section 21:

8 a. On page 4, line 14, strike "\$4,000,000" and insert "\$2,000,000".

9 3. Purpose: Reduce the transfer from the State Unemployment  
10 Insurance Trust Fund to the General Fund.

11 Amendment to section 26:

12 a. On page 5, line 8, strike "\$70,000,000" and insert "\$30,000,000".

13 4. Purpose: Provide for a transfer from the State Unemployment  
14 Insurance Trust Fund to the Workforce Development Program Cash Fund.

15 Amendment:

16 a. Insert the following new section:

17 Sec. 27. The State Treasurer shall transfer \$40,000,000 from the  
18 State Unemployment Insurance Trust Fund to the Workforce Development  
19 Program Cash Fund on or before June 30, 2024, on such dates and in such  
20 amounts as directed by the budget administrator of the budget division of  
21 the Department of Administrative Services.

22 5. Purpose: Provide for a transfer from the State Settlement Cash  
23 Fund to the Financial Literacy Cash Fund.

24 Amendment:

25 a. Insert the following new section:

26 Sec. 28. The State Treasurer shall transfer \$500,000 from the State

1 Settlement Cash Fund to the Financial Literacy Cash Fund on or after July  
2 1, 2024, but before July 31, 2024, on such dates and in such amounts as  
3 directed by the budget administrator of the budget division of the  
4 Department of Administrative Services.

5 6. Purpose: Create the Workforce Development Program Cash Fund.

6 Amendment:

7 a. Insert the following new section:

8 Sec. 32. The Workforce Development Program Cash Fund is hereby  
9 created. The fund shall consist of transfers authorized by the  
10 Legislature. The Department of Labor shall administer the fund to provide  
11 workforce development grants. Any money in the fund available for  
12 investment shall be invested by the state investment officer pursuant to  
13 the Nebraska Capital Expansion Act and the Nebraska State Funds  
14 Investment Act.

15 7. Purpose: Prioritize certain allocations of the Water  
16 Sustainability Fund.

17 Amendment:

18 a. Insert the following new section:

19 Sec. 33. Section 2-1507, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 2-1507 (1) It is the intent of the Legislature that the Water  
22 Sustainability Fund be equitably distributed statewide to the greatest  
23 extent possible for the long term and give priority funding status to  
24 projects which are the result of federal mandates.

25 (2) Distributions to assist municipalities with the cost of  
26 constructing, upgrading, developing, and replacing sewer infrastructure  
27 facilities as part of a combined sewer overflow project shall be based on  
28 a demonstration of need and shall equal ten percent of the total annual  
29 appropriation to the Water Sustainability Fund if (a) applicants have  
30 applied for such funding as required under section 2-1509 and (b) any  
31 such application has been recommended for further consideration by the

1 director and is subsequently approved for allocation by the commission  
2 pursuant to subsection (1) of section 2-1511. If more than one  
3 municipality demonstrates a need for funds pursuant to this subsection,  
4 funds shall be distributed proportionally based on population.

5 (3) Any money in the Water Sustainability Fund may be allocated by  
6 the commission to applicants in accordance with sections 2-1506 to  
7 2-1513. Such money may be allocated in the form of grants or loans for  
8 water sustainability programs, projects, or activities undertaken within  
9 the state. The allocation of funds to a program, project, or activity in  
10 one form shall not of itself preclude additional allocations in the same  
11 or any other form to the same program, project, or activity. The  
12 commission shall, when ranking and scoring applications for funding,  
13 prioritize projects for drinking water improvements for any federally  
14 recognized Indian tribe whose drinking water is under a no-drink order  
15 from the United States Environmental Protection Agency.

16 (4) When the commission has approved an allocation of funds to a  
17 program, project, or activity, the Department of Natural Resources shall  
18 establish a subaccount in the Water Sustainability Fund and credit the  
19 entire amount of the allocation to the subaccount. Individual subaccounts  
20 shall be established for each program, project, or activity approved by  
21 the commission. The commission may approve a partial allocation to a  
22 program, project, or activity based upon available unallocated funds in  
23 the Water Sustainability Fund, but the amount of unfunded allocations  
24 shall not exceed eleven million dollars. Additional allocations to a  
25 program, project, or activity shall be credited to the same subaccount as  
26 the original allocation. Subaccounts shall not be subject to transfer out  
27 of the Water Sustainability Fund, except that the commission may  
28 authorize the transfer of excess or unused funds from a subaccount and  
29 into the unreserved balance of the fund.

30 (5) A natural resources district is eligible for funding from the  
31 Water Sustainability Fund only if the district has adopted or is

1 currently participating in the development of an integrated management  
2 plan pursuant to subdivision (1)(a) or (b) of section 46-715.

3 (6) The commission shall utilize the resources and expertise of and  
4 collaborate with the Department of Natural Resources, the University of  
5 Nebraska, the Department of Environment and Energy, the Nebraska  
6 Environmental Trust Board, and the Game and Parks Commission on funding  
7 and planning for water programs, projects, or activities.

8 (7) A biennial report shall be made to the Clerk of the Legislature  
9 describing the work accomplished by the use of funds towards the goals of  
10 the Water Sustainability Fund beginning on December 31, 2015. The report  
11 submitted to the Clerk of the Legislature shall be submitted  
12 electronically.

13 8. Purpose: Amend section 45-930 to authorize a new use of the  
14 Financial Literacy Cash Fund.

15 Amendment:

16 a. Insert the following new section:

17 Sec. 35. Section 45-930, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 45-930 The Financial Literacy Cash Fund is created. The fund shall  
20 consist of amounts ~~Amounts~~ credited to the fund from shall include that  
21 portion of each renewal fee as provided in section 45-927, ~~and~~ such other  
22 revenue as is incidental to administration of the fund, and transfers  
23 authorized by the Legislature. The fund shall be administered by the  
24 University of Nebraska. The fund ~~and~~ shall be used to provide assistance  
25 to nonprofit entities that offer financial literacy programs to students  
26 in grades kindergarten through twelve and to provide assistance for the  
27 tenant assistance project administered by the Housing Justice Clinic at  
28 the University of Nebraska College of Law that provides legal services to  
29 low-income families facing eviction. Any money in the fund available for  
30 investment shall be invested by the state investment officer pursuant to  
31 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2 9. Purpose: Amend section 48-622.01 to allow transfers from the  
3 State Unemployment Insurance Trust Fund to the Workforce Development  
4 Program Cash Fund.

5 Amendment to section 33:

6 a. On page 10, line 30, after "Fund" insert "and the Workforce  
7 Development Program Cash Fund".

8 10. Purpose: Amend section 59-1608.04 to allow transfers from the  
9 State Settlement Cash Fund to the Financial Literacy Cash Fund.

10 Amendment to section 37:

11 a. On page 15, line 18, after the comma insert "the Financial  
12 Literacy Cash Fund".

13 11. Purpose: Remove proposed change to allow transfer of funds from  
14 the Nebraska Education Improvement Fund to the Education Future Fund.

15 Amendment:

16 a. Strike section 45.

17 12. Purpose: Amend section 79-1054 to allow transfers from the  
18 Department of Education Innovative Grant Fund to the Education Future  
19 Fund.

20 Amendment:

21 a. Insert the following new section:

22 Sec. 49. Section 79-1054, Revised Statutes Supplement, 2023, is  
23 amended to read:

24 79-1054 (1)(a) This subsection applies until July 1, 2024.

25 (b) The State Board of Education shall establish a competitive  
26 innovation grant program with funding from the Nebraska Education  
27 Improvement Fund pursuant to section 79-3501. Grantees shall be a school  
28 district, an educational service unit, or a combination of entities that  
29 includes at least one school district or educational service unit. For  
30 grantees that consist of a combination of entities, a participating  
31 school district or educational service unit shall be designated to act as

1 the fiscal agent and administer the program funded by the grant. The  
2 state board shall only award grants pursuant to applications that the  
3 state board deems to be sufficiently innovative and to have a high chance  
4 of success.

5 (c) An application for a grant pursuant to this subsection shall  
6 describe:

7 (i) Specific measurable objectives for improving education outcomes  
8 for early childhood students, elementary students, middle school  
9 students, or high school students or for improving the transitions  
10 between any successive stages of education or between education and the  
11 workforce;

12 (ii) The method for annually evaluating progress toward a measurable  
13 objective, with a summative evaluation of progress submitted to the state  
14 board and electronically to the Education Committee of the Legislature on  
15 or before July 1, 2019;

16 (iii) The potential for the project to be both scalable and  
17 replicable; and

18 (iv) Any cost savings that could be achieved by reductions in other  
19 programs if the funded program is successful.

20 (d) Based on evaluations received on or before July 1, 2019, for  
21 each grant, the State Board of Education shall recommend the grant  
22 project as:

23 (i) Representing a best practice;

24 (ii) A model for a state-supported program; or

25 (iii) A local issue for further study.

26 (e) On or before December 1, 2017, and on or before December 1 of  
27 each year thereafter, the state board shall electronically submit a  
28 report to the Clerk of the Legislature on all such grants, including, but  
29 not limited to, the results of the evaluations for each grant. The state  
30 board may adopt and promulgate rules and regulations to carry out this  
31 subsection, including, but not limited to, application procedures,

1 selection procedures, and annual evaluation reporting procedures.

2 (2)(a) This subsection applies beginning July 1, 2024.

3 (b) The State Board of Education shall establish innovation grant  
4 programs in areas, including, but not limited to, (i) mental health first  
5 aid, (ii) early literacy, (iii) quality instructional materials, (iv)  
6 personalized learning through digital education, or (v) other innovation  
7 areas identified by the board. It is the intent of the Legislature that  
8 such grant programs shall be funded using lottery funds under section  
9 79-3501. Grantees shall be a school district, an educational service  
10 unit, or a combination of entities that includes at least one school  
11 district or educational service unit.

12 (c) An application for participating in an innovation grant pursuant  
13 to this subsection shall describe:

14 (i) Specific measurable objectives for improving education outcomes  
15 for early childhood students, elementary students, middle school  
16 students, or high school students or for improving the transitions  
17 between any successive stages of education or between education and the  
18 workforce;

19 (ii) Participation in a method for annually evaluating progress  
20 toward a measurable objective, with a summative evaluation of progress  
21 submitted to the state board and electronically to the Education  
22 Committee of the Legislature on or before July 1 of each year;

23 (iii) The potential for the grant program to be both scalable and  
24 replicable; and

25 (iv) Any cost savings that could be achieved by reductions in other  
26 programs if the grant program is successful.

27 (d) Based on evaluations received on or before July 1 of each year  
28 for each grant program, the State Board of Education shall recommend the  
29 grant program as:

30 (i) Representing a best practice;

31 (ii) A model for a state-supported program; or

1 (iii) A local issue for further study.

2 (e) On or before December 1 of each year, the state board shall  
3 electronically submit a report to the Clerk of the Legislature on all  
4 such grant programs, including, but not limited to, the results of the  
5 evaluations for each grant program. The state board may adopt and  
6 promulgate rules and regulations to carry out this subsection, including,  
7 but not limited to, application procedures, selection procedures, and  
8 annual evaluation reporting procedures.

9 (3)(a) This subsection applies beginning July 1, 2024.

10 (b) The State Board of Education shall establish an improvement  
11 grant program in areas including, but not limited to, (i) teacher  
12 recruitment and retention, (ii) improvement for schools and school  
13 districts, (iii) improvement in student performance in the subject areas  
14 of reading and mathematics, and (iv) other improvement areas identified  
15 by the state board. Such grants shall be funded using lottery funds under  
16 section 79-3501.

17 (c) On or before December 1 of each calendar year, the state board  
18 shall electronically submit a report to the Clerk of the Legislature on  
19 all such grant programs, including, but not limited to, the recipients of  
20 the programs and evaluations of the effectiveness of each grant program.  
21 The state board may adopt and promulgate rules and regulations to carry  
22 out this subsection.

23 (4)(a) This subsection applies beginning January 1, 2024.

24 (b) For purposes of this subsection, learning platform means a  
25 three-dimensional, game-based learning platform for use by middle school  
26 and high school students.

27 (c)(i) The State Board of Education shall establish an innovation  
28 grant program to procure or purchase an annual license for learning  
29 platforms for use in schools to engage students in coursework and careers  
30 in science, technology, engineering, entrepreneurship, and mathematics.  
31 Such grants shall be funded using lottery funds pursuant to section

1 79-3501.

2 (ii) The State Board of Education shall establish standards that a  
3 learning platform shall meet in the subject areas of chemistry and  
4 physical science, business, and mathematics. The state board shall  
5 develop a plan related to how the state board shall prioritize the grant  
6 applications.

7 (iii) A developer may apply to the State Department of Education on  
8 forms and in a manner prescribed by the department for a grant under this  
9 subsection for a learning platform that:

10 (A) Is designed to teach information related to chemistry and  
11 physical science, business, or mathematics;

12 (B) Aligns with the standards established by the state board  
13 relating to chemistry and physical science, business, or mathematics;

14 (C) Connects such standards with real-world technologies and  
15 applications;

16 (D) Highlights science, technology, engineering, entrepreneurship,  
17 and mathematics career pathways in Nebraska; and

18 (E) Meets any additional requirements set out by the State Board of  
19 Education.

20 (iv) Any developer that receives a grant under this subsection shall  
21 provide access to and use of its learning platform to all Nebraska school  
22 districts.

23 (v) Any grant awarded pursuant to this subsection shall be awarded  
24 by July 1 of each year.

25 (d) On or before December 1 of each calendar year, the state board  
26 shall electronically submit a report to the Clerk of the Legislature on  
27 the grant program, including, but not limited to, the recipients of the  
28 program and evaluations of the effectiveness of the grant program. The  
29 State Board of Education may adopt and promulgate rules and regulations  
30 to carry out this subsection.

31 (5)(a) The Department of Education Innovative Grant Fund is created.

1 The fund shall be administered by the State Department of Education and  
2 shall consist of transfers pursuant to section 79-3501, repayments of  
3 grant funds, and interest payments received in the course of  
4 administering this section. The fund shall be used to carry out this  
5 section. Transfers may be made from the fund to the Education Future Fund  
6 at the direction of the Legislature. Any money in the Department of  
7 Education Innovative Grant Fund ~~fund~~ available for investment shall be  
8 invested by the state investment officer pursuant to the Nebraska Capital  
9 Expansion Act and the Nebraska State Funds Investment Act.

10 (b) Of the ten percent of funds transferred to the fund pursuant to  
11 section 79-3501, eight and three-fourths percent shall be used for  
12 innovation grants pursuant to subsection (4) of this section and the  
13 remaining one and one-fourth percent shall be used for innovation and  
14 improvement grants pursuant to subsections (2) and (3) of this section.

15 13. Purpose: Correct the FY2023-24 Cash Reserve Fund transfer to the  
16 Nebraska Capital Construction Fund (LB 1210).

17 Amendment to section 54:

18 a. On page 39, lines 4 and 5, strike "sixty-eight million one" and  
19 insert "sixty-six million six".

20 14. Purpose: Change the FY2024-25 Cash Reserve Fund transfer to the  
21 Nebraska Capital Construction Fund (LB 1210 and Nebraska Correctional  
22 Center for Women in York).

23 Amendment to section 54:

24 a. On page 45, line 7, strike "twenty-five", show as stricken, and  
25 insert "twenty-nine".

26 15. Purpose: Reduce the transfer from the Cash Reserve Fund to the  
27 Health and Human Services Cash Fund.

28 Amendment to section 54:

29 a. On page 46, line 3, strike "ten million" and insert "three  
30 million five hundred thousand".

31 16. Purpose: Provide for a transfer from the Cash Reserve Fund to

1 the State Insurance Fund for claims.

2 Amendment to section 54:

3 a. On page 46, after line 7, insert the following new subsection:

4 "(27) The State Treasurer shall transfer three million two hundred  
5 fifty thousand dollars from the Cash Reserve Fund to the State Insurance  
6 Fund as soon as possible after the effective date of this act, 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 17. Purpose: Correct the repealer.

10 Amendment to section 56:

11 a. On page 48, line 29, after "sections" insert "2-1507, 45-930,";

12 and

13 b. On page 49, line 2, strike "79-3501" and insert "79-1054".

14 18. Renumber the remaining sections accordingly.