

AMENDMENTS TO LB1012

Introduced by Appropriations.

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

3 Section 1. The State Treasurer shall transfer \$500,000 from the
4 General Fund to the Community College State Dependents Fund on or before
5 April 30, 2022, on such dates and in such amounts as directed by the
6 budget administrator of the budget division of the Department of
7 Administrative Services.

8 Sec. 2. The State Treasurer shall transfer \$1,000,000 from the
9 General Fund to the Community College State Dependents Fund on July 1,
10 2022, or as soon thereafter as administratively possible, as directed by
11 the budget administrator of the budget division of the Department of
12 Administrative Services.

13 Sec. 3. The Community College State Dependents Fund is created. The
14 fund shall be used to reimburse tuition expenses for dependents of
15 Nebraska state employees enrolled in one of the state's six community
16 colleges. The Department of Administrative Services shall administer the
17 fund through the benefits administration program. The fund shall consist
18 of transfers authorized by the Legislature and any gifts, grants, or
19 bequests for such purposes from any source, including federal, state,
20 public, and private sources. Any money in the fund available for
21 investment shall be invested by the state investment officer pursuant to
22 the Nebraska Capital Expansion Act and the Nebraska State Funds
23 Investment Act.

24 Sec. 4. (1) The Perkins County Canal Project Fund is created. The
25 fund shall be administered by the Department of Natural Resources. The
26 State Treasurer shall credit to the fund any money transferred by the
27 Legislature and such grants, loans, donations, gifts, bequests, or other

1 money received from any federal or state agency or public or private
2 source for use by the department for the canal project. Any money in the
3 Perkins County Canal Project Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska Capital
5 Expansion Act and the Nebraska State Funds Investment Act. Any investment
6 earnings from investment of money in the fund shall be credited to the
7 fund.

8 (2)(a) The department shall use the fund for design, engineering,
9 permitting, and options to purchase land related to building a canal as
10 outlined by the South Platte River Compact and to contract with an
11 independent firm for the purposes of completing a study of such canal.
12 The study shall include, but may not be limited to, the following:

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

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

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

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

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

25 Sec. 5. (1) The Military Base Development and Support Fund is
26 created. The fund shall be used to contribute to construction,
27 development, or support on any military base, located in Nebraska, for
28 purposes of improving mission retention and recruitment; supporting the
29 morale, health, and mental wellness of military members and families; and
30 growing the economic impact of military bases in Nebraska. The Department
31 of Veterans' Affairs shall administer the fund. The fund shall consist of

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

7 (2) The fund may be used for projects on military bases located in
8 Nebraska, including, but not limited to:

- 9 (a) An outdoor airman amenity pavilion;
- 10 (b) Track and field stadium improvements;
- 11 (c) A parade-ground walking trail;
- 12 (d) Improvements at Willow Lakes Golf Course;
- 13 (e) Base Lake improvements;
- 14 (f) Landscape enhancements;
- 15 (g) Deterrence Park;
- 16 (h) Looking Glass Heritage Park;
- 17 (i) Quarters 13 comprehensive repairs, design, and construction; and
- 18 (j) B1000 Rooftop Garden.

19 (3) The Department of Veterans' Affairs shall require a match of
20 private funding in an amount equal to or greater than one-half of the
21 total cost of any project listed in subsection (2) of this section prior
22 to authorizing an expenditure from the fund.

23 Sec. 6. The Trail Development and Maintenance Fund is hereby
24 created. The fund shall consist of transfers at the direction of the
25 Legislature and any gifts, bequests, or other contributions to such fund
26 from public or private entities. The Game and Parks Commission shall
27 administer the fund to provide grants to natural resources districts to
28 assist in completing the Missouri-Pacific trail between the cities of
29 Lincoln and Omaha. Any money in the fund available for investment shall
30 be invested by the state investment officer pursuant to the Nebraska
31 Capital Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 7. (1) The Jobs and Economic Development Initiative Fund is
2 created. The fund shall be administered by the Department of Natural
3 Resources. The State Treasurer shall credit to the fund any money
4 transferred to the fund by the Legislature and such donations, gifts,
5 bequests, or other money received from any federal or state agency or
6 public or private source. The fund shall be used for water and
7 recreational projects pursuant to the Jobs and Economic Development
8 Initiative Act. Any money in the 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. Any investment
11 earnings from investment of money in the fund shall be credited to the
12 fund.

13 (2) An amount, not to exceed twenty million dollars, shall be
14 available for site selection costs, feasibility and public water supply
15 studies, and flood mitigation costs of the Department of Natural
16 Resources related to any projects pursuant to the Jobs and Economic
17 Development Initiative Act. The Department of Natural Resources shall, in
18 cooperation with impacted communities, including, but not limited to, any
19 city of the primary class and metropolitan utilities district, contract
20 with an independent consultant to conduct a study on the consequences of
21 any lake located in the Lower Platte River Basin to the public water
22 supply of such communities. Such study shall consider all aspects of
23 water quality, water quantity, and water infrastructure, and any other
24 issues necessary to protect the public water supply, including the impact
25 to future water supply opportunities to the impacted communities.

26 (3) No funds shall be expended for any project, other than those
27 enumerated in subsection (2) of this section, from the Jobs and Economic
28 Development Initiative Fund unless the Director of Natural Resources
29 certifies to the budget administrator of the budget division of the
30 Department of Administrative Services that the Department of Natural
31 Resources has conducted any environmental, hydrological, or other

1 feasibility studies the director deems necessary to establish the
2 feasibility of any projects pursuant to the Jobs and Economic Development
3 Initiative Act and that, based on the results of such studies, the
4 director has deemed the projects feasible.

5 Sec. 8. (1) The Water Recreation Enhancement Fund is created. The
6 fund shall be administered by the Game and Parks Commission. The State
7 Treasurer shall credit to the fund any money transferred to the fund by
8 the Legislature and such donations, gifts, bequests, or other money
9 received from any federal or state agency or public or private source.
10 The fund shall be used for water and recreational projects pursuant to
11 the Water Recreation Enhancement Act. 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. Any investment earnings from investment of money in the
15 fund shall be credited to the fund.

16 (2) For any amount credited to the fund from a source other than a
17 transfer authorized by the Legislature, the State Treasurer shall
18 transfer an equal amount from the Water Recreation Enhancement Fund to
19 the Jobs and Economic Development Initiative Fund at the end of the
20 fiscal year in which such funds were credited, on such dates as directed
21 by the budget administrator of the budget division of the Department of
22 Administrative Services to be used pursuant to section 7 of this act.

23 Sec. 9. There is hereby created the Surface Water Irrigation
24 Infrastructure Fund to be administered by the Department of Natural
25 Resources. The fund shall be used to provide grants in accordance with
26 section 10 of this act to irrigation districts. There shall be a one-time
27 transfer of fifty million dollars from the Cash Reserve Fund to the
28 Surface Water Irrigation Infrastructure Fund to carry out the purposes of
29 section 10 of this act. Any money in the Surface Water Irrigation
30 Infrastructure Fund available for investment shall be invested by the
31 state investment officer pursuant to the Nebraska Capital Expansion Act

1 and the Nebraska State Funds Investment Act.

2 Sec. 10. The Department of Natural Resources shall establish
3 procedures and criteria for awarding grants to irrigation districts from
4 the Surface Water Irrigation Infrastructure Fund to be used for repair or
5 construction of any headgate, flume, diversion structure, check valve, or
6 any other physical structure used for irrigation projects. The department
7 may award grants, not to exceed five million dollars per applicant, to an
8 irrigation district that applies to the department based on criteria and
9 procedures established by the department. In order to receive a grant
10 under this section, a grant applicant shall provide matching funds equal
11 to ten percent of the grant amount awarded for such project.

12 Sec. 11. Section 71-7611, Revised Statutes Supplement, 2021, is
13 amended to read:

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

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

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

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

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

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

28 (4) The State Treasurer shall transfer fifty thousand dollars on or
29 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
30 Board of Regents of the University of Nebraska for the University of
31 Nebraska Medical Center. It is the intent of the Legislature that these

1 funds be used by the College of Public Health for workforce training.

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

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

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

21 Sec. 12. Section 75-1101, Revised Statutes Cumulative Supplement,
22 2020, is amended to read:

23 75-1101 (1) For purposes of this section, 211 Information and
24 Referral Network means a statewide information and referral network
25 providing information to the public regarding disaster and emergency
26 response and health and human services provided by public and private
27 entities throughout the state.

28 (2) The Public Service Commission shall award a grant annually to a
29 211 Information and Referral Network which submits an application and
30 meets the requirements of this section. Beginning July 1, 2022, the The
31 amount of each grant shall be nine ~~three~~ hundred fifty-five thousand

1 dollars.

2 (3) To be eligible for a grant, the 211 Information and Referral
3 Network shall update the information and referral services on the network
4 at least annually, shall geographically index the services to provide
5 information on a county-by-county basis, and shall be accredited as
6 meeting the standards for service delivery and quality by the Alliance of
7 Information and Referral Systems or a similar organization approved by
8 the commission.

9 (4) The grant may be used to establish a website which includes
10 links to providers of health and human services, the name, address, and
11 telephone number of any organization listed on the website, a description
12 of the type of services provided by the organization, and other
13 information to educate the public about the health and human services
14 available on a geographic basis. The grant may also be used to provide
15 access to the network twenty-four hours per day, seven days per week,
16 through telephone access and website access.

17 (5) There is hereby created the 211 Cash Fund. The fund shall be
18 used solely for the purpose of providing grants pursuant to this section
19 and associated administrative costs. All money received by the Public
20 Service Commission for such grants shall be remitted to the State
21 Treasurer for credit to such fund. Any money in the fund available for
22 investment shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act.

25 Sec. 13. Section 81-829.33, Revised Statutes Cumulative Supplement,
26 2020, is amended to read:

27 81-829.33 The Governor's Emergency Cash Fund is created. The fund
28 shall consist of federal reimbursements received by the state for
29 eligible state administrative costs incurred by the Nebraska Emergency
30 Management Agency for administering federal emergency disaster
31 declarations and revenue from all other nonfederal government sources.

1 Except as provided in section 90-270, the fund shall be used to pay
2 eligible costs related to state emergency disaster declarations. The fund
3 shall be administered by the State Administrator of the Nebraska
4 Emergency Management Agency. Any money in the fund available for
5 investment shall be invested by the state investment officer pursuant to
6 the Nebraska Capital Expansion Act and the Nebraska State Funds
7 Investment Act.

8 Transfers may be made from the Governor's Emergency Cash Fund to the
9 Cash Reserve Fund and General Fund at the direction of the Legislature.
10 The State Treasurer shall transfer fourteen million dollars from the
11 Governor's Emergency Cash Fund to the Cash Reserve Fund by June 30, 2023,
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 ~~Transfers may be made from the Governor's Emergency Cash Fund to the~~
15 ~~Cash Reserve Fund at the direction of the Legislature through June 30,~~
16 ~~2021. The State Treasurer shall transfer sixty million dollars from the~~
17 ~~Governor's Emergency Cash Fund to the Cash Reserve Fund between August 7,~~
18 ~~2020, and June 30, 2021, on such dates and in such amounts as directed by~~
19 ~~the budget administrator of the budget division of the Department of~~
20 ~~Administrative Services.~~

21 Sec. 14. Section 81-1210.01, Revised Statutes Cumulative Supplement,
22 2020, is amended to read:

23 81-1210.01 For purposes of sections 81-1210.01 to 81-1210.03:

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

25 (2) Internship means employment of a student in a professional or
26 technical position for a limited period of time, by a business in
27 Nebraska, in which the student:

28 (a) Gains gains valuable applied work experiences; work experience,

29 (b) Increases increases knowledge and develops connections that
30 assist that assists with career decisionmaking; ~~and~~

31 (c) Has the opportunity to match with an employer seeking talent to

1 evaluate, develop, and retain; or

2 (d) Receives credited or certified training for skilled positions
3 that will help resolve skilled workforce shortages and create talent
4 pipelines for Nebraska industries ~~assists the business in accelerating~~
5 ~~short-term business objectives; and~~

6 (3) Student means any person who:

7 (a) Is in eleventh or twelfth grade in a public or private high
8 school or a school which elects pursuant to section 79-1601 not to meet
9 accreditation or approval requirements in Nebraska;

10 (b) Is enrolled ~~full-time~~ in a college, a university, a certified
11 training institution, or some other institution of higher education; or

12 (c) Applies for an internship within twelve ~~six~~ months following
13 graduation from a public or private secondary school, a school that
14 elects pursuant to section 79-1601 not to meet accreditation or approval
15 requirements in Nebraska, or a college, a university, a certified
16 training institution, or some other institution of higher education.

17 Sec. 15. Section 81-1210.02, Reissue Revised Statutes of Nebraska,
18 is amended to read:

19 81-1210.02 (1) The intent of sections 81-1210.01 to 81-1210.03 is to
20 provide students with valuable internship opportunities in order to
21 retain such students in the State of Nebraska at institutions of higher
22 education, convert students to full-time employment in Nebraska, and
23 attract workers to Nebraska by assisting Nebraska businesses willing to
24 provide paid internships.

25 (2) A business may apply to the department for a grant to assist in
26 providing a student an internship if:

27 (a) The business certifies that the internship meets the definition
28 of internship in section 81-1210.01;

29 (b) The business will pay the student at least the state federal
30 minimum hourly wage for the internship;

31 (c) The internship will be completed within the State of Nebraska;

1 (d) The internship will be completed within a period of no more than
2 twenty-four ~~twelve~~ months; and

3 (e) The internship will be for a duration sufficient to allow the
4 student to gain significant valuable work experience and knowledge.

5 ~~(3)(a) (3)~~ The department may provide grants for internships to
6 reimburse the cost of wages paid to businesses with less than fifty full-
7 time-equivalent employees.

8 (b) The department may also provide grants for internships to any
9 business to reimburse the costs for any of the following:

10 (i) Tuition reimbursement for courses at institutions of higher
11 education;

12 (ii) Internship housing;

13 (iii) Transportation expenses relating to internships; and

14 (iv) Internship administrative or recruitment costs.

15 (c) The maximum grant award per internship is seven thousand five
16 hundred dollars. in the following amounts:

17 ~~(a) If the student receiving the internship is a Federal Pell Grant~~
18 ~~recipient at the time of grant application, the grant may be up to the~~
19 ~~lesser of seventy-five percent of the cost of the internship or seven~~
20 ~~thousand five hundred dollars. The business applying for the grant shall~~
21 ~~provide the department with documentation to prove that the student is a~~
22 ~~Federal Pell Grant recipient; and~~

23 ~~(b) For all other students, the grant may be up to the lesser of~~
24 ~~seventy-five percent of the cost of the internship or five thousand~~
25 ~~dollars.~~

26 (4) A business may apply for no more than two grants for the same
27 student, ~~shall not be awarded more than five grants at any one location~~
28 ~~in any twelve-month period,~~ and shall not be awarded more than one
29 hundred ~~ten~~ grants total in any twelve-month period.

30 (5) A business may allow a student to telecommute if the business is
31 located more than thirty miles from the college, university, or other

1 institution of higher education in which the student is enrolled and if
2 the college, university, or other institution of higher education is in
3 Nebraska.

4 (6) The department shall, to the extent possible, assure that the
5 distribution of grants under sections 81-1210.01 to 81-1210.03 provides
6 equitable access to the grants by all geographic areas of the state.

7 (7) The department shall, to the extent possible, assure that the
8 grants awarded pursuant to sections 81-1210.01 to 81-1210.03 are for
9 internships which provide valuable learning opportunities for students
10 who will be seeking employment in a professional or technical field.

11 (8) The department shall not allocate more than one million five
12 hundred thousand dollars in any one fiscal year from the Job Training
13 Cash Fund or its subaccounts for purposes of this section. The department
14 may receive funds from public, private, or other sources for purposes of
15 this section.

16 (9) The department shall develop a qualified action plan by January
17 1 of each even-numbered year. The plan shall, at a minimum, set forth the
18 department's priorities and selection criteria for awarding grants for
19 internships. In order to encourage students from across Nebraska to
20 pursue internships, the plan shall also include strategies for
21 affirmatively marketing internships to Nebraska students in high schools,
22 colleges, universities, and other institutions of higher education in
23 Nebraska. Such strategies shall place an emphasis on marketing to
24 underserved student populations as defined by the department in the plan.
25 The department shall submit the plan to the Governor for approval.

26 (10) The department shall execute a memorandum of understanding with
27 the Department of Labor before December 31, 2022, to ensure the exchange
28 of available Department of Labor data throughout the continuum from
29 prekindergarten to postsecondary education to the workforce. The
30 department may utilize data and agreements under sections 79-776, 85-110,
31 85-309, and 85-1511.

1 (11) The department shall submit an annual report to the Governor
2 and the Legislature on or before July 1 of each year which includes, but
3 is not limited to, a description of the demand for internship grants and
4 programs under sections 81-1210.01 to 81-1210.03 from all geographic
5 regions in Nebraska, a listing of the recipients and amounts of
6 internship grants awarded in the previous fiscal year, the impact of the
7 internship grants, and an evaluation of the internship grants and
8 programs under sections 81-1210.01 to 81-1210.03 based on the documented
9 goals of the recipients. The report submitted to the Legislature shall be
10 submitted electronically. The department may require recipients to
11 provide periodic performance reports to enable the department to fulfill
12 the requirements of this subsection. The report shall contain no
13 information that is protected by state or federal confidentiality laws.

14 (12) The department may enter into a contract with a Nebraska-based
15 nonprofit entity for the purposes of carrying out any or all of the
16 provisions of sections 81-1210.01 to 81-1210.03.

17 Sec. 16. Section 81-1210.04, Revised Statutes Cumulative Supplement,
18 2020, is amended to read:

19 81-1210.04 (1) The Intern Nebraska Cash Fund is created. The fund
20 shall be used to carry out sections 81-1210.01 to 81-1210.03. The fund
21 shall consist of money transferred to the fund by the Legislature, ~~other~~
22 funds as appropriated by the Legislature, and money donated as gifts,
23 bequests, or other contributions from public or private entities. Any
24 money in the fund available for investment shall be invested by the state
25 investment officer pursuant to the Nebraska Capital Expansion Act and the
26 Nebraska State Funds Investment Act.

27 (2) The Department of Economic Development, or any entity with which
28 the department contracts for such purpose, may use up to five percent of
29 any appropriation to carry out sections 81-1210.01 to 81-1210.03 for
30 administrative services.

31 Sec. 17. Section 81-12,145, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-12,145 (1) The Legislature finds that current economic
3 conditions, lack of available industrial sites and buildings, and
4 declining resources at all levels of government adversely affect the
5 ability of Nebraska's cities and villages to obtain viable industrial
6 sites on which to build businesses, obtain buildings, and create jobs.
7 Lack of industrial sites and buildings also affects the ability of
8 communities to maintain and develop stable and growth-prone economies.

9 (2) ~~The Furthermore,~~ the Legislature finds that Nebraska is at a
10 competitive disadvantage for business development relative to other
11 states in the nation due to a lack of appropriately sized industrial
12 sites and buildings available for business relocations to Nebraska and
13 expansions. The future of investment and jobs in Nebraska will suffer
14 should the state continue to ignore this challenge.

15 (3) The Legislature finds that development of a public-private-
16 partnership facility in conjunction with the United States Strategic
17 Command will enhance the economic conditions and create conditions
18 favorable to the industrial readiness of the state.

19 (4) To enhance the economic development of the state and to provide
20 for the general prosperity of all of Nebraska's citizens, it is in the
21 public interest to assist in the provision of industrial-ready sites and
22 buildings in all areas of the state. The establishment of the Site and
23 Building Development Fund will assist in creating conditions favorable to
24 meeting the industrial readiness of the state.

25 Sec. 18. Section 81-12,147, Revised Statutes Supplement, 2021, is
26 amended to read:

27 81-12,147 (1) Except as provided in subsection (2) of this section,
28 the Department of Economic Development shall use the Site and Building
29 Development Fund to finance loans, grants, subsidies, credit
30 enhancements, and other financial assistance for industrial site and
31 building development and for expenses of the department as appropriated

1 by the Legislature for administering the fund. The following activities
2 are eligible for assistance from the fund:

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

6 (b) Matching funds for new construction, rehabilitation, or
7 acquisition of land and buildings to assist villages, cities, and
8 counties;

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

12 (d) Loan guarantees for eligible projects;

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

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

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

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

25 (2) The Department of Economic Development shall use the subaccount
26 of the Site and Building Development Fund described in subsection (2) of
27 section 81-12,146 to provide financial assistance to any inland port
28 authority created under the Municipal Inland Port Authority Act to help
29 finance large shovel-ready commercial and industrial sites developed
30 under such act.

31 Sec. 19. Section 81-12,148, Revised Statutes Supplement, 2021, is

1 amended to read:

2 81-12,148 (1) Governmental subdivisions and Nebraska nonprofit
3 organizations are eligible to receive assistance under the Site and
4 Building Development Act. Any entity receiving assistance under
5 subsection (1) of section 81-12,147 ~~the act~~ shall provide, or cause to be
6 provided, matching funds for the eligible activity in an amount
7 determined by the Department of Economic Development, which amount shall
8 be at least equal to one hundred percent of the amount of assistance
9 provided by the Site and Building Development Fund. Nothing in the act
10 shall be construed to allow individuals or businesses to receive direct
11 loans from the fund.

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

23 (3) (2) This section does not apply to any inland port authority
24 receiving assistance under subsection (2) of section 81-12,147.

25 Sec. 20. Section 81-12,149, Revised Statutes Supplement, 2021, is
26 amended to read:

27 81-12,149 (1) During each calendar year in which funds are available
28 from the Site and Building Development Fund for use by the Department of
29 Economic Development pursuant to subdivisions (1)(a) through (g) of
30 section 81-12,147, the department shall allocate a specific amount of
31 funds, not less than forty percent, to nonmetropolitan areas. For

1 purposes of this section, nonmetropolitan areas means counties with fewer
2 than one hundred thousand inhabitants according to the most recent
3 federal decennial census. In selecting projects to receive such fund
4 assistance, the department shall develop a qualified action plan by
5 January 1 of each even-numbered year. The plan shall give first priority
6 to financially viable projects that have an agreement with a business
7 that will locate a site within ninety days of the signed agreement and to
8 financially viable projects located in whole or in part within an
9 enterprise zone designated pursuant to the Enterprise Zone Act or an
10 opportunity zone designated pursuant to the federal Tax Cuts and Jobs
11 Act, Public Law 115-97. The plan shall set forth selection criteria to be
12 used to determine priorities of the fund for activities pursuant to
13 subdivisions (1)(a) through (g) of section 81-12,147 which are
14 appropriate to local conditions, including the community's immediate need
15 for site and building development, proposed increases in jobs and
16 investment, private dollars leveraged, level of local government support
17 and participation, and repayment, in part or in whole, of financial
18 assistance awarded by the fund. The Director of Economic Development
19 shall submit the plan to the Governor for approval.

20 (2) The department shall fund in order of priority as many
21 applications for activities pursuant to subdivisions (1)(a) through (g)
22 of section 81-12,147 as will utilize available money in the Site and
23 Building Development Fund funds less actual administrative costs of the
24 department in administering the fund program. In administering the fund,
25 ~~program~~ the department may contract for services or directly provide
26 money funds to other governmental entities or instrumentalities.

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

29 Sec. 21. Section 81-12,153, Revised Statutes Cumulative Supplement,
30 2020, is amended to read:

31 81-12,153 For purposes of the Business Innovation Act:

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

2 (2) Economic redevelopment area means an area in the State of
3 Nebraska in which:

4 (a) The average rate of unemployment in the area during the period
5 covered by the most recent federal decennial census or American Community
6 Survey 5-Year Estimate by the United States Bureau of the Census is at
7 least one hundred fifty percent of the average rate of unemployment in
8 the state during the same period; and

9 (b) The average poverty rate in the area is twenty percent or more
10 for the federal census tract in the area;

11 (3) ~~(2)~~ Federal grant program means the federal Small Business
12 Administration's Small Business Innovation Research grant program or
13 Small Business Technology Transfer grant program;

14 (4) ~~(3)~~ Microenterprise means a for-profit business entity with not
15 more than ten full-time equivalent employees;

16 (5) ~~(4)~~ Prototype means an original model on which something is
17 patterned by a resident of Nebraska or a company located in Nebraska; and

18 (6) ~~(5)~~ Value-added agriculture means increasing the net worth of
19 food or nonfood agricultural products by processing, alternative
20 production and handling methods, collective marketing, or other
21 innovative practices.

22 Sec. 22. Section 81-12,154, Revised Statutes Cumulative Supplement,
23 2020, is amended to read:

24 81-12,154 The purpose of the Business Innovation Act is to encourage
25 and support the transfer of Nebraska-based technology and innovation in
26 rural and urban areas of Nebraska in order to create high growth, high
27 technological companies, small businesses, and microenterprises and to
28 enhance creation of wealth and quality jobs. The Legislature finds that
29 the act will:

30 (1) Provide technical assistance planning grants pursuant to section
31 81-12,157 to facilitate phase one applications for the federal grant

1 program;

2 (2) Provide financial assistance pursuant to section 81-12,157 to
3 companies receiving phase one and phase two grants pursuant to the
4 federal grant program;

5 (3) Provide financial assistance pursuant to section 81-12,158 to
6 companies or individuals creating prototypes;

7 (4) Establish a financial assistance program pursuant to section
8 81-12,159 for innovation in value-added agriculture;

9 (5) Establish a financial assistance program for innovation in
10 biosciences;

11 (6) Establish a financial assistance program pursuant to section
12 81-12,160 to identify commercial products and processes;

13 (7) Provide financial assistance pursuant to section 81-12,161 to
14 companies using Nebraska public or private college and university
15 researchers and facilities for applied research projects;

16 (8) Provide support and funding pursuant to section 81-12,162 for
17 microlending entities, ~~and~~ microenterprise entities, and innovation hubs;
18 and

19 (9) Provide support for locally owned and operated Nebraska-based,
20 high growth businesses by providing technical resources to foster
21 development, growth, and high wage creation. For purposes of this
22 subdivision, Nebraska-based, high growth business means a corporation,
23 partnership, limited liability company, limited partnership, or limited
24 liability partnership registered with the Secretary of State that has two
25 to fifty employees and has annual sales of no less than five hundred
26 thousand dollars and no more than two million five hundred thousand
27 dollars.

28 Sec. 23. Section 81-12,156, Revised Statutes Cumulative Supplement,
29 2020, is amended to read:

30 81-12,156 When selecting projects for funding under the Business
31 Innovation Act, the department shall give a preference to projects

1 located in whole or in part within an economic redevelopment area, an
2 enterprise zone designated pursuant to the Enterprise Zone Act, or an
3 opportunity zone designated pursuant to the federal Tax Cuts and Jobs
4 Act, Public Law 115-97.

5 Sec. 24. Section 81-12,162, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 81-12,162 (1) The department shall establish a small business
8 investment program. The program:

9 (a) Shall provide grants to microloan delivery organizations, ~~or~~
10 microloan technical assistance organizations, and innovation hubs to:

11 (i) Better assure that Nebraska's microenterprises are able to
12 realize their full potential to create jobs, enhance entrepreneurial
13 skills and activity, and increase low-income households' capacity to
14 become self-sufficient;

15 (ii) Provide funding to foster the creation of microenterprises;

16 (iii) Establish the department as the coordinating office for the
17 facilitation of microlending and microenterprise development;

18 (iv) Facilitate the development of a permanent, statewide
19 infrastructure of microlending support organizations to serve Nebraska's
20 microenterprise and self-employment sectors;

21 (v) Enable the department to provide grants to community-based
22 microenterprise development organizations in order to encourage the
23 development and growth of microenterprises throughout Nebraska; and

24 (vi) Enable the department to engage in contractual relationships
25 with statewide microlending support organizations and innovation hubs
26 which have the capacity to leverage additional nonstate funds for
27 microenterprise lending.

28 To the maximum extent possible, the selection process should assure
29 that the distribution of such financial assistance provides equitable
30 access to the benefits of the Business Innovation Act by all geographic
31 areas of the state; and

1 (b) May identify and coordinate other state and federal sources of
2 funds which may be available to the department to enhance the state's
3 ability to facilitate financial assistance pursuant to the program.

4 (2) To establish the criteria for making an award to a microloan
5 delivery organization, ~~or~~ microloan technical assistance organization, or
6 innovation hub, the department shall consider:

7 (a) The plan for providing business development services and
8 microloans to microenterprises;

9 (b) The scope of services to be provided by the microloan delivery
10 organization, ~~or~~ microloan technical assistance organization, or
11 innovation hub;

12 (c) The plan for coordinating the services and loans provided by the
13 microloan delivery organization, ~~or~~ microloan technical assistance
14 organization, or innovation hub with commercial lending institutions;

15 (d) The geographic representation of all regions of the state,
16 including both urban and rural communities and neighborhoods;

17 (e) The ability of the microloan delivery organization, ~~or~~ microloan
18 technical assistance organization, or innovation hub to provide for
19 business development in areas of chronic economic distress and low-income
20 regions of the state;

21 (f) The ability of the microloan delivery organization, ~~or~~ microloan
22 technical assistance organization, or innovation hub to provide business
23 training and technical assistance to microenterprise clients;

24 (g) The ability of the microloan delivery organization, ~~or~~ microloan
25 technical assistance organization, or innovation hub to monitor and
26 provide financial oversight of recipients of microloans; and

27 (h) Sources and sufficiency of operating funds for the
28 microenterprise development organization.

29 (3) Awards made by the department to a microloan delivery
30 organization, ~~or~~ microloan technical assistance organization, or
31 innovation hub may be used to:

1 (a) Satisfy matching fund requirements for other federal or private
2 grants;

3 (b) Establish a revolving loan fund from which the microloan
4 delivery organization, ~~or~~ microloan technical assistance organization, or
5 innovation hub may make loans to microenterprises;

6 (c) Establish a guaranty fund from which the microloan delivery
7 organization, ~~or~~ microloan technical assistance organization, or
8 innovation hub may guarantee loans made by commercial lending
9 institutions to microenterprises;

10 (d) Provide funding for the operating costs of a microloan delivery
11 organization, ~~or~~ microloan technical assistance organization, or
12 innovation hub not to exceed twenty percent; and

13 (e) Provide grants to establish loan-loss reserve funds to match
14 loan capital borrowed from other sources, including federal
15 microenterprise loan programs.

16 (4) Any award of financial assistance to a microloan delivery
17 organization, ~~or~~ microloan technical assistance organization, or
18 innovation hub shall meet the following qualifications:

19 (a) Funds shall be matched by nonstate funds equivalent in money or
20 in-kind contributions or a combination of both equal to thirty-five
21 percent of the grant funds requested. Such matching funds may be from any
22 nonstate source, including private foundations, federal or local
23 government sources, quasi-governmental entities, or commercial lending
24 institutions, or any other funds whose source does not include funds
25 appropriated by the Legislature;

26 (b) Microloan funds shall be disbursed in microloans which do not
27 exceed one hundred fifty thousand dollars or used to capitalize loan-loss
28 reserve funds for such loans; and

29 (c) A minimum of fifty percent of the microloan funds shall be used
30 by a microenterprise development assistance organization for small
31 business technical assistance.

1 The department shall contract with a statewide microenterprise
2 development assistance organization to carry out this section.

3 (5) Each year the department may award up to three ~~two~~ million
4 dollars under this section.

5 Sec. 25. Section 81-12,213, Revised Statutes Supplement, 2021, is
6 amended to read:

7 81-12,213 (1) The right to receive matching funds under the Nebraska
8 Rural Projects Act:

9 (a) Shall be subject to the limitations on matching funds provided
10 in subsections (3) and (2) ~~through~~ (4) of this section and any other
11 limitations provided in the act;

12 (b) Shall be subject to funds being appropriated by the Legislature;
13 and

14 (c) Shall not be transferable.

15 (2) No less ~~more~~ than fifty million dollars of matching funds shall
16 be paid in total under the Nebraska Rural Projects Act.

17 (3) No more than thirty million dollars of matching funds shall be
18 paid for any one project out of the initial fifty million dollars
19 appropriated pursuant to subsection (7) of this section. If more than
20 fifty million dollars are appropriated under the act, no one project
21 shall receive more than sixty percent of the amount appropriated in
22 excess of fifty million dollars.

23 (4) An applicant shall not receive more matching funds than the
24 amount of matching funds approved under the applicant's agreement.

25 (5) For any year in which more than one applicant qualifies for
26 matching funds, the applicant with the earlier date of application shall
27 receive the full amount of matching funds to which he or she is entitled
28 before any matching funds may be paid to the applicant with the later
29 date of application. If an applicant cannot be paid in full in any given
30 year, then the matching funds shall be paid in later years until fully
31 funded, subject to the limitations provided in this section.

1 (6) It is the intent of the Legislature that all matching funds owed
2 to applicants under agreements signed pursuant to the Nebraska Rural
3 Projects Act shall be paid by the state in full if the applicant has met
4 all requirements for such funds.

5 (7) It is further the intent of the Legislature to appropriate
6 twenty-five ~~five~~ million dollars for fiscal year 2021-22 and twenty-five
7 ~~five~~ million dollars for fiscal year 2022-23 to the Department of
8 Economic Development for purposes of carrying out the Nebraska Rural
9 Projects Act.

10 Sec. 26. Section 81-12,218, Revised Statutes Supplement, 2021, is
11 amended to read:

12 81-12,218 (1) The Nebraska Rural Projects Fund is hereby created.
13 The fund shall receive money from application fees paid under the
14 Nebraska Rural Projects Act and from transfers authorized by
15 ~~appropriations from~~ the Legislature, grants, private contributions,
16 repayments of matching funds, and all other sources. Any money in the
17 fund available for investment shall be invested by the state investment
18 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 (2) Distributions of matching funds shall only be made from the fund
21 in amounts determined pursuant to subsection (1) of section 81-12,211.

22 Sec. 27. Section 82-331, Revised Statutes Supplement, 2021, is
23 amended to read:

24 82-331 (1) There is hereby established in the state treasury a trust
25 fund to be known as the Nebraska Cultural Preservation Endowment Fund.
26 The fund shall consist of funds appropriated or transferred by the
27 Legislature, and only the earnings of the fund may be used as provided in
28 this section.

29 (2) Except as provided in subsection (3) of this section, it is the
30 intent of the Legislature that the State Treasurer shall transfer (a) an
31 amount not to exceed one million dollars from the General Fund to the

1 Nebraska Cultural Preservation Endowment Fund on December 31, 2013, (b)
2 an amount not to exceed five hundred thousand dollars from the General
3 Fund to the Nebraska Cultural Preservation Endowment Fund on December 31,
4 2014, (c) an amount not to exceed seven hundred fifty thousand dollars
5 from the General Fund to the Nebraska Cultural Preservation Endowment
6 Fund on December 31 of 2015 and 2016, (d) an amount not to exceed five
7 hundred thousand dollars from the General Fund to the Nebraska Cultural
8 Preservation Endowment Fund on December 31 of 2019 and 2020, and (e) an
9 amount not to exceed one million dollars from the General Fund to the
10 Nebraska Cultural Preservation Endowment Fund annually on December 31
11 beginning in 2021 and continuing through December 31, 2030 ~~2028~~.

12 (3) Prior to the transfer of funds from any state account into the
13 Nebraska Cultural Preservation Endowment Fund, the Nebraska Arts Council
14 shall provide documentation to the budget division of the Department of
15 Administrative Services that qualified endowments have generated a
16 dollar-for-dollar match of new money, up to the amount of state funds
17 authorized by the Legislature to be transferred to the Nebraska Cultural
18 Preservation Endowment Fund. For purposes of this section, new money
19 means a contribution to a qualified endowment generated after July 1,
20 2011. Contributions not fully matched by state funds shall be carried
21 forward to succeeding years and remain available to provide a dollar-for-
22 dollar match for state funds. For an endowment to be a qualified
23 endowment (a) the endowment must meet the standards set by the Nebraska
24 Arts Council or Nebraska Humanities Council, (b) the endowment must be
25 intended for long-term stabilization of the organization, and (c) the
26 funds of the endowment must be endowed and only the earnings thereon
27 expended. The budget division of the Department of Administrative
28 Services shall notify the State Treasurer to execute a transfer of state
29 funds up to the amount specified by the Legislature, but only to the
30 extent that the Nebraska Arts Council has provided documentation of a
31 dollar-for-dollar match. State funds not transferred shall be carried

1 forward to the succeeding year and be added to the funds authorized for a
2 dollar-for-dollar match during that year.

3 (4) The Legislature shall not appropriate or transfer money from the
4 Nebraska Cultural Preservation Endowment Fund for any purpose other than
5 the purposes stated in sections 82-330 to 82-333, except that the
6 Legislature may appropriate or transfer money from the fund upon a
7 finding that the purposes of such sections are not being accomplished by
8 the fund.

9 (5) Any money in the Nebraska Cultural Preservation Endowment Fund
10 available for investment shall be invested by the state investment
11 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
12 State Funds Investment Act.

13 (6) All investment earnings from the Nebraska Cultural Preservation
14 Endowment Fund shall be credited to the Nebraska Arts and Humanities Cash
15 Fund.

16 Sec. 28. Section 83-904, Revised Statutes Cumulative Supplement,
17 2020, is amended to read:

18 83-904 (1) The Vocational and Life Skills Program is created within
19 the Department of Correctional Services, in consultation with the Board
20 of Parole. The program shall provide funding to aid in the establishment
21 and provision of community-based vocational training and life skills
22 training for adults who are incarcerated, formerly incarcerated, or
23 serving a period of supervision on either probation or parole.

24 (2) The Vocational and Life Skills Programming Fund is created. The
25 fund shall consist of transfers authorized by appropriations from the
26 Legislature, funds donated by nonprofit entities, funds from the federal
27 government, and funds from other sources. ~~The Up to thirty percent of the~~
28 ~~fund may be used for staffing the reentry program created under section~~
29 ~~83-903 and to provide treatment to individuals preparing for release from~~
30 ~~incarceration. At least seventy percent of the fund shall be used to~~
31 provide grants to community-based organizations, community colleges,

1 federally recognized or state-recognized Indian tribes, or nonprofit
2 organizations that provide vocational and life skills programming and
3 services to adults and juveniles who are incarcerated, who have been
4 incarcerated within the prior eighteen months, or who are serving a
5 period of supervision on either probation or parole. The department, in
6 awarding grants, shall give priority to programs, services, or training
7 that results in meaningful employment or that provides reentry or
8 transitional housing, wrap-around services, family support, or
9 restorative justice programming, and no money from the fund shall be used
10 for capital construction. Any money in the fund available for investment
11 shall be invested by the state investment officer pursuant to the
12 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
13 Act. Investment earnings from investment of money in the fund shall be
14 credited to the fund. Beginning July 1, 2022, and each July 1 thereafter
15 until July 1, 2024, the State Treasurer shall transfer five million
16 dollars annually from the Prison Overcrowding Contingency Fund to the
17 Vocational and Life Skills Programming Fund, on such dates as directed by
18 the budget administrator of the budget division of the Department of
19 Administrative Services.

20 (3) The department, in consultation with the Board of Parole, shall
21 adopt and promulgate rules and regulations to carry out the Vocational
22 and Life Skills Program. The rules and regulations shall include, but not
23 be limited to, a plan for evaluating the effectiveness of programs,
24 services, and training that receive funding and a reporting process for
25 aid recipients. The reentry program administrator shall report quarterly
26 to the Governor and the Clerk of the Legislature beginning October 1,
27 2014, on the distribution and use of the aid distributed under the
28 Vocational and Life Skills Program, including how many individuals
29 received programming, the types of programming, the cost per individual
30 for each program, service, or training provided, how many individuals
31 successfully completed their programming, and information on any funds

1 that have not been used. The report to the Clerk of the Legislature shall
2 be submitted electronically. Any funds not distributed to community-based
3 organizations, community colleges, federally recognized or state-
4 recognized Indian tribes, or nonprofit organizations under this
5 subsection shall be retained by the department to be distributed on a
6 competitive basis under the Vocational and Life Skills Program. These
7 funds shall not be expended by the department for any other purpose.

8 Sec. 29. Section 83-973, Revised Statutes Supplement, 2021, is
9 amended to read:

10 83-973 The Prison Overcrowding Contingency Fund is created. The
11 State Treasurer shall transfer fifteen million dollars from the General
12 Fund to the Prison Overcrowding Contingency Fund on or before July 15,
13 2021, on such date as directed by the budget administrator of the budget
14 division of the Department of Administrative Services. It is the intent
15 of the Legislature that these funds remain in the Prison Overcrowding
16 Contingency Fund until sufficient details are provided to the Legislature
17 regarding plans to reduce prison overcrowding, except that (1) the fund
18 may be used for purposes of a study of inmate classification within the
19 Department of Correctional Services and (2) transfers may be made to the
20 Vocational and Life Skills Programming Fund at the direction of the
21 Legislature. Any money in the Prison Overcrowding Contingency Fund fund
22 available for investment shall be invested by the state investment
23 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act.

25 Sec. 30. Section 85-424, Revised Statutes Supplement, 2021, is
26 amended to read:

27 85-424 (1) The Legislature shall appropriate from the General Fund
28 (a) an amount not less than one million one hundred twenty-five thousand
29 dollars to the State College Facilities Program for each fiscal year for
30 the period commencing July 1, 2006, and continuing through the fiscal
31 year ending June 30, 2040, and (b) an amount not less than two million

1 two hundred sixteen thousand dollars in each fiscal year for the
2 appropriations referred to in subsection (5) of section 85-419, which
3 shall be continued through the fiscal year ending June 30, 2040, to the
4 State College Facilities Program to be used by the Board of Trustees of
5 the Nebraska State Colleges to accomplish projects as provided in this
6 section. Through the allotment process established in section 81-1113 the
7 Department of Administrative Services shall make appropriated funds
8 available. Undisbursed appropriations balances existing in the State
9 College Facilities Program at the end of each fiscal year until June 30,
10 2041, shall be and are hereby reappropriated.

11 (2) The Legislature finds and determines that the projects funded
12 through the State College Facilities Program are of critical importance
13 to the State of Nebraska. It is the intent of the Legislature that the
14 appropriations to the program shall not be reduced until all contracts
15 and securities relating to the construction and financing of the projects
16 or portions of the projects funded from such funds or accounts of such
17 funds are completed or paid but in no case shall such appropriations
18 extend beyond the fiscal year ending June 30, 2040.

19 (3) Subject to the receipt of project approval from the Coordinating
20 Commission for Postsecondary Education as required by subsection (10) of
21 section 85-1414 for each of the following state college projects, the
22 Board of Trustees of the Nebraska State Colleges is authorized to make
23 expenditures from the State College Facilities Program for the following
24 state college projects: (a) Deferred maintenance, repair, and renovation
25 of Chadron State College Academic/Administration Building; (b) design and
26 placement of a new Peru State College emergency power generator; (c)
27 replacement of existing Peru State College Al Wheeler Activity Center
28 bleachers; (d) addition to and deferred maintenance, repair, and
29 renovation of Peru State College Al Wheeler Activity Center; (e) addition
30 to and deferred maintenance, repair, and renovation of Wayne State
31 College Campus Services Building; (f) deferred maintenance, repair, and

1 renovation of Wayne State College Rice Auditorium; (g) deferred
2 maintenance, repair, and renovation of Wayne State College Memorial
3 Stadium; (h) replacement of or deferred maintenance, repair, and
4 renovation of Chadron State College stadium; (i) addition to and deferred
5 maintenance, repair, and renovation of Peru State College Theatre/Event
6 Center; (j) construction of a facility to replace Wayne State College
7 Benthack Hall applied technology programmatic space; (k) systemwide
8 miscellaneous fire and life safety, energy conservation, deferred repair,
9 federal Americans with Disabilities Act of 1990, and asbestos removal
10 projects; (l) construction of the Math Science Facility at Chadron State
11 College; (m) construction and renovation of the Indoor/Outdoor Recreation
12 Complex at Peru State College; (n) addition to and renovation of Wayne
13 State College Rice Auditorium and Kirk Gardner Indoor Athletic Complex;
14 and (o) ~~(m)~~ any renewal, renovation, replacement, or repair of existing
15 state college facilities.

16 (4) Expenditures of matching funds provided for the projects listed
17 in this section by the Board of Trustees of the Nebraska State Colleges
18 as provided for in section 85-419 shall be accounted for in the Nebraska
19 State Accounting System through the State College Facilities Program or
20 according to some other reporting process mutually agreed upon by the
21 state colleges and the Department of Administrative Services.

22 (5) The Board of Trustees of the Nebraska State Colleges shall
23 record and report, on the Nebraska State Accounting System, expenditure
24 of amounts from the State College Facilities Program and expenditure of
25 proceeds arising from any contract entered into pursuant to this section
26 and section 85-425 in such manner and format as prescribed by the
27 Department of Administrative Services or according to some other
28 reporting process mutually agreed upon by the state colleges and the
29 Department of Administrative Services.

30 (6) At least once every two fiscal years beginning with fiscal year
31 2023-24 for the biennial period from fiscal years 2023-25, the Board of

1 Trustees of the Nebraska State Colleges shall report to the Legislature
2 (a) the projects expected to be constructed or newly financed in the next
3 biennium from the State College Facilities Program and (b) the projects
4 that were constructed or newly financed in the previous biennium from the
5 State College Facilities Program. In addition, at least once every ten
6 fiscal years beginning with fiscal year 2022-23, the Board of Trustees
7 shall provide to the Legislature a copy of its current long-term capital
8 plan for projects to be constructed or newly financed from the State
9 College Facilities Program.

10 Sec. 31. Section 86-324, Revised Statutes Supplement, 2021, is
11 amended to read:

12 86-324 (1) The Nebraska Telecommunications Universal Service Fund is
13 hereby created. The fund shall provide the assistance necessary to make
14 universal access to telecommunications services available to all persons
15 in the state consistent with the policies set forth in the Nebraska
16 Telecommunications Universal Service Fund Act. Only eligible
17 telecommunications companies designated by the commission shall be
18 eligible to receive support to serve high-cost areas from the fund. A
19 telecommunications company that receives such support shall use that
20 support only for the provision, maintenance, and upgrading of facilities
21 and services for which the support is intended. Any such support should
22 be explicit and sufficient to achieve the purpose of the act.

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

26 (a) Shall have authority and power to subject eligible
27 telecommunications companies to service quality, customer service, and
28 billing regulations. Such regulations shall apply only to the extent of
29 any telecommunications services or offerings made by an eligible
30 telecommunications company which are eligible for support by the fund.
31 The commission shall be reimbursed from the fund for all costs related to

1 drafting, implementing, and enforcing the regulations and any other
2 services provided on behalf of customers pursuant to this subdivision;

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

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

10 (d) Shall require every telecommunications company to contribute to
11 any universal service mechanism established by the commission pursuant to
12 state law. The commission shall require, as reasonably necessary, an
13 annual audit of any telecommunications company to be performed by a
14 third-party certified public accountant to insure the billing,
15 collection, and remittance of a surcharge for universal service. The
16 costs of any audit required pursuant to this subdivision shall be paid by
17 the telecommunications company being audited;

18 (e) Shall require an audit of information provided by a
19 telecommunications company to be performed by a third-party certified
20 public accountant for purposes of calculating universal service fund
21 payments to such telecommunications company. The costs of any audit
22 required pursuant to this subdivision shall be paid by the
23 telecommunications company being audited; and

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

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

29 (4) Transfers may be made from earnings on the Nebraska
30 Telecommunications Universal Service Fund to the 211 Cash Fund at the
31 direction of the Legislature. The State Treasurer shall annually transfer

1 nine hundred fifty-five ~~three hundred~~ thousand dollars on July 1
2 beginning in 2022 ~~2021~~ from the earnings on the Nebraska
3 Telecommunications Universal Service Fund to the 211 Cash Fund.

4 Sec. 32. Original sections 81-1210.02 and 81-12,145, Reissue
5 Revised Statutes of Nebraska, sections 75-1101, 81-829.33, 81-1210.01,
6 81-1210.04, 81-12,153, 81-12,154, 81-12,156, 81-12,162, and 83-904,
7 Revised Statutes Cumulative Supplement, 2020, and sections 71-7611,
8 81-12,147, 81-12,148, 81-12,149, 81-12,213, 81-12,218, 82-331, 83-973,
9 85-424, and 86-324, Revised Statutes Supplement, 2021, are repealed.

10 Sec. 33. The following section is outright repealed: Section
11 81-167, Reissue Revised Statutes of Nebraska.

12 Sec. 34. Since an emergency exists, this act takes effect when
13 passed and approved according to law.