

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1413**

FINAL READING

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

Read first time January 18, 2024

Committee: Appropriations

1 A BILL FOR AN ACT relating to funds; to amend sections 2-1507, 45-930,  
2 48-621, 48-622.01, 58-703, and 59-1608.04, Reissue Revised Statutes  
3 of Nebraska, sections 55-901, 61-405, 68-996, 71-812, 79-810,  
4 81-1201.21, 81-12,146, and 81-12,157, Revised Statutes Cumulative  
5 Supplement, 2022, and sections 37-1804, 48-622.02, 71-5328, 71-7611,  
6 72-819, 79-1054, 81-12,147, 81-12,221, 81-12,222, 81-12,243, 84-612,  
7 and 86-324, Revised Statutes Supplement, 2023; to define and  
8 redefine terms; to provide for, change, and eliminate fund  
9 transfers; to create, rename, and change the use of certain funds;  
10 to provide powers for the Auditor of Public Accounts; to change  
11 provisions of the Shovel-Ready Capital Recovery and Investment Act  
12 and the Business Innovation Act relating to requests for grants; to  
13 change provisions relating to a museum and visitor center honoring  
14 Chief Standing Bear; to require prioritization of certain grant  
15 applications under the Water Sustainability Fund; to eliminate  
16 obsolete provisions; to harmonize provisions; to repeal the original  
17 sections; and to declare an emergency.  
18 Be it enacted by the people of the State of Nebraska,

1           Section 1. The State Treasurer shall transfer \$7,000,000 from the  
2 Department of Education Innovative Grant Fund to the Education Future  
3 Fund on or before June 30, 2024, on such dates and in such amounts as  
4 directed by the budget administrator of the budget division of the  
5 Department of Administrative Services.

6           Sec. 2. The State Treasurer shall transfer \$5,000,000 from the  
7 Department of Education Innovative Grant Fund to the Education Future  
8 Fund on or before June 30, 2025, on such dates and in such amounts as  
9 directed by the budget administrator of the budget division of the  
10 Department of Administrative Services.

11           Sec. 3. The State Treasurer shall transfer \$500,000 from the  
12 Professional Practices Commission Fund to the Education Future Fund on or  
13 before June 30, 2024, on such dates and in such amounts as directed by  
14 the budget administrator of the budget division of the Department of  
15 Administrative Services.

16           Sec. 4. The State Treasurer shall transfer \$3,000,000 from the  
17 Records Management Cash Fund to the General Fund on or before June 30,  
18 2024, on such dates and in such amounts as directed by the budget  
19 administrator of the budget division of the Department of Administrative  
20 Services.

21           Sec. 5. The State Treasurer shall transfer \$2,500,000 from the  
22 Employment Security Special Contingent Fund to the General Fund on or  
23 before June 30, 2024, on such dates and in such amounts as directed by  
24 the budget administrator of the budget division of the Department of  
25 Administrative Services.

26           Sec. 6. The State Treasurer shall transfer \$2,500,000 from the  
27 Employment Security Special Contingent Fund to the General Fund on or  
28 before June 30, 2025, on such dates and in such amounts as directed by  
29 the budget administrator of the budget division of the Department of  
30 Administrative Services.

31           Sec. 7. The State Treasurer shall transfer \$12,500,000 from the

1 Affordable Housing Trust Fund to the Rural Workforce Housing Investment  
2 Fund on or before June 30, 2025, 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       Sec. 8. The State Treasurer shall transfer \$12,500,000 from the  
6 Affordable Housing Trust Fund to the Middle Income Workforce Housing  
7 Investment Fund on or before June 30, 2025, on such dates and in such  
8 amounts as directed by the budget administrator of the budget division of  
9 the Department of Administrative Services.

10       Sec. 9. The State Treasurer shall transfer \$4,000,000 from the  
11 Civic and Community Center Financing Fund to the General Fund on or  
12 before June 30, 2025, on such dates and in such amounts as directed by  
13 the budget administrator of the budget division of the Department of  
14 Administrative Services.

15       Sec. 10. The State Treasurer shall transfer the remaining  
16 unexpended balance of the Job Training Cash Fund to the General Fund on  
17 or before June 30, 2025, on such dates and in such amounts as directed by  
18 the budget administrator of the budget division of the Department of  
19 Administrative Services.

20       Sec. 11. The State Treasurer shall transfer \$9,000,000 from the  
21 Site and Building Development Fund to the General Fund on or before June  
22 30, 2025, 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       Sec. 12. The State Treasurer shall transfer \$1,166,542 from the  
26 Department of Motor Vehicles Cash Fund to the General Fund on or before  
27 June 30, 2024, on such dates and in such amounts as directed by the  
28 budget administrator of the budget division of the Department of  
29 Administrative Services.

30       Sec. 13. The State Treasurer shall transfer \$526,716 from the  
31 Department of Motor Vehicles Cash Fund to the General Fund on or before

1 June 30, 2025, on such dates and in such amounts as directed by the  
2 budget administrator of the budget division of the Department of  
3 Administrative Services.

4       Sec. 14. The State Treasurer shall transfer \$6,500,000 from the  
5 Water Recreation Enhancement Fund to the General Fund on or before June  
6 30, 2024, on such dates and in such amounts as directed by the budget  
7 administrator of the budget division of the Department of Administrative  
8 Services.

9       Sec. 15. The State Treasurer shall transfer \$4,000,000 from the  
10 Department of Revenue Enforcement Fund to the General Fund on or before  
11 June 30, 2024, on such dates and in such amounts as directed by the  
12 budget administrator of the budget division of the Department of  
13 Administrative Services.

14       Sec. 16. The State Treasurer shall transfer \$1,000,000 from the  
15 Department of Revenue Enforcement Fund to the General Fund on or before  
16 June 30, 2025, on such dates and in such amounts as directed by the  
17 budget administrator of the budget division of the Department of  
18 Administrative Services.

19       Sec. 17. The State Treasurer shall transfer \$7,000,000 from the  
20 Charitable Gaming Operations Fund to the General Fund on or before June  
21 30, 2024, on such dates and in such amounts as directed by the budget  
22 administrator of the budget division of the Department of Administrative  
23 Services.

24       Sec. 18. The State Treasurer shall transfer \$1,500,000 from the  
25 Charitable Gaming Operations Fund to the General Fund on or before June  
26 30, 2025, on such dates and in such amounts as directed by the budget  
27 administrator of the budget division of the Department of Administrative  
28 Services.

29       Sec. 19. The State Treasurer shall transfer \$7,000,000 from the  
30 Professional and Occupational Credentialing Cash Fund to the General Fund  
31 on or before June 30, 2024, on such dates and in such amounts as directed

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

3       Sec. 20. The State Treasurer shall transfer \$11,000,000 from the  
4 Behavioral Health Services Fund to the General Fund on or before June 30,  
5 2024, on such dates and in such amounts as directed by the budget  
6 administrator of the budget division of the Department of Administrative  
7 Services.

8       Sec. 21. The State Treasurer shall transfer \$2,000,000 from the  
9 Behavioral Health Services Fund to the General Fund on or before June 30,  
10 2025, on such dates and in such amounts as directed by the budget  
11 administrator of the budget division of the Department of Administrative  
12 Services.

13       Sec. 22. The State Treasurer shall transfer \$14,750,000 from the  
14 Health and Human Services Cash Fund to the General Fund on or before June  
15 30, 2024, 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       Sec. 23. The State Treasurer shall transfer \$1,750,000 from the  
19 Health and Human Services Cash Fund to the General Fund on or before June  
20 30, 2025, on such dates and in such amounts as directed by the budget  
21 administrator of the budget division of the Department of Administrative  
22 Services.

23       Sec. 24. The State Treasurer shall transfer \$1,000,000 from the  
24 Contractor and Professional Employer Organization Registration Cash Fund  
25 to the General Fund on or 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. 25. The State Treasurer shall transfer \$1,000,000 from the  
29 Nebraska Training and Support Cash Fund to the General Fund on or before  
30 June 30, 2024, on such dates and in such amounts as directed by the  
31 budget administrator of the budget division of the Department of

1 Administrative Services.

2       Sec. 26. The State Treasurer shall transfer \$30,000,000 from the  
3 State Unemployment Insurance Trust Fund to the General Fund on or before  
4 June 30, 2024, on such dates and in such amounts as directed by the  
5 budget administrator of the budget division of the Department of  
6 Administrative Services.

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

12       Sec. 28. The State Treasurer shall transfer \$500,000 from the State  
13 Settlement Cash Fund to the Financial Literacy Cash Fund on or after July  
14 1, 2024, but before July 31, 2024, on such dates and in such amounts as  
15 directed by the budget administrator of the budget division of the  
16 Department of Administrative Services.

17       Sec. 29. The State Treasurer shall transfer \$50,000,000 from the  
18 Jobs and Economic Development Initiative Fund to the Roads Operations  
19 Cash Fund on or before June 30, 2024, on such dates and in such amounts  
20 as directed by the budget administrator of the budget division of the  
21 Department of Administrative Services.

22       Sec. 30. The Commission on African American Affairs Cash Fund is  
23 hereby created. The fund shall be administered by the Commission on  
24 African American Affairs. The fund shall consist of money from contracts,  
25 fees, gifts, grants, or bequests from nonfederal sources received by the  
26 state and any investment income earned on the fund. The fund may be used  
27 to support the commission's operations pursuant to sections 81-2601 to  
28 81-2607. Any money in the fund available for investment shall be invested  
29 by the state investment officer pursuant to the Nebraska Capital  
30 Expansion Act and the Nebraska State Funds Investment Act.

31       Sec. 31. The Museum Construction and Maintenance Fund is hereby

1 created. The fund shall consist of transfers at the direction of the  
2 Legislature and any gifts, bequests, or other contributions to such fund  
3 from public or private entities. The Game and Parks Commission shall  
4 administer the fund. The fund shall be used to provide grants to a  
5 federally recognized Indian tribe for the purposes of construction of a  
6 museum and visitor center honoring Chief Standing Bear, including visitor  
7 center development, exhibit fabrication, and historical interpretation,  
8 and for any administrative costs related to the grants. Any money in the  
9 fund available for investment shall be invested by the state investment  
10 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
11 State Funds Investment Act. Investment earnings shall be credited to the  
12 fund.

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

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

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

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

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

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

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

31 (5) A natural resources district is eligible for funding from the



1 Water Sustainability Fund only if the district has adopted or is  
2 currently participating in the development of an integrated management  
3 plan pursuant to subdivision (1)(a) or (b) of section 46-715.

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

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

14 Sec. 34. Section 37-1804, Revised Statutes Supplement, 2023, is  
15 amended to read:

16 37-1804 (1) The Water Recreation Enhancement Fund is created. The  
17 fund shall be administered by the Game and Parks Commission. The State  
18 Treasurer shall credit to the fund any money transferred to the fund by  
19 the Legislature and such donations, gifts, bequests, or other money  
20 received from any federal or state agency or public or private source.  
21 Except as otherwise provided in subsections (2) and (3) of this section,  
22 the fund shall be used for water and recreational projects pursuant to  
23 the Water Recreation Enhancement Act. Transfers may be made from the fund  
24 to the General Fund at the direction of the Legislature. Any money in the  
25 Water Recreation Enhancement Fund fund available for investment shall be  
26 invested by the state investment officer pursuant to the Nebraska Capital  
27 Expansion Act and the Nebraska State Funds Investment Act. Any investment  
28 earnings from investment of money in the fund shall be credited to the  
29 fund.

30 (2) For any amount credited to the fund from a source other than a  
31 transfer authorized by the Legislature, the State Treasurer shall

1 transfer an equal amount from the Water Recreation Enhancement Fund to  
2 the Jobs and Economic Development Initiative Fund at the end of the  
3 fiscal year in which such funds were credited, on such dates as directed  
4 by the budget administrator of the budget division of the Department of  
5 Administrative Services to be used pursuant to section 61-405.

6 (3) Transfers may be made from the investment earnings in the Water  
7 Recreation Enhancement Fund to the Panhandle Improvement Project Cash  
8 Fund at the direction of the Legislature. The State Treasurer shall  
9 transfer one million dollars on July 1, 2023, or as soon thereafter as  
10 administratively possible, from the Water Recreation Enhancement Fund to  
11 the Panhandle Improvement Project Cash Fund.

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

14 45-930 The Financial Literacy Cash Fund is created. The fund shall  
15 consist of amounts ~~Amounts~~ credited to the fund from shall include that  
16 portion of each renewal fee as provided in section 45-927, ~~and~~ such other  
17 revenue as is incidental to administration of the fund, and transfers  
18 authorized by the Legislature. The fund shall be administered by the  
19 University of Nebraska. The fund ~~and~~ shall be used to provide assistance  
20 to nonprofit entities that offer financial literacy programs to students  
21 in grades kindergarten through twelve and to provide assistance for the  
22 tenant assistance project administered by the Housing Justice Clinic at  
23 the University of Nebraska College of Law that provides legal services to  
24 low-income families facing eviction. Any money in the fund available for  
25 investment shall be invested by the state investment officer pursuant to  
26 the Nebraska Capital Expansion Act and the Nebraska State Funds  
27 Investment Act.

28 Sec. 36. Section 48-621, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 48-621 (1) The administrative fund shall consist of the Employment  
31 Security Administration Fund and the Employment Security Special

1 Contingent Fund. Each fund shall be maintained as a separate and distinct  
2 account in all respects, as follows:

3 (a) There is hereby created in the state treasury a special fund to  
4 be known as the Employment Security Administration Fund. All money  
5 credited to this fund is hereby appropriated and made available to the  
6 Commissioner of Labor. All money in this fund shall be expended solely  
7 for the purposes and in the amounts found necessary as defined by the  
8 specific federal programs, state statutes, and contract obligations for  
9 the proper and efficient administration of all programs of the Department  
10 of Labor. The fund shall consist of all money appropriated by this state  
11 and all money received from the United States of America or any agency  
12 thereof, including the Department of Labor and the Railroad Retirement  
13 Board, or from any other source for such purpose. Money received from any  
14 agency of the United States or any other state as compensation for  
15 services or facilities supplied to such agency, any amounts received  
16 pursuant to any surety bond or insurance policy for losses sustained by  
17 the Employment Security Administration Fund or by reason of damage to  
18 equipment or supplies purchased from money in such fund, and any proceeds  
19 realized from the sale or disposition of any equipment or supplies which  
20 may no longer be necessary for the proper administration of such programs  
21 shall also be credited to this fund. All money in the Employment Security  
22 Administration Fund shall be deposited, administered, and disbursed in  
23 the same manner and under the same conditions and requirements as  
24 provided by law for other special funds in the state treasury. Any  
25 balances in this fund, except balances of money therein appropriated from  
26 the General Fund of this state, shall not lapse at any time. Fund  
27 balances shall be continuously available to the commissioner for  
28 expenditure consistent with the Employment Security Law. Any money in the  
29 Employment Security Administration Fund available for investment shall be  
30 invested by the state investment officer pursuant to the Nebraska Capital  
31 Expansion Act and the Nebraska State Funds Investment Act; and

1 (b) There is hereby created in the state treasury a special fund to  
2 be known as the Employment Security Special Contingent Fund. Transfers  
3 may be made from the fund to the General Fund at the direction of the  
4 Legislature. Any money in the Employment Security Special Contingent Fund  
5 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. All money collected under section 48-655 as  
8 interest on delinquent contributions, less refunds, shall be credited to  
9 this fund from the clearing account of the Unemployment Compensation Fund  
10 at the end of each calendar quarter. Such money shall not be expended or  
11 available for expenditure in any manner to permit substitution for, or a  
12 corresponding reduction in, federal funds which, in the absence of such  
13 money, would be available to finance expenditures for the administration  
14 of the unemployment insurance law. However, nothing in this section shall  
15 prevent the money in the Employment Security Special Contingent Fund from  
16 being used as a revolving fund to cover necessary and proper expenditures  
17 under the law for which federal, state, or contractual funds are owed but  
18 have not yet been received. Upon receipt of such funds, covered  
19 expenditures shall be charged against such funds. Money in the Employment  
20 Security Special Contingent Fund may only be used by the Commissioner of  
21 Labor as follows:

22 (i) To replace within a reasonable time any money received by this  
23 state pursuant to section 302 of the federal Social Security Act, as  
24 amended, and required to be paid under section 48-622;

25 (ii) To meet special extraordinary and contingent expenses which are  
26 deemed essential for good administration but which are not provided in  
27 grants from the Secretary of Labor of the United States. No expenditures  
28 shall be made from this fund for this purpose except on written  
29 authorization by the Governor at the request of the Commissioner of  
30 Labor; and

31 (iii) To be transferred to the Job Training Cash Fund.

1           (2)(a) Money credited to the account of this state in the  
2 Unemployment Trust Fund by the United States Secretary of the Treasury  
3 pursuant to section 903 of the Social Security Act may not be  
4 requisitioned from this state's account or used except:

5           (i) For the payment of benefits pursuant to section 48-619; and

6           (ii) For the payment of expenses incurred for the administration of  
7 the Employment Security Law and public employment offices. Money  
8 requisitioned or used for this purpose must be pursuant to a specific  
9 appropriation by the Legislature. Any such appropriation law shall  
10 specify the amount and purposes for which the money is appropriated and  
11 must be enacted before expenses may be incurred and money may be  
12 requisitioned. Such appropriation is subject to the following conditions:

13           (A) Money may be obligated for a limited period ending not more than  
14 two years after the effective date of the appropriation law; and

15           (B) An obligated amount shall not exceed the aggregate amounts  
16 transferred to the account of this state pursuant to section 903 of the  
17 Social Security Act less the aggregate of amounts used by this state  
18 pursuant to the Employment Security Law and amounts charged against the  
19 amounts transferred to the account of this state.

20           (b) For purposes of subdivision (2)(a)(ii)(B) of this section,  
21 amounts appropriated for administrative purposes shall be charged against  
22 transferred amounts when the obligation is entered into.

23           (c) The appropriation, obligation, and expenditure or other  
24 disposition of money appropriated under this subsection shall be  
25 accounted for in accordance with standards established by the United  
26 States Secretary of Labor.

27           (d) Money appropriated as provided in this subsection for the  
28 payment of administration expenses shall be requisitioned as needed for  
29 the payment of obligations incurred under such appropriation. Upon  
30 requisition, administration expenses shall be credited to the Employment  
31 Security Administration Fund from which such payments shall be made.

1 Money so credited shall, until expended, remain a part of the Employment  
2 Security Administration Fund. If not immediately expended, credited money  
3 shall be returned promptly to the account of this state in the  
4 Unemployment Trust Fund.

5 (e) Notwithstanding subdivision (2)(a) of this section, money  
6 credited with respect to federal fiscal years 1999, 2000, and 2001 shall  
7 be used solely for the administration of the unemployment compensation  
8 program and are not subject to appropriation by the Legislature.

9 Sec. 37. Section 48-622.01, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 48-622.01 (1) There is hereby created in the state treasury a  
12 special fund to be known as the State Unemployment Insurance Trust Fund.  
13 All state unemployment insurance tax collected under sections 48-648 to  
14 48-661, less refunds, shall be paid into the fund. Transfers may be made  
15 from the fund to the General Fund and the Workforce Development Program  
16 Cash Fund at the direction of the Legislature. Such money shall be held  
17 in trust for payment of unemployment insurance benefits. Any money in the  
18 State Unemployment Insurance Trust Fund fund available for investment  
19 shall be invested by the state investment officer pursuant to the  
20 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
21 Act, except that interest earned on money in the fund shall be credited  
22 to the Nebraska Training and Support Cash Fund at the end of each  
23 calendar quarter.

24 (2) The commissioner shall have the authority to determine when and  
25 in what amounts withdrawals from the State Unemployment Insurance Trust  
26 Fund for payment of benefits are necessary. Amounts withdrawn for payment  
27 of benefits shall be immediately forwarded to the Secretary of the  
28 Treasury of the United States of America to the credit of the state's  
29 account in the Unemployment Trust Fund, any provision of law in this  
30 state relating to the deposit, administration, release, or disbursement  
31 of money in the possession or custody of this state to the contrary

1 notwithstanding.

2 (3) If and when the state unemployment insurance tax ceases to exist  
3 as determined by the Governor, all money then in the State Unemployment  
4 Insurance Trust Fund less accrued interest shall be immediately  
5 transferred to the credit of the state's account in the Unemployment  
6 Trust Fund, any provision of law in this state relating to the deposit,  
7 administration, release, or disbursement of money in the possession or  
8 custody of this state to the contrary notwithstanding. The determination  
9 to eliminate the state unemployment insurance tax shall be based on the  
10 solvency of the state's account in the Unemployment Trust Fund and the  
11 need for training of Nebraska workers. Accrued interest in the State  
12 Unemployment Insurance Trust Fund shall be credited to the Nebraska  
13 Training and Support Cash Fund.

14 Sec. 38. Section 48-622.02, Revised Statutes Supplement, 2023, is  
15 amended to read:

16 48-622.02 (1) The Nebraska Training and Support Cash Fund is  
17 created. Any money in the fund available for investment shall be invested  
18 by the state investment officer pursuant to the Nebraska Capital  
19 Expansion Act and the Nebraska State Funds Investment Act. No  
20 expenditures shall be made from the Nebraska Training and Support Cash  
21 Fund without the written authorization of the Governor upon the  
22 recommendation of the commissioner. Transfers may be made from the fund  
23 to the General Fund at the direction of the Legislature. Any interest  
24 earned on money in the State Unemployment Insurance Trust Fund shall be  
25 credited to the Nebraska Training and Support Cash Fund.

26 (2) Money in the Nebraska Training and Support Cash Fund shall be  
27 used for (a) administrative costs of establishing, assessing, collecting,  
28 and maintaining state unemployment insurance tax liability and payments,  
29 (b) administrative costs of creating, operating, maintaining, and  
30 dissolving the State Unemployment Insurance Trust Fund and the Nebraska  
31 Training and Support Cash Fund, (c) support of public and private job

1 training programs designed to train, retrain, or upgrade work skills of  
2 existing Nebraska workers of for-profit and not-for-profit businesses,  
3 (d) recruitment of workers to Nebraska, (e) training new employees of  
4 expanding Nebraska businesses, (f) retention of existing employees of  
5 Nebraska businesses, (g) the costs of creating a common web portal for  
6 the attraction of businesses and workers to Nebraska, (h) developing and  
7 conducting labor availability and skills gap studies pursuant to the  
8 Sector Partnership Program Act, for which money may be transferred to the  
9 Sector Partnership Program Fund as directed by the Legislature, and (i)  
10 payment of unemployment insurance benefits if solvency of the state's  
11 account in the Unemployment Trust Fund and of the State Unemployment  
12 Insurance Trust Fund so require.

13 (3) The Administrative Costs Reserve Account is created within the  
14 Nebraska Training and Support Cash Fund. Money shall be allocated from  
15 the Nebraska Training and Support Cash Fund to the Administrative Costs  
16 Reserve Account in amounts sufficient to pay the anticipated  
17 administrative costs identified in subsection (2) of this section.

18 (4) The State Treasurer shall transfer two hundred fifty thousand  
19 dollars from the Nebraska Training and Support Cash Fund to the Sector  
20 Partnership Program Fund no later than July 15, 2016.

21 Sec. 39. Section 55-901, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 55-901 (1) The Military Installation Base Development and Support  
24 Fund is created. The fund shall be used to contribute to construction,  
25 development, or support ~~for~~ ~~on~~ any military installation base, located in  
26 Nebraska, for purposes of improving mission retention and recruitment;  
27 supporting the morale, health, and mental wellness of military members  
28 and families; and growing the economic impact of military installations  
29 ~~bases~~ in Nebraska. The Department of Veterans' Affairs shall administer  
30 the fund. The fund shall consist of transfers authorized by the  
31 Legislature and any gifts, grants, or bequests from any source, including



1 federal, state, public, and private sources, for such purposes. Any money  
2 in the fund available for investment shall be invested by the state  
3 investment officer pursuant to the Nebraska Capital Expansion Act and the  
4 Nebraska State Funds Investment Act.

5 (2) The fund may be used for any project that directly supports any  
6 military installation projects on military bases located in Nebraska, ~~r~~  
7 ~~including, but not limited to:~~

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

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

22 (4) For purposes of this section, military installation means a  
23 base, camp, post, station, yard, center, armory, or other activity under  
24 the jurisdiction of the United States Department of Defense or the  
25 Nebraska Military Department.

26 Sec. 40. Section 58-703, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 58-703 The Affordable Housing Trust Fund is created. The fund shall  
29 receive money pursuant to section 76-903 and may include revenue from  
30 sources recommended by the housing advisory committee established in  
31 section 58-704, appropriations from the Legislature, transfers authorized

1 by the Legislature, grants, private contributions, repayment of loans,  
2 and all other sources. The Department of Economic Development as part of  
3 its comprehensive housing affordability strategy shall administer the  
4 Affordable Housing Trust Fund.

5 Transfers may be made from the Affordable Housing Trust Fund to the  
6 General Fund, the Behavioral Health Services Fund, the Lead-Based Paint  
7 Hazard Control Cash Fund, the Middle Income Workforce Housing Investment  
8 Fund, the Rural Workforce Housing Investment Fund, and the Site and  
9 Building Development Fund at the direction of the Legislature.

10 ~~The State Treasurer shall transfer fifty-eight thousand one hundred~~  
11 ~~eighty-eight dollars from the Affordable Housing Trust Fund to the~~  
12 ~~General Fund on or before September 15, 2019, on such date as directed by~~  
13 ~~the budget administrator of the budget division of the Department of~~  
14 ~~Administrative Services.~~

15 Sec. 41. Section 59-1608.04, Reissue Revised Statutes of Nebraska,  
16 is amended to read:

17 59-1608.04 (1) The State Settlement Cash Fund is created. The fund  
18 shall be maintained by the Department of Justice and administered by the  
19 Attorney General. Except as otherwise provided by law, the fund shall  
20 consist of all recoveries received pursuant to the Consumer Protection  
21 Act, including any money, funds, securities, or other things of value in  
22 the nature of civil damages or other payment, except criminal penalties,  
23 whether such recovery is by way of verdict, judgment, compromise, or  
24 settlement in or out of court, or other final disposition of any case or  
25 controversy, or any other payments received on behalf of the state by the  
26 Department of Justice and administered by the Attorney General for the  
27 benefit of the state or the general welfare of its citizens, but  
28 excluding all funds held in a trust capacity where specific benefits  
29 accrue to specific individuals, organizations, or governments. The fund  
30 may be expended for any allowable legal purposes as determined by the  
31 Attorney General. Transfers from the State Settlement Cash Fund may be

1 made at the direction of the Legislature to the Nebraska Capital  
2 Construction Fund, the Legal Education for Public Service and Rural  
3 Practice Loan Repayment Assistance Fund, the Nebraska State Patrol Cash  
4 Fund, the Financial Literacy Cash Fund, and the General Fund. To provide  
5 necessary financial accountability and management oversight, revenue from  
6 individual settlement agreements or other separate sources credited to  
7 the State Settlement Cash Fund may be tracked and accounted for within  
8 the state accounting system through the use of separate and distinct  
9 funds, subfunds, or any other available accounting mechanism specifically  
10 approved by the Accounting Administrator for use by the Department of  
11 Justice. Any money in the fund available for investment shall be invested  
12 by the state investment officer pursuant to the Nebraska Capital  
13 Expansion Act and the Nebraska State Funds Investment Act.

14 (2) The State Treasurer shall transfer two million five hundred  
15 thousand dollars from the State Settlement Cash Fund to the Nebraska  
16 Capital Construction Fund on July 1, 2013, or as soon thereafter as  
17 administratively possible.

18 (3) The State Treasurer shall transfer eight hundred seventy-six  
19 thousand nine hundred ninety-eight dollars from the State Settlement Cash  
20 Fund to the General Fund on or before June 30, 2018, on such dates and in  
21 such amounts as directed by the budget administrator of the budget  
22 division of the Department of Administrative Services.

23 (4) The State Treasurer shall transfer one million seven hundred  
24 fifty-six thousand six hundred thirty-nine dollars from the State  
25 Settlement Cash Fund to the General Fund on or before June 30, 2019, on  
26 such dates and in such amounts as directed by the budget administrator of  
27 the budget division of the Department of Administrative Services.

28 (5) The State Treasurer shall transfer one hundred twenty-five  
29 thousand dollars from the State Settlement Cash Fund to the Legal  
30 Education for Public Service and Rural Practice Loan Repayment Assistance  
31 Fund on or before April 30, 2018, on such dates and in such amounts as

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

3 (6) The State Treasurer shall transfer one hundred fifty thousand  
4 dollars from the State Settlement Cash Fund to the Legal Education for  
5 Public Service and Rural Practice Loan Repayment Assistance Fund on or  
6 before July 9, 2018, on such dates and in such amounts as directed by the  
7 budget administrator of the budget division of the Department of  
8 Administrative Services.

9 Sec. 42. Section 61-405, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 61-405 (1) The Jobs and Economic Development Initiative Fund is  
12 created. The fund shall be administered by the Department of Natural  
13 Resources. The State Treasurer shall credit to the fund any money  
14 transferred to the fund by the Legislature and such donations, gifts,  
15 bequests, or other money received from any federal or state agency or  
16 public or private source. The fund shall be used for water and  
17 recreational projects pursuant to the Jobs and Economic Development  
18 Initiative Act. Transfers may be made from the fund to the Cash Reserve  
19 Fund or the Roads Operations Cash Fund at the direction of the  
20 Legislature. Any money in the Jobs and Economic Development Initiative  
21 Fund fund available for investment shall be invested by the state  
22 investment officer pursuant to the Nebraska Capital Expansion Act and the  
23 Nebraska State Funds Investment Act. Any investment earnings from  
24 investment of money in the fund shall be credited to the fund.

25 (2) An amount, not to exceed twenty million dollars, shall be  
26 available for site selection costs, feasibility and public water supply  
27 studies, and flood mitigation costs of the Department of Natural  
28 Resources related to any projects pursuant to the Jobs and Economic  
29 Development Initiative Act. The Department of Natural Resources shall, in  
30 cooperation with impacted communities, including, but not limited to, any  
31 city of the primary class and metropolitan utilities district, contract

1 with an independent consultant to conduct a study on the consequences of  
2 any lake located in the Lower Platte River Basin to the public water  
3 supply of such communities. Such study shall consider all aspects of  
4 water quality, water quantity, and water infrastructure, and any other  
5 issues necessary to protect the public water supply, including the impact  
6 to future water supply opportunities to the impacted communities.

7 (3) No funds shall be expended for any project, other than those  
8 enumerated in subsection (2) of this section, from the Jobs and Economic  
9 Development Initiative Fund unless the Director of Natural Resources  
10 certifies to the budget administrator of the budget division of the  
11 Department of Administrative Services that the Department of Natural  
12 Resources has conducted any environmental, hydrological, or other  
13 feasibility studies the director deems necessary to establish the  
14 feasibility of any projects pursuant to the Jobs and Economic Development  
15 Initiative Act and that, based on the results of such studies, the  
16 director has deemed the projects feasible.

17 Sec. 43. Section 68-996, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 68-996 (1) The Medicaid Managed Care Excess Profit Fund is created.  
20 The fund shall contain money returned to the State Treasurer pursuant to  
21 subdivision (3) of section 68-995.

22 (2) The fund shall first be used to offset any losses under  
23 subdivision (2) of section 68-995 and then to provide for services  
24 addressing the health needs of adults and children under the Medical  
25 Assistance Act, including filling service gaps, providing system  
26 improvements, providing evidence-based early intervention home visitation  
27 programs, and providing other services sustaining access to care as  
28 determined by the Legislature. The fund shall only be used for the  
29 purposes described in this section.

30 (3) Any money in the fund available for investment shall be invested  
31 by the state investment officer pursuant to the Nebraska Capital

1 Expansion Act and the Nebraska State Funds Investment Act.

2 Sec. 44. Section 71-812, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4 71-812 (1) The Behavioral Health Services Fund is created. The fund  
5 shall be administered by the division and shall contain cash funds  
6 appropriated by the Legislature or otherwise received by the department  
7 for the provision of behavioral health services from any other public or  
8 private source and directed by the Legislature for credit to the fund.  
9 Transfers may be made from the fund to the General Fund at the direction  
10 of the Legislature.

11 (2) The Behavioral Health Services Fund ~~fund~~ shall be used to  
12 encourage and facilitate the statewide development and provision of  
13 community-based behavioral health services, including, but not limited  
14 to, (a) the provision of grants, loans, and other assistance for such  
15 purpose and (b) reimbursement to providers of such services.

16 (3)(a) Money transferred to the fund under section 76-903 shall be  
17 used for housing-related assistance for very low-income adults with  
18 serious mental illness, except that if the division determines that all  
19 housing-related assistance obligations under this subsection have been  
20 fully satisfied, the division may distribute any excess, up to twenty  
21 percent of such money, to regional behavioral health authorities for  
22 acquisition or rehabilitation of housing to assist such persons. The  
23 division shall manage and distribute such funds based upon a formula  
24 established by the division, in consultation with regional behavioral  
25 health authorities and the department, in a manner consistent with and  
26 reasonably calculated to promote the purposes of the public behavioral  
27 health system enumerated in section 71-803. The division shall contract  
28 with each regional behavioral health authority for the provision of such  
29 assistance. Each regional behavioral health authority may contract with  
30 qualifying public, private, or nonprofit entities for the provision of  
31 such assistance.

1 (b) For purposes of this subsection:

2 (i) Adult with serious mental illness means a person eighteen years  
3 of age or older who has, or at any time during the immediately preceding  
4 twelve months has had, a diagnosable mental, behavioral, or emotional  
5 disorder of sufficient duration to meet diagnostic criteria identified in  
6 the most recent edition of the Diagnostic and Statistical Manual of  
7 Mental Disorders and which has resulted in functional impairment that  
8 substantially interferes with or limits one or more major life functions.  
9 Serious mental illness does not include DSM V codes, substance abuse  
10 disorders, or developmental disabilities unless such conditions exist  
11 concurrently with a diagnosable serious mental illness;

12 (ii) Housing-related assistance includes rental payments, utility  
13 payments, security and utility deposits, landlord risk mitigation  
14 payments, and other related costs and payments;

15 (iii) Landlord risk mitigation payment means a payment provided to a  
16 landlord who leases or rents property to a very low-income adult with  
17 serious mental illness which may be used to pay for excessive damage to  
18 the rental property, any lost rent, any legal fees incurred by the  
19 landlord in excess of the security deposit, or any other expenses  
20 incurred by the landlord as a result of leasing or renting the property  
21 to such individual; and

22 (iv) Very low-income means a household income of fifty percent or  
23 less of the applicable median family income estimate as established by  
24 the United States Department of Housing and Urban Development.

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

28 Sec. 45. Section 71-5328, Revised Statutes Supplement, 2023, is  
29 amended to read:

30 71-5328 (1) For purposes of this section:

31 (a) Department means the Department of Environment and Energy;

1       (b) Metropolitan utilities district means a district created  
2 pursuant to section 14-2101; and

3       (c) Qualified labor training organization means any job training  
4 service provider headquartered in the State of Nebraska with a  
5 demonstrated history of providing workforce training relevant to the  
6 skilled labor necessary for the removal and replacement of lead service  
7 lines.

8       (2) The Lead Service Line Cash Fund is created. The fund shall be  
9 administered by the ~~department~~ Department of Environment and Energy. The  
10 fund shall consist of funds transferred by the Legislature. The fund  
11 shall be used for grants under subsections (3) and (4) of this section to  
12 utilities districts to expedite the replacement of homeowner-owned lead  
13 service lines. Any money in the fund available for investment shall be  
14 invested by the state investment officer pursuant to the Nebraska Capital  
15 Expansion Act and the Nebraska State Funds Investment Act.

16       (3) The department shall utilize not more than twenty percent of the  
17 money in the Lead Service Line Cash Fund for the purpose of providing  
18 grants to qualified labor training organizations for the following:

19       (a) Infrastructure expenditures necessary to establish a lead  
20 service line training facility or for any expenditures necessary to  
21 establish a lead service line training program; or

22       (b) Labor training or any educational programming expenditures  
23 necessary to provide the proper trade skills necessary for laborers and  
24 plumbers to replace lead service lines.

25       (4) The department shall utilize all remaining money in the Lead  
26 Service Line Cash Fund for the purpose of providing grants to  
27 metropolitan utilities districts for the following:

28       (a) Removing and replacing lead service lines;

29       (b) Repaying debt incurred for any loan received by the metropolitan  
30 utilities district for the purpose of replacing lead service lines,  
31 including any loan or loans under the federal Drinking Water State



1 Revolving Fund or any other loan incurred specifically for the purpose of  
2 removing lead service lines;

3 (c) Providing information to residents on the benefits of removing  
4 lead service lines;

5 (d) Performing necessary construction, assessment, mapping, or any  
6 other labor, management, or contracted services required for and  
7 associated with removing and replacing lead service lines; or

8 (e) Acquiring any equipment, materials, or supplies necessary to  
9 replace lead service lines.

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

12 Sec. 46. Section 71-7611, Revised Statutes Supplement, 2023, 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 (i) sixty-six million two hundred thousand dollars on or before July 15,  
25 2022, (j) fifty-six million seven hundred thousand dollars on or before  
26 July 15, 2023, (k) fifty-four ~~fifty-six~~ million ~~five hundred thousand~~  
27 ~~dollars~~ on or before July 15, 2024, and (l) fifty-four million one  
28 hundred fifty ~~fifty-five million four hundred thousand~~ dollars on or  
29 before every July 15 thereafter from the Nebraska Medicaid  
30 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust  
31 Fund to the Nebraska Health Care Cash Fund, except that such amount shall

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

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

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

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

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

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

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

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

20 Sec. 47. Section 72-819, Revised Statutes Supplement, 2023, is  
21 amended to read:

22 72-819 (1) The Game and Parks Commission shall award grants to a  
23 federally recognized Indian tribe to construct, develop, and manage a  
24 museum and visitor center honoring Chief Standing Bear.

25 (2) It is the intent of the Legislature to appropriate to the Game  
26 and Parks Commission for the Chief Standing Bear Museum and visitor  
27 center:

28 (a) Not more than fifteen million dollars for fiscal year 2025-26  
29 from the Museum Construction and Maintenance Fund investment earnings  
30 from the Perkins County Canal Project Fund and credited to the Economic  
31 Recovery Contingency Fund as provided in section 61-305 for construction

1 of the museum and visitor center; and

2 (b) Seven hundred fifty thousand dollars for fiscal year 2024-25  
3 2025-26 from the Museum Construction and Maintenance Fund investment  
4 earnings from the Perkins County Canal Project Fund and credited to the  
5 Economic Recovery Contingency Fund as provided in section 61-305 for  
6 exhibit fabrication and historical interpretation. ; ~~and~~

7 (c) ~~Two hundred thousand dollars in fiscal year 2025-26 for~~  
8 ~~staffing.~~

9 (3) ~~The Game and Parks Commission may execute a memorandum of~~  
10 ~~understanding or contract with the Nebraska State Historical Society for~~  
11 ~~purposes of museum and visitor center development, exhibit fabrication,~~  
12 ~~and historical interpretation.~~

13 Sec. 48. Section 79-810, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 79-810 (1) Certificates and permits shall be issued by the  
16 commissioner upon application on forms prescribed and provided by him or  
17 her which shall include the applicant's social security number.

18 (2) Each certificate or permit issued by the commissioner shall  
19 indicate the area of authorization to teach, provide special services, or  
20 administer and any areas of endorsement for which the holder qualifies.  
21 During the term of any certificate or permit issued by the commissioner,  
22 additional endorsements may be made on the certificate or permit if the  
23 holder submits an application, meets the requirements for issuance of the  
24 additional endorsements, and pays a nonrefundable fee as set by the  
25 commissioner, not to exceed fifty-five dollars.

26 (3) The Certification Fund is created. Any fee received by the  
27 department under sections 79-806 to 79-815 shall be remitted to the State  
28 Treasurer for credit to the fund. The fund shall be used by the  
29 department in paying the costs of certifying educators pursuant to such  
30 sections and to carry out subsection (3) of section 79-808. For issuance  
31 of a certificate or permit valid in all schools, the nonrefundable fee

1 shall be set by the commissioner, not to exceed seventy-five dollars,  
2 except that the commissioner shall designate a portion of the fee, not to  
3 exceed seventeen dollars, that shall be credited to the Professional  
4 Practices Commission Fund which is created for use by the department to  
5 pay for the provisions of sections 79-859 to 79-871. For issuance of a  
6 certificate or permit valid only in nonpublic schools, the nonrefundable  
7 fee shall be set by the commissioner, not to exceed fifty-five dollars.  
8 Transfers may be made from the Professional Practices Commission Fund to  
9 the Education Future Fund at the direction of the Legislature. Any money  
10 in the Certification Fund or the Professional Practices Commission Fund  
11 available for investment shall be invested by the state investment  
12 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
13 State Funds Investment Act.

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

16 79-1054 (1)(a) This subsection applies until July 1, 2024.

17 (b) The State Board of Education shall establish a competitive  
18 innovation grant program with funding from the Nebraska Education  
19 Improvement Fund pursuant to section 79-3501. Grantees shall be a school  
20 district, an educational service unit, or a combination of entities that  
21 includes at least one school district or educational service unit. For  
22 grantees that consist of a combination of entities, a participating  
23 school district or educational service unit shall be designated to act as  
24 the fiscal agent and administer the program funded by the grant. The  
25 state board shall only award grants pursuant to applications that the  
26 state board deems to be sufficiently innovative and to have a high chance  
27 of success.

28 (c) An application for a grant pursuant to this subsection shall  
29 describe:

30 (i) Specific measurable objectives for improving education outcomes  
31 for early childhood students, elementary students, middle school

1 students, or high school students or for improving the transitions  
2 between any successive stages of education or between education and the  
3 workforce;

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

8 (iii) The potential for the project to be both scalable and  
9 replicable; and

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

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

15 (i) Representing a best practice;

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

17 (iii) A local issue for further study.

18 (e) On or before December 1, 2017, and on or before December 1 of  
19 each year thereafter, the state board shall electronically submit a  
20 report to the Clerk of the Legislature on all such grants, including, but  
21 not limited to, the results of the evaluations for each grant. The state  
22 board may adopt and promulgate rules and regulations to carry out this  
23 subsection, including, but not limited to, application procedures,  
24 selection procedures, and annual evaluation reporting procedures.

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

26 (b) The State Board of Education shall establish innovation grant  
27 programs in areas, including, but not limited to, (i) mental health first  
28 aid, (ii) early literacy, (iii) quality instructional materials, (iv)  
29 personalized learning through digital education, or (v) other innovation  
30 areas identified by the board. It is the intent of the Legislature that  
31 such grant programs shall be funded using lottery funds under section

1 79-3501. Grantees shall be a school district, an educational service  
2 unit, or a combination of entities that includes at least one school  
3 district or educational service unit.

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

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

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

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

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

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

22 (i) Representing a best practice;

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

24 (iii) A local issue for further study.

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

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

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

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

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

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

19 (c)(i) The State Board of Education shall establish an innovation  
20 grant program to procure or purchase an annual license for learning  
21 platforms for use in schools to engage students in coursework and careers  
22 in science, technology, engineering, entrepreneurship, and mathematics.  
23 Such grants shall be funded using lottery funds pursuant to section  
24 79-3501.

25 (ii) The State Board of Education shall establish standards that a  
26 learning platform shall meet in the subject areas of chemistry and  
27 physical science, business, and mathematics. The state board shall  
28 develop a plan related to how the state board shall prioritize the grant  
29 applications.

30 (iii) A developer may apply to the State Department of Education on  
31 forms and in a manner prescribed by the department for a grant under this



1 subsection for a learning platform that:

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

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

6 (C) Connects such standards with real-world technologies and  
7 applications;

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

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

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

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

17 (d) 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 the grant program, including, but not limited to, the recipients of the  
20 program and evaluations of the effectiveness of the grant program. The  
21 State Board of Education may adopt and promulgate rules and regulations  
22 to carry out this subsection.

23 (5)(a) The Department of Education Innovative Grant Fund is created.  
24 The fund shall be administered by the State Department of Education and  
25 shall consist of transfers pursuant to section 79-3501, repayments of  
26 grant funds, and interest payments received in the course of  
27 administering this section. The fund shall be used to carry out this  
28 section. Transfers may be made from the fund to the Education Future Fund  
29 at the direction of the Legislature. Any money in the Department of  
30 Education Innovative Grant Fund fund available for investment shall be  
31 invested by the state investment officer pursuant to the Nebraska Capital

1 Expansion Act and the Nebraska State Funds Investment Act.

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

7 Sec. 50. Section 81-1201.21, Revised Statutes Cumulative Supplement,  
8 2022, is amended to read:

9 81-1201.21 (1) There is hereby created the Job Training Cash Fund.  
10 The fund shall be under the direction of the Department of Economic  
11 Development. Money may be transferred to the fund pursuant to subdivision  
12 (1)(b)(iii) of section 48-621 and from the Cash Reserve Fund at the  
13 direction of the Legislature. The department shall establish a subaccount  
14 for all money transferred from the Cash Reserve Fund to the Job Training  
15 Cash Fund on or after July 1, 2005.

16 (2) The money in the Job Training Cash Fund or the subaccount  
17 established in subsection (1) of this section shall be used (a) to  
18 provide reimbursements for job training activities, including employee  
19 assessment, preemployment training, on-the-job training, training  
20 equipment costs, and other reasonable costs related to helping industry  
21 and business locate or expand in Nebraska, (b) to provide upgrade skills  
22 training of the existing labor force necessary to adapt to new technology  
23 or the introduction of new product lines, (c) as provided in section  
24 79-2308, or (d) as provided in section 48-3405. The department shall give  
25 a preference to job training activities carried out in whole or in part  
26 within an enterprise zone designated pursuant to the Enterprise Zone Act  
27 or an opportunity zone designated pursuant to the federal Tax Cuts and  
28 Jobs Act, Public Law 115-97.

29 (3) The department shall establish a subaccount within the fund to  
30 provide training grants for training employees and potential employees of  
31 businesses that (a) employ twenty-five or fewer employees on the

1 application date, (b) employ, or train for potential employment,  
2 residents of rural areas of Nebraska, or (c) are located in or employ, or  
3 train for potential employment, residents of high-poverty areas as  
4 defined in section 81-1203. The department shall calculate the amount of  
5 prior year investment income earnings accruing to the fund and allocate  
6 such amount to the subaccount for training grants under this subsection.  
7 The subaccount shall also be used as provided in the Teleworker Job  
8 Creation Act. The department shall give a preference to training grants  
9 for businesses located in whole or in part within an enterprise zone  
10 designated pursuant to the Enterprise Zone Act.

11 (4) On April 5, 2018, any funds that were dedicated to carrying out  
12 sections 81-1210.01 to 81-1210.03 but were not yet expended shall be  
13 transferred to the Intern Nebraska Cash Fund.

14 (5) Transfers may be made from the Job Training Cash Fund to the  
15 General Fund at the direction of the Legislature. Any money in the Job  
16 Training Cash 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.

19 Sec. 51. Section 81-12,146, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 81-12,146 (1) The Site and Building Development Fund is created. The  
22 fund shall receive money pursuant to section 76-903 and may include  
23 revenue from transfers by the Legislature, grants, private contributions,  
24 repayment of loans, and all other sources. The Department of Economic  
25 Development, as part of its comprehensive business development strategy,  
26 shall administer the fund. Transfers may be made from the fund to the  
27 General Fund at the direction of the Legislature. Any money in the Site  
28 and Building Development Fund ~~fund~~ available for investment shall be  
29 invested by the state investment officer pursuant to the Nebraska Capital  
30 Expansion Act and the Nebraska State Funds Investment Act.

31 (2) It is the intent of the Legislature to transfer five million

1 dollars from the General Fund to the Site and Building Development Fund  
2 for fiscal year 2022-23 and five million dollars from the General Fund to  
3 the Site and Building Development Fund for fiscal year 2023-24. Such  
4 money shall be placed in a subaccount of the Site and Building  
5 Development Fund and earmarked for use to fund large shovel-ready  
6 commercial and industrial sites developed under the Municipal Inland Port  
7 Authority Act.

8 Sec. 52. Section 81-12,147, Revised Statutes Supplement, 2023, is  
9 amended to read:

10 81-12,147 (1) Except as provided in subsection (2) of this section,  
11 the Department of Economic Development shall use the Site and Building  
12 Development Fund to finance loans, grants, subsidies, credit  
13 enhancements, and other financial assistance for industrial site and  
14 building development and for expenses of the department as appropriated  
15 by the Legislature for administering the fund. The following activities  
16 are eligible for assistance from the fund:

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

20 (b) Matching funds for new construction, rehabilitation, or  
21 acquisition of land and buildings to assist villages, cities, and  
22 counties;

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

26 (d) Loan guarantees for eligible projects;

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

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

31 (g) Projects that mitigate the economic impact of a closure or

1 downsizing of a private-sector entity by making necessary improvements to  
2 buildings and infrastructure;

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

8 (i) A grant to a city of the second class that is served by two  
9 first-class railroads, that is within fifteen miles of two state borders,  
10 and that partners with public power utilities for purposes of expanding  
11 electrical system capacities and enhancing redundancy and resilience;

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

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

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

1 and entering into contracts for consulting, engineering, and development  
2 studies to identify, evaluate, and develop large commercial and  
3 industrial sites in Nebraska.

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

10 Sec. 53. Section 81-12,157, Revised Statutes Cumulative Supplement,  
11 2022, is amended to read:

12 81-12,157 (1) The department shall establish a phase one application  
13 program to provide grants to small businesses that qualify under the  
14 federal grant program for the purposes of planning for an application  
15 under the federal grant program. If a small business receives funding  
16 under the federal grant program, the department or a nonprofit entity  
17 designated by the department may make grants to match up to sixty-five  
18 percent of the amount of the federal grant.

19 (2) Planning grants under subsection (1) of this section shall not  
20 exceed five thousand dollars per project. Federal award matching grants  
21 under this section shall not exceed (a) one hundred fifty thousand  
22 dollars for a business receiving a phase one grant under the federal  
23 grant program and (b) three hundred thousand dollars for a business  
24 receiving a phase two grant under the federal grant program. ~~No business~~  
25 ~~shall receive funding for more than one project every two years.~~

26 (3) The department may award up to six million dollars per year for  
27 grants under this section.

28 Sec. 54. Section 81-12,221, Revised Statutes Supplement, 2023, is  
29 amended to read:

30 81-12,221 For purposes of the Shovel-Ready Capital Recovery and  
31 Investment Act:

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

4 (2) Cost, in the context of a capital project, means the cost of  
5 land, engineering, architectural planning, contract services,  
6 construction, materials, and equipment needed to complete the capital  
7 project;

8 (3) COVID-19 means the novel coronavirus identified as SARS-CoV-2,  
9 the disease caused by the novel coronavirus SARS-CoV-2 or a virus  
10 mutating therefrom, and the health conditions or threats associated with  
11 the disease caused by the novel coronavirus SARS-CoV-2 or a virus  
12 mutating therefrom;

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

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

16 (a) Is related to arts, culture, or the humanities, including any  
17 organization formed for the purpose of developing and promoting the work  
18 of artists and the humanities in various visual and performing forms,  
19 such as film, sculpture, dance, painting, horticulture, multimedia,  
20 poetry, photography, performing arts, zoology, or botany;

21 (b) Operates a sports complex;

22 (c) Is a postsecondary educational institution in a city of the  
23 metropolitan class and partners with an organization hosting a regional  
24 or national event for purposes of infrastructure development related to  
25 furnishing and equipment for a health sciences education center, enhanced  
26 mobility by vacation of a public street, pedestrian safety, and  
27 construction of a community athletic complex;~~or~~

28 (d) Is a county agricultural society with facilities located within  
29 the boundaries of a city of the primary class;or

30 (e) Operates a multifunction center which provides facilities to the  
31 public for at least two of the following uses:

- 1        (i) As an early childhood learning center;  
2        (ii) As a community event center; or  
3        (iii) As an indoor and outdoor sports training center;  
4        (6) Sports complex means property that:  
5        (a) Includes indoor areas, outdoor areas, or both;  
6        (b) Is primarily used for competitive sports; and  
7        (c) Contains multiple separate sports venues; and  
8        (7) Sports venue includes, but is not limited to:  
9        (a) A baseball field;  
10       (b) A softball field;  
11       (c) A soccer field;  
12       (d) An outdoor stadium primarily used for competitive sports;  
13       (e) An outdoor arena primarily used for competitive sports; and  
14       (f) An enclosed, temperature-controlled building primarily used for  
15 competitive sports.

16        Sec. 55. Section 81-12,222, Revised Statutes Supplement, 2023, is  
17 amended to read:

18        81-12,222 (1) Beginning July 1, 2023, through September ~~July~~ 1,  
19 2024, a qualified nonprofit organization may apply to the department for  
20 a grant under the Shovel-Ready Capital Recovery and Investment Act. The  
21 application shall include, but not be limited to, the following  
22 information:

23        (a) A description of the qualified nonprofit organization's capital  
24 project;

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

26        (c) Documentation on the amount of funds for the capital project  
27 which have been received or will be received by the qualified nonprofit  
28 organization from other sources. Such amount shall be at least equal to  
29 the amount of any grant received under the act. The documentation  
30 provided under this subdivision does not need to identify the names of  
31 any donors.



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

7           (3) The department may approve applications within the limits of  
8 available funding. The amount of any grant approved under this section  
9 shall be equal to the amount of funds to be supplied by the qualified  
10 nonprofit organization from other sources, as documented under  
11 subdivision (1)(c) of this section, subject to the following limitations:

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

15           (b) For any capital project with an estimated cost of at least five  
16 hundred thousand dollars but less than five million dollars, the grant  
17 shall not exceed one million five hundred thousand dollars;

18           (c) For any capital project with an estimated cost of at least five  
19 million dollars but less than twenty-five million dollars, the grant  
20 shall not exceed five million dollars;

21           (d) For any capital project with an estimated cost of at least  
22 twenty-five million dollars but less than fifty million dollars, the  
23 grant shall not exceed ten million dollars;

24           (e) For any capital project with an estimated cost of at least fifty  
25 million dollars but less than one hundred million dollars, the grant  
26 shall not exceed fifteen million dollars; and

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

30           Sec. 56. Section 81-12,243, Revised Statutes Supplement, 2023, is  
31 amended to read:

1           81-12,243 (1) The Economic Recovery Contingency Fund is created. The  
2 fund shall consist of transfers by the Legislature to carry out the  
3 Economic Recovery Act. Transfers may be made from the Economic Recovery  
4 Contingency Fund to the Museum Construction and Maintenance Fund at the  
5 direction of the Legislature. Any money in the fund available for  
6 investment shall be invested by the state investment officer pursuant to  
7 the Nebraska Capital Expansion Act and the Nebraska State Funds  
8 Investment Act. Investment earnings on and after July 1, 2023, shall be  
9 credited to the fund.

10           (2) The Department of Economic Development may review the projects  
11 listed in the coordination plan and the appendices by the Economic  
12 Recovery Special Committee of the Legislature dated January 10, 2023, and  
13 shall prioritize the use of the fund on projects listed in the  
14 coordination plan followed by the projects in the appendices.

15           (3) The State Treasurer shall transfer seven hundred fifty thousand  
16 dollars from the Economic Recovery Contingency Fund to the Museum  
17 Construction and Maintenance Fund on or after July 1, 2024, but before  
18 December 31, 2024, on such dates and in such amounts as directed by the  
19 budget administrator of the budget division of the Department of  
20 Administrative Services. The State Treasurer shall transfer fifteen  
21 million dollars from the Economic Recovery Contingency Fund to the Museum  
22 Construction and Maintenance Fund on or after July 1, 2025, but before  
23 December 31, 2025, 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           Sec. 57. The Auditor of Public Accounts shall exercise the  
27 exclusive authority to perform, or cause to be performed, the Statewide  
28 Single Audit for the Federal Funds allocated to the State of Nebraska  
29 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the  
30 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended, and  
31 all other federal funds appropriated for state programs, and shall be

1 fully compensated for the cost of such audit work, on a pro rata basis,  
2 by each agency audited.

3 Sec. 58. Section 84-612, Revised Statutes Supplement, 2023, is  
4 amended to read:

5 84-612 (1) There is hereby created within the state treasury a fund  
6 known as the Cash Reserve Fund which shall be under the direction of the  
7 State Treasurer. The fund shall only be used pursuant to this section.

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

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

19 (4) The State Treasurer shall transfer fifteen two million eight  
20 hundred forty-one thousand dollars from the Governor's Emergency Cash  
21 Fund to the Cash Reserve Fund on or before June 30, 2024, on such dates  
22 and in such amounts as directed by the budget administrator of the budget  
23 division of the Department of Administrative Services.

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

30 (5) ~~(6)~~ The State Treasurer shall transfer one hundred sixty-six  
31 million six hundred seventy-three thousand five hundred eighty one

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

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

12 ~~(6) (8)~~ No funds shall be transferred from the Cash Reserve Fund to  
13 fulfill the obligations created under the Nebraska Property Tax Incentive  
14 Act unless the balance in the Cash Reserve Fund after such transfer will  
15 be at least equal to five hundred million dollars.

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

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

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

31 ~~(12) The State Treasurer shall transfer thirty million dollars from~~

1 ~~the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on~~  
2 ~~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) The State Treasurer shall transfer twenty million dollars from~~  
6 ~~the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July~~  
7 ~~1, 2022, but before June 15, 2023, 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 ~~(14) The State Treasurer shall transfer twenty million dollars from~~  
11 ~~the Cash Reserve Fund to the Middle Income Workforce Housing Investment~~  
12 ~~Fund on July 15, 2022, or as soon thereafter as administratively~~  
13 ~~possible, and in such amounts as directed by the budget administrator of~~  
14 ~~the budget division of the Department of Administrative Services.~~

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

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

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

30 ~~(18) The State Treasurer shall transfer fifteen million dollars from~~  
31 ~~the Cash Reserve Fund to the Site and Building Development Fund on or~~

1 ~~before June 30, 2022, on such dates and in such amounts as directed by~~  
2 ~~the budget administrator of the budget division of the Department of~~  
3 ~~Administrative Services.~~

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

9 (7) ~~(20)~~ The State Treasurer shall transfer ten million dollars from  
10 the Cash Reserve Fund to the School Safety and Security Fund as soon as  
11 administratively possible after September 2, 2023, on such dates and in  
12 such amounts as directed by the budget administrator of the budget  
13 division of the Department of Administrative Services.

14 ~~(21) The State Treasurer shall transfer ten million dollars from the~~  
15 ~~Cash Reserve Fund to the General Fund as soon as administratively~~  
16 ~~possible after June 7, 2023, on such dates and in such amounts as~~  
17 ~~directed by the budget administrator of the budget division of the~~  
18 ~~Department of Administrative Services.~~

19 ~~(22) The State Treasurer shall transfer one million dollars from the~~  
20 ~~Cash Reserve Fund to the Revitalize Rural Nebraska Fund as soon as~~  
21 ~~administratively possible after June 7, 2023, on such dates and in such~~  
22 ~~amounts as directed by the budget administrator of the budget division of~~  
23 ~~the Department of Administrative Services.~~

24 (8) ~~(23)~~ The State Treasurer shall transfer three million dollars  
25 from the Cash Reserve Fund to the Risk Loss Trust on or before June 30,  
26 2024, on such dates and in such amounts as directed by the budget  
27 administrator of the budget division of the Department of Administrative  
28 Services.

29 (9) ~~(24)~~ The State Treasurer shall transfer eleven million three  
30 hundred twenty thousand dollars from the Cash Reserve Fund to the Health  
31 and Human Services Cash Fund on or after July 1, 2023, but on or before

1 June 30, 2024, on such dates and in such amounts as directed by the  
2 budget administrator of the budget division of the Department of  
3 Administrative Services.

4 ~~(10) (25)~~ The State Treasurer shall transfer five hundred seventy-  
5 four million five hundred thousand dollars from the Cash Reserve Fund to  
6 the Perkins County Canal Project Fund on or 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 million four hundred  
10 thousand dollars from the Cash Reserve Fund to the State Building  
11 Revolving Fund on or before July 10, 2023, on such dates and in such  
12 amounts as directed by the budget administrator of the budget division of  
13 the Department of Administrative Services.

14 ~~(27)~~ The State Treasurer shall transfer one million one hundred  
15 thousand dollars from the Cash Reserve Fund to the Accounting Division  
16 Revolving Fund on or before July 10, 2023, on such dates and in such  
17 amounts as directed by the budget administrator of the budget division of  
18 the Department of Administrative Services.

19 ~~(11) (28)~~ The State Treasurer shall transfer one million one hundred  
20 fifteen thousand dollars from the Cash Reserve Fund to the Public Safety  
21 Cash Fund on or after July 1, 2023, but before June 30, 2024, on such  
22 dates and in such amounts as directed by the budget administrator of the  
23 budget division of the Department of Administrative Services.

24 ~~(29)~~ The State Treasurer shall transfer one hundred million dollars  
25 from the Cash Reserve Fund to the Roads Operations Cash Fund before June  
26 30, 2023, on such dates and in such amounts as directed by the budget  
27 administrator of the budget division of the Department of Administrative  
28 Services.

29 ~~(30)~~ The State Treasurer shall transfer eighteen million seven  
30 hundred fifty thousand dollars from the Cash Reserve Fund to the State  
31 Self-Insured Indemnification Fund before June 30, 2023, on such dates and

1 ~~in such amounts as directed by the budget administrator of the budget~~  
2 ~~division of the Department of Administrative Services.~~

3       (12) ~~(31)~~ The State Treasurer shall transfer five million dollars  
4 from the Cash Reserve Fund to the Nebraska Public Safety Communication  
5 System Revolving Fund on or after July 1, 2023, but before June 30, 2024,  
6 on such dates and in such amounts as directed by the budget administrator  
7 of the budget division of the Department of Administrative Services.

8       (13) ~~The State Treasurer shall transfer two million four hundred~~  
9 ~~twenty-five thousand dollars from the Cash Reserve Fund to the Nebraska~~  
10 ~~Public Safety Communication System Revolving Fund on or after July 1,~~  
11 ~~2024, but before June 30, 2025, on such dates and in such amounts as~~  
12 ~~directed by the budget administrator of the budget division of the~~  
13 ~~Department of Administrative Services.~~

14       (14) ~~(32)~~ The State Treasurer shall transfer seventy million dollars  
15 from the Cash Reserve Fund to the Shovel-Ready Capital Recovery and  
16 Investment Fund on or after July 1, 2023, but before June 30, 2024, on  
17 such dates and in such amounts as directed by the budget administrator of  
18 the budget division of the Department of Administrative Services.

19       (15) ~~(33)~~ The State Treasurer shall transfer two million dollars  
20 from the Cash Reserve Fund to the Site and Building Development Fund on  
21 or after July 1, 2023, but before June 30, 2024, on such dates and in  
22 such amounts as directed by the budget administrator of the budget  
23 division of the Department of Administrative Services.

24       (16) ~~(34)~~ The State Treasurer shall transfer twenty million dollars  
25 from the Cash Reserve Fund to the Economic Development Cash Fund on or  
26 after July 1, 2023, but before June 30, 2024, on such dates and in such  
27 amounts as directed by the budget administrator of the budget division of  
28 the Department of Administrative Services.

29       ~~(35)~~ ~~The State Treasurer shall transfer zero dollars from the Cash~~  
30 ~~Reserve Fund to the Rural Workforce Housing Investment 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 ~~(36) The State Treasurer shall transfer zero dollars from the Cash~~  
4 ~~Reserve Fund to the Middle Income Workforce Housing Investment Fund on or~~  
5 ~~after July 1, 2023, but before June 30, 2024, 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.~~

8 (17) ~~(37)~~ The State Treasurer shall transfer two hundred forty  
9 million dollars from the Cash Reserve Fund to the Economic Recovery  
10 Contingency Fund on or after July 1, 2023, but before June 30, 2024, 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 (18) ~~(38)~~ The State Treasurer shall transfer ten million dollars  
14 from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash  
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 (19) ~~(39)~~ The State Treasurer shall transfer four hundred forty  
19 million dollars from the General Fund to the Cash Reserve Fund on or  
20 after July 1, 2023, but before June 30, 2024, on such dates and in such  
21 amounts as directed by the budget administrator of the budget division of  
22 the Department of Administrative Services.

23 ~~(40) The State Treasurer shall transfer zero dollars from the Cash~~  
24 ~~Reserve Fund to the Site and Building Development Fund on or after July~~  
25 ~~1, 2024, but before June 30, 2025, on such dates and in such amounts as~~  
26 ~~directed by the budget administrator of the budget division of the~~  
27 ~~Department of Administrative Services.~~

28 (20) ~~(41)~~ The State Treasurer shall transfer four ~~one~~ million  
29 dollars from the Cash Reserve Fund to the General Fund on or after July  
30 1, 2024, but before June 30, 2025, 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 ~~(21) (42)~~ The State Treasurer shall transfer twenty-nine ~~twenty-five~~  
3 million four hundred fifty-eight thousand eight hundred dollars from the  
4 Cash Reserve Fund to the Nebraska Capital Construction Fund on or after  
5 July 1, 2024, but before June 30, 2025, 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 ~~(22) (43)~~ The State Treasurer shall transfer two million five  
9 hundred thousand dollars from the Cash Reserve Fund to the Materiel  
10 Division Revolving Fund on or after July 1, 2023, but before June 30,  
11 2024, 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 ~~(23) (44)~~ The State Treasurer shall transfer ten million dollars  
15 from the Cash Reserve Fund to the Youth Outdoor Education Innovation Fund  
16 on or after July 1, 2023, but before June 30, 2024, on such dates and in  
17 such amounts as directed by the budget administrator of the budget  
18 division of the Department of Administrative Services.

19 ~~(24)~~ The State Treasurer shall transfer twenty-eight million dollars  
20 from the Jobs and Economic Development Initiative Fund to the Cash  
21 Reserve Fund on or before June 30, 2024, on such dates and in such  
22 amounts as directed by the budget administrator of the budget division of  
23 the Department of Administrative Services.

24 ~~(25)~~ The State Treasurer shall transfer five million dollars from  
25 the Cash Reserve Fund to the State Insurance Fund on or before July 10,  
26 2024, on such dates and in such amounts as directed by the budget  
27 administrator of the budget division of the Department of Administrative  
28 Services.

29 ~~(26)~~ The State Treasurer shall transfer three million five hundred  
30 thousand dollars from the Cash Reserve Fund to the Health and Human  
31 Services Cash Fund on or after July 1, 2024, but on or before June 30,

1 2025, on such dates and in such amounts as directed by the budget  
2 administrator of the budget division of the Department of Administrative  
3 Services.

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 Sec. 59. Section 86-324, Revised Statutes Supplement, 2023, is  
10 amended to read:

11 86-324 (1) The Nebraska Telecommunications Universal Service Fund is  
12 hereby created. The fund shall provide the assistance necessary to make  
13 universal access to telecommunications services available to all persons  
14 in the state consistent with the policies set forth in the Nebraska  
15 Telecommunications Universal Service Fund Act. Only eligible  
16 telecommunications companies designated by the commission shall be  
17 eligible to receive support to serve high-cost areas from the fund. A  
18 telecommunications company that receives such support shall use that  
19 support only for the provision, maintenance, and upgrading of facilities  
20 and services for which the support is intended. Any such support should  
21 be explicit and sufficient to achieve the purpose of the act.

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

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

1 services provided on behalf of customers pursuant to this subdivision;

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

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

9 (d) Shall withhold support distributed from the fund from any  
10 telecommunications company using or providing any communications  
11 equipment or service deemed to pose a threat to national security  
12 identified on the Covered List developed pursuant to 47 C.F.R. 1.50002,  
13 as such regulation existed on January 1, 2023, and published by the  
14 Public Safety and Homeland Security Bureau of the Federal Communications  
15 Commission pursuant to the federal Secure and Trusted Communications  
16 Networks Act of 2019, 47 U.S.C. 1601 et seq., as such act existed on  
17 January 1, 2023, and the rules adopted pursuant to such act by the  
18 Federal Communications Commission on November 11, 2022, in its Report and  
19 Order FCC 22-84. Any telecommunications company that removes,  
20 discontinues, or replaces any communications equipment or service  
21 identified on the Covered List described in this subdivision in  
22 compliance with federal law shall not be required to obtain any  
23 additional permits from any state agency or political subdivision in the  
24 removal, discontinuance, or replacement of such communications equipment  
25 or service as long as the state agency or political subdivision is  
26 properly notified of the necessary replacements and the replacement of  
27 any communications equipment is similar to the existing communications  
28 equipment;

29 (e) Shall require every telecommunications company to contribute to  
30 any universal service mechanism established by the commission pursuant to  
31 state law. The commission shall require, as reasonably necessary, an

1 annual audit of any telecommunications company to be performed by a  
2 third-party certified public accountant to insure the billing,  
3 collection, and remittance of a surcharge for universal service. The  
4 costs of any audit required pursuant to this subdivision shall be paid by  
5 the telecommunications company being audited;

6 (f) Shall require an audit of information provided by a  
7 telecommunications company to be performed by a third-party certified  
8 public accountant for purposes of calculating universal service fund  
9 payments to such telecommunications company. The costs of any audit  
10 required pursuant to this subdivision shall be paid by the  
11 telecommunications company being audited; and

12 (g) May administratively fine pursuant to section 75-156 any person  
13 who violates the Nebraska Telecommunications Universal Service Fund Act.

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

17 ~~(4)(a) (4)~~ Transfers may be made from earnings on the Nebraska  
18 Telecommunications Universal Service Fund to the 211 Cash Fund or the  
19 General Fund at the direction of the Legislature.

20 (b) The State Treasurer shall transfer one million two hundred  
21 seventy-five thousand dollars on July 1, 2023, from the earnings on the  
22 Nebraska Telecommunications Universal Service Fund to the 211 Cash Fund.  
23 The State Treasurer shall transfer one million four hundred fifty-five  
24 thousand dollars on July 1, 2024, from the earnings on the Nebraska  
25 Telecommunications Universal Service Fund to the 211 Cash Fund.

26 (c) On June 30, 2025, the State Treasurer shall transfer all  
27 earnings on the Nebraska Telecommunications Universal Service Fund, less  
28 any transfers made to the 211 Cash Fund in such fiscal year, to the  
29 General Fund.

30 Sec. 60. Original sections 2-1507, 45-930, 48-621, 48-622.01,  
31 58-703, and 59-1608.04, Reissue Revised Statutes of Nebraska, sections

1 55-901, 61-405, 68-996, 71-812, 79-810, 81-1201.21, 81-12,146, and  
2 81-12,157, Revised Statutes Cumulative Supplement, 2022, and sections  
3 37-1804, 48-622.02, 71-5328, 71-7611, 72-819, 79-1054, 81-12,147,  
4 81-12,221, 81-12,222, 81-12,243, 84-612, and 86-324, Revised Statutes  
5 Supplement, 2023, are repealed.

6 Sec. 61. Since an emergency exists, this act takes effect when  
7 passed and approved according to law.