

LB 1014
Distribution of the
Coronavirus State Fiscal
Recovery Fund (CSFRF)

As Proposed by the
Appropriations Committee (AM2330)



Prepared by the Legislative Fiscal Office

March 2022

Introduction

This document contains information related to the Appropriations Committee proposal for distribution of the Coronavirus State Fiscal Recovery Fund portion of the American Rescue Plan (ARPA) Act.

First is a summary of the overall American Rescue Plan (ARPA) Act. The entire ARPA act is providing an estimated \$6 billion of funding to Nebraska. The Coronavirus State Fiscal Recovery Fund portion of ARPA accounts of \$1.04 billion of the \$6 billion. (page 2)

Next is a short description of the Coronavirus State Fiscal Recovery Fund (ARPA-CSFRF) authorized uses, allocation of funds under the Act, potential recoupment of funds used for unauthorized purposes, and the time period for allocation and ultimate expenditure of the funds. (page 3)

Starting on page 4 is a description of the process and considerations used by the Appropriations Committee to consider all of the requested uses of the ARPA-CSFRF funds and their ultimate proposal for distribution.

Starting on page 6 are three tables showing different listing of ARPA-CSFRF funds:

Table 1 List of Items in Committee Proposal (AM2330 by Section) (Page 6)

Table 2 Committee Proposal Compared to Governor’s Recommendation (Page 8)

Table 3 List of All ARPA-CSFR Requests by Category (Page 11)

And starting on page 14 a section by section listing of the contents of AM2330 in included with a narrative description of the proposed item and reference to US Treasury Department guidance on funding eligibility.

Items > \$20 million, Committee AM2330	Committee AM 2330	% of Total
LB 1025 Qualified Census Tracts grants + Site & Blding Fund	210,000,000	20.4%
LB 1014 Shovel-Ready Capital Projects	100,000,000	9.7%
LB 1014 Workforce Housing	91,000,000	8.8%
LB 1014 Community College: Workforce Development	60,000,000	5.8%
LB 1014 Rural Health Complex	60,000,000	5.8%
LB 1089 Licensed and medicaid-certified nursing facilities	55,000,000	5.3%
LB 1172 Rate increases certain developmental disabilities providers	55,000,000	5.3%
LB 1014 Law Enforcement Training Center	47,700,000	4.6%
LB 1066 DHHS & University, behavioral health care services	33,000,000	3.2%
LB 1014 Salary Increases 24-Hour Facilities	36,700,000	3.6%
LB 1014 Child Welfare Case Counts & Provider Rates	25,000,000	2.4%
LB 1014 ARPA Fund Administration (including DHHS OCIO)	25,000,000	2.4%
LB 1014 Ft. Laramie-Gering Canal	23,100,000	2.2%
LB 1014 Healthcare Facility Capacity Expansion	20,000,000	1.9%
LB 1014 Replace Aging Rural Ambulances	20,000,000	1.9%
LB 1014 Meat Processing Plant Grant	20,000,000	1.9%
LB 1201 DHHS for nonprofit organization food assistance grants	20,000,000	1.9%
LB 1014 State Fair Sewer Upgrades	20,000,000	1.9%
LB 1081 Grants for water transport infrastructure	20,000,000	1.9%
All other	88,312,800	8.6%
Total ARPA Coronavirus State Fiscal Recovery Fund (CSFRF)	1,029,812,800	100.0%

American Rescue Plan Act (ARPA)

The American Rescue Plan Act (ARPA) was passed by Congress on March 11, 2021 creating various support programs for businesses, residents and local government.

At the present time, Nebraska is projected to receive about \$6 billion of American Rescue Plan Act (ARPA) funds. The following shows a breakdown of the fund allocations. The source for the “specific program”

Estimated ARPA Fund Allocations (FFIS updated 9/21/21)	Nebraska	US Total
Coronavirus State Fiscal Recovery Fund (State)	1,040,157,440	195,300,000,000
Coronavirus State Fiscal Recovery Fund (Territories & Trib.	na	24,500,000,000
Coronavirus Local Fiscal Recovery Fund (Cities)	287,219,766	65,100,000,000
Coronavirus Local Fiscal Recovery Fund (Counties)	375,736,074	65,100,000,000
Coronavirus Capital Projects Fund (State, Territories & Tribal	128,740,178	10,000,000,000
Subtotal - State and Local	1,831,853,458	360,000,000,000
Elemen & Second School Emergency Relief Fund (ESSE	546,290,147	121,974,800,000
Emergency Assistance to Non-Public Schools Program	18,618,767	2,750,000,000
Higher Education Emergency Relief Fund (HEERF)	208,292,309	36,021,881,801
Subtotal - Education	773,201,223	160,746,681,801
Economic Impact Payments (ARP)	2,395,029,000	389,928,923,000
Emergency Rental Assistance (ARP)	152,000,000	21,550,000,000
Child Care Stabilization Grants	143,093,320	23,975,000,000
Child Care and Development Block Grant (ARP)	89,286,484	14,960,830,000
Epidemiology and Lab Capacity for School Testing	58,263,420	10,000,000
State Small Business Credit Initiative (ARP)	56,234,176	10,000,000
Homeowner Assistance Fund	50,000,000	9,961,000,000
All other direct programs (68)	434,763,454	120,128,741,858
Subtotal - specific programs	3,382,748,507	580,524,417,959
ARPA Total (per FFIS)	5,987,803,188	1,101,271,099,760
Fixed - Total	5,983,724,535	1,101,271,176,659
Fixed - Subtotal Specific programs	3,378,669,854	580,524,494,858

amounts is Federal Funds Information for States (FFIS) state funding spreadsheet version 31.

Much of these additional federal funds flow directly through existing programs and/or funding mechanisms that dictate the allocation of these new funds. There are 73 specific programs through which funds are distributed. Note in the table the “Economic Impact Payments” are the \$1400 checks sent to individuals.

Another \$773 million is allocated directly to K-12 schools and higher education institutions each through a specific formula. This is the third installment of direct assistance, the first two through the CARES Act (March 2020) and Consolidated Appropriations Act PL 116-260 (December 2020). The K-12 aid is referred to as the Elementary and Secondary School Emergency Relief Fund (ESSER) while the higher education funding is called the Higher Education Emergency Relief Fund (HEERF).

A total of \$1.8 billion is provided under the provisions of subtitle M of

ARPA, Coronavirus State and Local Fiscal Recovery Funds. This consists of \$1.04 billion under the Coronavirus State Fiscal Recovery Fund (State allocation), \$663 million under the Coronavirus Local Fiscal Recovery Fund (\$287.2 million for cities, \$375.3 million counties), and \$128.7 million under the Coronavirus Capital Projects Fund. In the CARES Act (March 2020) a total of \$1.25 billion was provided to Nebraska of which \$106 million went directly to Douglas County (subdivisions of more than 500,000 got direct allocations) and \$1.084 billion was retained for allocation by the state.

Coronavirus State Fiscal Recovery Fund (CSFRF)

Authorized Uses

The language of ARPA contains four uses of the Coronavirus State Fiscal Recovery Fund (CSFRF) monies and two specific exclusions. The law states:

“(1) USE OF FUNDS.—Subject to paragraph (2), and except as provided in paragraph (3), a State, territory, or Tribal government shall only use the funds provided under a payment made under this section, or transferred pursuant to section 603(c)(4), to cover costs incurred by the State, territory, or Tribal government, by December 31, 2024—

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work.

(C) for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to such emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.”

(2) FURTHER RESTRICTION ON USE OF FUNDS.—

(A) IN GENERAL.—A State or territory shall not use the funds provided under this section or transferred pursuant to section 603(c)(4) to either directly or indirectly offset a reduction in the net tax revenue of such State or territory resulting from a change in law, regulation, or administrative interpretation during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, a credit, or otherwise) or delays the 2 imposition of any tax or tax increase.

(B) PENSION FUNDS.—No State or territory may use funds made available under this section for deposit into any pension fund.

(3) TRANSFER AUTHORITY.—A State, territory, or Tribal government receiving a payment from funds made available under this section may transfer funds to a private nonprofit organization (as that term is defined in paragraph (17) of section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(17)), a Tribal organization (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.

The description of the allowable uses of the funds as listed in the statutory language is fairly vague. Additional guidance on the use of the funds can be found on the Treasury Department website [Coronavirus State and Local Fiscal Recovery Funds | U.S. Department of the Treasury](#) especially in the following documents:

- (1) [Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions](#) (43 pages).
- (2) [Final Rule adopted by the Treasury Dept. January 6, 2022](#) (116 pages in the Federal Registry)
- (3) [Treasury Quick Reference Guide](#) (2 pages)
- (4) [Compliance and Reporting Guidance](#) (34 pages)

Allocation of Funds

Treasury will distribute these funds directly to each state, territorial, metropolitan city, county, and Tribal government. Local governments that are classified as non-entitlement units will receive this funding through their applicable state government.

State governments should expect to receive funds in two tranches, with 50% provided in May 2021 and the balance delivered 12 months later (May 2022). However States that have experienced a net increase in the unemployment rate of more than 2 percentage points from February 2020 to the latest available data as of the date of certification will receive their full allocation of funds in a single payment. A total of 20 states get their funds in a single payment. Nebraska will receive their funds in two payments.

Recoupment

Even with all of this guidance, the specific uses of the State Recovery Funds are still subject to much interpretation. In addition, ARPA contains a recoupment provision requiring repayment of any funds expended on any noncompliant purpose.

Time Period

A recipient may only use funds to cover costs incurred during the period beginning March 3, 2021, and ending December 31, 2024. A cost shall be considered to have been incurred if the recipient has incurred an obligation with respect to such cost by December 31, 2024. A recipient must return any funds not obligated by December 31, 2024, and any funds not expended to cover such obligations by December 31, 2026.

Committee Considerations and Process

Appropriation and Control of Funds

The biennial budget bills contain specific lines and amounts for budget programs for federal funds although the amounts are considered as an estimate. These estimates are for funds that typically have a long history and are reasonably predictable. However because of the uncertainty of timing and amounts of additional federal funds throughout the fiscal year, the “mainline” budget bills also contains language that appropriates federal funds as received. This language shown below from LB 294 (2019) has been a part of budget bills for decades, to accommodate unanticipated federal sources and uncertainty in that funding.

“Sec. 257. FEDERAL FUNDS.

The receipts for FY2019-20 and FY2020-21 inuring to the several Federal Funds, together with any amounts held in account by the State Treasurer on June 30, 2019, are hereby credited to each of the funds respectively. Expenditure of Federal Funds appropriated in this act shall not be limited to the amount shown.

Any Federal Funds, not otherwise appropriated, any additional Federal Funds made available to the credit of the State Treasurer, and any amounts on hand in any such Federal Funds on June 30, 2019, are hereby appropriated to the expending agency designated by the federal government or, if none is designated, to such expending agency as may be designated by the Governor.”

All COVID-19 funds (including the CARES Act and ARPA Act, first tranche) are appropriated and available for expenditure by virtue of this language in the bill that appropriates federal funds as received. The CARES Act and ARPA Act, first tranche funds were made available in the spring of 2020 and 2021 respectively and fell under the provisions of LB 294 (2019).

The second tranche of the ARPA Act will be received in the spring of 2022 and will be subject to the same provisions which are included in LB 380 (2021), Section 262. Unexpended amounts from the original appropriations in FY20-21 are also reappropriated under this LB380 provision.

In LB 1011, the Appropriations Committee excluded Coronavirus State Fiscal Recovery Fund (CSFRF) monies from this general provision. Therefore, all appropriations of these funds must be specifically made by the Legislature thus LB1014.

Considerations

There are two important things the state will have to think about in allocating the CSFR monies.

(1) The language regarding the use of the funds is relatively vague and, some would argue, invites attempts to stretch the purpose for which funds are used. However improper use of the funds is subject to recoupment by the federal government.

There were several items that the committee considered funding but were not convinced were eligible under CSFR guidelines. For these they used Cash Reserve Funds including YRTC Kearney improvements, the STARWARS project, and Perkins County Canal project.

(2) While the time period for the use of these funds is basically 3 years to allocate and up to 5 years to expend, these are still one-time funds and will expire. Any on-going programs established will have to be funded with state sources. The longer time period under ARPA versus the CARES Act could tend to make it more likely to establish on-going programs.

Process

There were a total of 130 issues and bills that the Appropriations Committee needed to consider relating to use of the Coronavirus State Fiscal Recovery Fund (CSFRF). This includes 30 items in the original LB1014 (Governors Recommendation), 84 bills referenced to the Appropriations Committee, and 16 bills that had been referenced to other committees.

(1) The committee held hearings on the 114 bills and LB1014 items that were under their jurisdiction. During the hearing process, after hearings were finished on selected bills or issues, a sheet was distributed to each committee member to provide an initial indication as to whether they would support funding for that item "as is" or funding with some changes. This was done four times to account for all 124 bills and items. When finished, the results were compiled and the listing of all items was provided including the number of committee members that had indicated support either with or without changes.

(2) Because of the number of items a sort of the issues was made as an initial starting point based on the amount of support indicated in the surveys. The criteria used was items that had received support of (a) 7 or more members for a Governors recommendation item or (b) 6 or more members for a bill that was referenced to the Appropriations Committee. Although bills assigned to other committees were included in all lists for consideration, the initial sorting process for them because Appropriations members were not able to attend the hearings.

(3) At that point, 41 items met that criteria. At a Saturday executive session the committee then went over each of these items that met the criteria and voted on whether to fund. Motions were made to fund the item as requested or at a different level. Only 17 items were funded at the request level. After going through the initial list, the committee then entertained motions to fund other items. At any point in the process a member could request a record vote on an item.

Table 1
List of Items in Committee Proposal (AM2330 by Section)

Section in AM2330 and Item	Agency	Appropriations Committee Proposal		
		FY 2021-22	FY 2022-23	Total
10 LB 1014 Salary Increases 24-Hour Facilities	Multiple	36,700,000	0	36,700,000
11 LB 1161 NDE, services to students who are deaf or hard of hearing	Education	0	1,000,000	1,000,000
12 LB 1014 Small & Medium Meat Processors	Agriculture	10,000,000	0	10,000,000
13 LB 1167 Worker training, expanding and retaining workforce	Labor	0	10,000,000	10,000,000
14 LB 1075 DHHS, pediatric mental health services technology	DHHS	0	1,800,000	1,800,000
15 LB 1201 DHHS for nonprofit organization food assistance grants	DHHS	0	20,000,000	20,000,000
16 LB 1014 Child Welfare Case Counts & Provider Rates	DHHS	10,000,000	15,000,000	25,000,000
17 LB 1254 Services for youth who have aged out of the foster care	DHHS	0	1,000,000	1,000,000
18 LB 1172 Rate increases certain developmental disabilities providers	DHHS	0	55,000,000	55,000,000
19 LB 1138 DHHS, funds for local public health departments	DHHS	0	10,000,000	10,000,000
20 LB 1159 DHHS for a model system of care, COVID 19	DHHS	0	5,000,000	5,000,000
21 LB 996 Payments to assisted-living facilities	DHHS	0	5,462,800	5,462,800
22 LB 1089 Licensed and Medicaid-certified nursing facilities	DHHS	0	55,000,000	55,000,000
23 LB 1014 Replace Aging Rural Ambulances	DHHS	0	20,000,000	20,000,000
24 LB 760 DHHS, grants to emergency medical services programs	DHHS	0	5,000,000	5,000,000
25 LB 1066 DHHS & University, behavioral health care services	DHHS	0	5,000,000	5,000,000
26 LB 1014 Ft. Laramie-Gering Canal	Nat Resources	23,100,000	0	23,100,000
27 LB 1081 Grants for water transport infrastructure	Nat Resources	20,000,000	0	20,000,000
28 LB 1014 ARPA Fund Administration (including DHHS OCIO)	Military Dept	20,000,000	5,000,000	25,000,000
29 LB 1014 Wastewater System Projects	Game & Parks	0	8,100,000	8,100,000
30 LB 1014 Community College: Workforce Development	Coord Comm	25,000,000	35,000,000	60,000,000
31 LB 1014 State Colleges Facility & Equipment Upgrades	State Colleges	0	8,000,000	8,000,000
32 LB 1014 Rural Health Complex	University	10,000,000	50,000,000	60,000,000
33 LB 1066 DHHS & University, behavioral health care services	University	0	28,000,000	28,000,000
34 LB 1255 University for an updated climate change report	University	0	150,000	150,000
35 Hearing request- Wyuka Cemetary Stormwater Project	DAS	0	1,800,000	1,800,000
36 LB 1014 Workforce Housing	DED	47,000,000	44,000,000	91,000,000
37 LB 1025 Qualified census tract grants	DED	150,000,000	0	150,000,000
38 LB 1195 Grants for international competitions in Nebraska	DED	500,000	0	500,000
39 LB 1014 Meat Processing Plant Grant	DED	0	20,000,000	20,000,000
40 LB 1014 Healthcare Facility Capacity Expansion	DED	10,000,000	10,000,000	20,000,000
41 LB 1014 Shovel-Ready Capital Projects	DED	50,000,000	50,000,000	100,000,000
42 LB 1014 Site and Building Development	DED	60,000,000	0	60,000,000
43 LB 1100 DED, feasibility study relating to nuclear reactors	DED	0	1,000,000	1,000,000
44 LB 1014 Law Enforcement Training Center	Crime Comm.	47,700,000	0	47,700,000
45 LB 1162 Rural in-person interpreting and legal communication access	Deaf & Hard Hrng	0	500,000	500,000
46 LB 1087 Aid to Community Colleges for dual enrollment	Community Colleges	0	15,000,000	15,000,000
47 LB 1160 Grants for reverse osmosis systems	DEE	0	4,000,000	4,000,000
48 LB 1014 State Fair Sewer Upgrades	DEE	0	20,000,000	20,000,000
ARPA Coronavirus State Fiscal Recovery Fund (CSFRF)		520,000,000	509,812,800	1,029,812,800
Total Available				1,040,000,000
Remaining Available				10,187,200

Section in AM2330 and Item	Agency	Appropriations Committee Proposal		
		FY 2021-22	FY 2022-23	Total
By Category				
Public Health Response		35,000,000	122,800,000	157,800,000
Negative Economic Impacts		390,200,000	229,650,000	619,850,000
Water, Sewer, Broadband		43,100,000	41,900,000	85,000,000
Premium Pay		0	115,462,800	115,462,800
Funds Administration		15,000,000	0	15,000,000
Total-ARPA CSRRF		483,300,000	509,812,800	993,112,800
By Source of Request				
Governor LB1014		349,500,000	286,900,000	636,400,000
Bills Assigned to Appropriations Committee		150,500,000	217,912,800	368,412,800
Bills Assigned to Other Committees		20,000,000	0	20,000,000
Total		520,000,000	504,812,800	1,024,812,800

Items > \$20 million, Committee AM2330	Committee AM 2330	% of Total
LB 1025 Qualified Census Tracts grants + Site & Blding Fund	210,000,000	20.4%
LB 1014 Shovel-Ready Capital Projects	100,000,000	9.7%
LB 1014 Workforce Housing	91,000,000	8.8%
LB 1014 Community College: Workforce Development	60,000,000	5.8%
LB 1014 Rural Health Complex	60,000,000	5.8%
LB 1089 Licensed and medicaid-certified nursing facilities	55,000,000	5.3%
LB 1172 Rate increases certain developmental disabilities providers	55,000,000	5.3%
LB 1014 Law Enforcement Training Center	47,700,000	4.6%
LB 1066 DHHS & University, behavioral health care services	33,000,000	3.2%
LB 1014 Salary Increases 24-Hour Facilities	36,700,000	3.6%
LB 1014 Child Welfare Case Counts & Provider Rates	25,000,000	2.4%
LB 1014 ARPA Fund Administration (including DHHS OCIO)	25,000,000	2.4%
LB 1014 Ft. Laramie-Gering Canal	23,100,000	2.2%
LB 1014 Healthcare Facility Capacity Expansion	20,000,000	1.9%
LB 1014 Replace Aging Rural Ambulances	20,000,000	1.9%
LB 1014 Meat Processing Plant Grant	20,000,000	1.9%
LB 1201 DHHS for nonprofit organization food assistance grants	20,000,000	1.9%
LB 1014 State Fair Sewer Upgrades	20,000,000	1.9%
LB 1081 Grants for water transport infrastructure	20,000,000	1.9%
All other	88,312,800	8.6%
Total ARPA Coronavirus State Fiscal Recovery Fund (CSFRF)	1,029,812,800	100.0%

Table 2
Committee Proposal Compared to Governor's Recommendation

Row	Bill & Item	AG #	Total Governor	Total Committee	\$ Difference vs Governor
Public Health Response					
1	LB 1014 Rural Health Complex	51	10,000,000	60,000,000	50,000,000
2	LB 1014 Child Welfare Case Counts & Provider Rates	25	25,000,000	25,000,000	0
3	LB 1014 Healthcare Facility Capacity Expansion	72	40,000,000	20,000,000	(20,000,000)
4	LB 1014 Replace Aging Rural Ambulances	25	35,000,000	20,000,000	(15,000,000)
5	LB 1138 DHHS, funds for local public health departments	25	0	10,000,000	10,000,000
6	LB 760 DHHS, grants to emergency medical services programs	25	0	5,000,000	5,000,000
7	LB 1159 DHHS for a model system of care, COVID 19	25	0	5,000,000	5,000,000
8	LB 1075 DHHS, pediatric mental health services technology	25	0	1,800,000	1,800,000
9	LB 1100 DED, feasibility study relating to nuclear reactors	72	0	1,000,000	1,000,000
10	LB 1014 Public Health Response/Nebraska Calling Promotion	25	40,000,000	0	(40,000,000)
11	LB 1014 Capitol HVAC Replacement	65	23,900,000	Gen Funds	(23,900,000)
12	LB 1014 YRTC Facility Improvements	25	15,500,000	\$15.5 CRF	(15,500,000)
13	LB 766 University of Nebraska pancreatic cancer research	51	0	\$15M HCCF	0
Negative Economic Impacts					
14	LB 1025 Qualified census tract grants	72	0	150,000,000	150,000,000
15	LB 1014 Shovel-Ready Capital Projects	72	100,000,000	100,000,000	0
16	LB 1014 Workforce Housing	72	75,000,000	91,000,000	16,000,000
17	LB 1014 Community College: Workforce Development	48	90,000,000	60,000,000	(30,000,000)
18	LB 1014 Site and Building Development	72	60,000,000	60,000,000	0
19	LB 1014 Law Enforcement Training Center	78	47,700,000	47,700,000	0
20	LB 1066 DHHS & University, behavioral health care services	51	0	28,000,000	28,000,000
21	LB 1014 Meat Processing Plant Grant	72	15,000,000	20,000,000	5,000,000
22	LB 1201 DHHS for nonprofit organization food assistance grants	25	0	20,000,000	20,000,000
23	LB 1087 Aid to Community Colleges for dual enrollment	83	0	15,000,000	15,000,000
24	LB 1014 Small & Medium Meat Processors	18	10,000,000	10,000,000	0
25	LB 1167 Worker training, expanding and retaining workforce	23	0	10,000,000	10,000,000
26	LB 1066 DHHS & University, behavioral health care services	25	0	5,000,000	5,000,000
27	LB 1161 NDE, services to students who are deaf or hard of hearing	13	0	1,000,000	1,000,000
28	LB 1254 Services for youth who have aged out of the foster care	25	0	1,000,000	1,000,000
29	LB 1162 Rural in-person interpreting and legal communication access	82	0	500,000	500,000
30	LB 1195 Grants for international competitions in Nebraska	72	0	500,000	500,000
31	LB 1255 University for an updated climate change report	51	0	150,000	150,000
32	LB 1014 Low-Income Education Assistance Program	13	60,000,000	0	(60,000,000)
33	LB 1014 Behavioral Health and Nursing Assistance	25	25,000,000	0	(25,000,000)
34	LB 1014 North 24th Street Project	72	12,000,000	0	(12,000,000)
35	LB 1014 Commercial Real Estate Assistance	72	10,000,000	0	(10,000,000)
36	LB 968 DED, affordable housing and job training	72	0	LB1014 \$91M	0
37	LB 1041 NIFA, loans affordable housing units	72	0	LB1014 \$91M	0
38	LB 703 University, agricultural innovation facility	51	0	\$25M CRF	0

Row	Bill & Item	AG #	Total Governor	Total Committee	\$ Difference vs Governor
Premium Pay					
39	LB 1089 Licensed and medicaid-certified nursing facilities	25	0	55,000,000	55,000,000
40	LB 1172 Rate increases certain developmental disabilities providers	25	0	55,000,000	55,000,000
41	LB 1014 Salary Increases 24-Hour Facilities	25	36,700,000	36,700,000	0
42	LB 996 Payments to assisted-living facilities	25	0	5,462,800	5,462,800
Water, Sewer, Broadband					
43	LB 1014 Ft. Laramie-Gering Canal	29	23,100,000	23,100,000	0
44	LB 1014 State Fair Sewer Upgrades	84	25,000,000	20,000,000	(5,000,000)
45	LB 1014 Wastewater System Projects	33	8,100,000	8,100,000	0
46	LB 1014 State Colleges Facility & Equipment Upgrades	50	8,000,000	8,000,000	0
47	LB 1160 Grants for reverse osmosis systems	84		4,000,000	4,000,000
48	Hearing request- Wyuka Cemetary Stormwater Project	65	0	1,800,000	1,800,000
49	LB 1014 Perkins County Canal Project	29	100,000,000	\$53.5 CRF	(100,000,000)
50	LB 1014 Drinking Water Projects	84	60,000,000	0	(60,000,000)
51	LB 1014 STARWARS	29	50,000,000	\$200M CRF/GF	(50,000,000)
52	LB 1014 Water Resources Data Collection	29	10,000,000	0	(10,000,000)
Funds Administration					
53	LB 1014 ARPA Fund Administration (including DHHS OCIO)	31	25,000,000	25,000,000	0
Bills in Other Committees					
54	LB 1081 Grants for water transport infrastructure	29	0	20,000,000	20,000,000
55	LB 1015 Perkins County Canal Project Act	29	see LB1014	see LB1014	0
56	LB 1023 Lake Development Act, Water Recreation Enhancement Act	29	see LB1014	see LB1014	0
57	LB 865 Child care rates to 75th percentile	25	0	Fed funds	0
58	ARPA Coronavirus State Fiscal Recovery Fund (CSRRF)		1,040,000,000	1,029,812,800	(10,187,200)
By Category					
		Project Count			
	Public Health Response	10	199,400,000	157,800,000	(41,600,000)
	Negative Economic Impacts	17	504,700,000	619,850,000	115,150,000
	Water, Sewer, Broadband	7	284,200,000	85,000,000	(199,200,000)
	Premium Pay	4	36,700,000	152,162,800	115,462,800
	Funds Administration	1	15,000,000	15,000,000	0
	Total-ARPA CSRRF	39	1,040,000,000	1,029,812,800	(10,187,200)
By Source of Request					
	Governor LB1014	19	1,040,000,000	636,400,000	(403,600,000)
	Bills Assigned to Appropriations Committee	19	0	368,412,800	368,412,800
	Bills Assigned to Other Committees	1	0	20,000,000	20,000,000
	Total-ARPA CSRRF	39	1,040,000,000	1,024,812,800	(15,187,200)

Items > \$20 million, Governor or Committee	Governor Original LB1014	Committee AM 2330	Difference from Governor
LB 1025 Qualified Census Tracts grants + Site & Blding Fund	60,000,000	210,000,000	150,000,000
LB 1014 Shovel-Ready Capital Projects	100,000,000	100,000,000	0
LB 1014 Workforce Housing	75,000,000	91,000,000	16,000,000
LB 1014 Community College: Workforce Development	90,000,000	60,000,000	(30,000,000)
LB 1014 Rural Health Complex	10,000,000	60,000,000	50,000,000
LB 1089 Licensed and medicaid-certified nursing facilities	0	55,000,000	55,000,000
LB 1172 Rate increases certain developmental disabilities providers	0	55,000,000	55,000,000
LB 1014 Law Enforcement Training Center	47,700,000	47,700,000	0
LB 1066 DHHS & University, behavioral health care services	0	33,000,000	33,000,000
LB 1014 Salary Increases 24-Hour Facilities	36,700,000	36,700,000	0
LB 1014 Child Welfare Case Counts & Provider Rates	25,000,000	25,000,000	0
LB 1014 ARPA Fund Administration (including DHHS OCIO)	25,000,000	25,000,000	0
LB 1014 Ft. Laramie-Gering Canal	23,100,000	23,100,000	0
LB 1014 Healthcare Facility Capacity Expansion	40,000,000	20,000,000	(20,000,000)
LB 1014 Replace Aging Rural Ambulances	35,000,000	20,000,000	(15,000,000)
LB 1014 Meat Processing Plant Grant	15,000,000	20,000,000	5,000,000
LB 1201 DHHS for nonprofit organization food assistance grants	0	20,000,000	20,000,000
LB 1014 State Fair Sewer Upgrades	25,000,000	20,000,000	(5,000,000)
LB 1081 Grants for water transport infrastructure	0	20,000,000	20,000,000
LB 1014 Perkins County Canal Project	100,000,000	\$53.5 CRF	(100,000,000)
LB 1014 Drinking Water Projects	60,000,000	0	(60,000,000)
LB 1014 Low-Income Education Assistance Program	60,000,000	0	(60,000,000)
LB 1014 STARWARS	50,000,000	\$200M CRF/GF	(50,000,000)
LB 1014 Public Health Response/Nebraska Calling Promotion	40,000,000	0	(40,000,000)
LB 1014 Behavioral Health and Nursing Assistance	25,000,000	0	(25,000,000)
All other	97,500,000	88,312,800	(9,187,200)
Total ARPA Coronavirus State Fiscal Recovery Fund (CSFRF)	1,040,000,000	1,029,812,800	(10,187,200)

Table 3
List of All ARPA-CSFR Requests by Category

Row	Bill & Item	AG #	Total Request	Total Governor	Total Committee
Public Health Response					
1	LB 1014 Rural Health Complex	51	60,000,000	10,000,000	60,000,000
2	LB 1014 Child Welfare Case Counts & Provider Rates	25	25,000,000	25,000,000	25,000,000
3	LB 1014 Healthcare Facility Capacity Expansion	72	40,000,000	40,000,000	20,000,000
4	LB 1014 Replace Aging Rural Ambulances	25	35,000,000	35,000,000	20,000,000
5	LB 1138 DHHS, funds for local public health departments	25	16,000,000	0	10,000,000
6	LB 760 DHHS, grants to emergency medical services programs	25	5,000,000	0	5,000,000
7	LB 1159 DHHS for a model system of care, COVID 19	25	5,000,000	0	5,000,000
8	LB 1075 DHHS, pediatric mental health services technology	25	1,800,000	0	1,800,000
9	LB 1100 DED, feasibility study relating to nuclear reactors	72	1,000,000	0	1,000,000
10	LB 1014 Public Health Response/Nebraska Calling Promotion	25	40,000,000	40,000,000	0
11	LB 1014 Capitol HVAC Replacement	65	23,900,000	23,900,000	Gen Funds
12	LB 1014 YRTC Facility Improvements	25	15,500,000	15,500,000	\$15.5 CRF
13	LB 766 University of Nebraska pancreatic cancer research	51	15,000,000	0	\$15M HCCF
14	LB 721 UNMC Rural Health Complex	51	see LB 1014	see LB 1014	see LB 1014
15	LB 867 DHHS for Health Aid	25	500,000	0	0
16	LB 959 DHHS, statewide health information exchange	25	8,922,000	0	0
17	LB 961 University, Counterterrorism, Technology, and Ed Center (NCITE)	51	4,000,000	0	0
18	LB 977 DED, electrical system capabilities grants	72	29,000,000	0	0
19	LB 1048 UNMC, evaluate chemicals released ethanol production facilities	51	10,000,000	0	0
20	LB 1076 DHHS, develop coordination of care software	25	600,000	0	0
21	LB 1120 Disqualify funds from state, high-population county/city	72	0	0	0
22	LB 1182 School Employees Pandemic Protection Act	13	10,000,000	0	0
23	LB 1183 Aid to federally qualified health centers	25	25,000,000	0	0
24	LB 1194 Public safety answering points and 911 software	14	55,000,000	0	0
25	LB 1199 DAS OCIO, radios to volunteer departments	65	25,000,000	0	0
26	LB 1206 State Colleges infrastructure, technology, and equipment	50	44,300,000	0	0
27	LB 1221 DHHS for remdesivir for COVID-19 patients	25	0	0	0
28	LB 1269 Repayment of health professionals educational debts	25	10,000,000	0	0
Negative Economic Impacts					
29	LB 1025 Qualified census tract support	72	450,000,000	0	150,000,000
30	LB 1014 Shovel-Ready Capital Projects	72	100,000,000	100,000,000	100,000,000
31	LB 1014 Workforce Housing	72	75,000,000	75,000,000	91,000,000
32	LB 1014 Community College: Workforce Development	48	90,000,000	90,000,000	60,000,000
33	LB 1014 Site and Building Development	72	60,000,000	60,000,000	60,000,000
34	LB 1014 Law Enforcement Training Center	78	47,700,000	47,700,000	47,700,000
35	LB 1066 DHHS & University, behavioral health care services	51	28,000,000	0	28,000,000
36	LB 1014 Meat Processing Plant Grant	72	15,000,000	15,000,000	20,000,000
37	LB 1201 DHHS for nonprofit organization food assistance grants	25	40,000,000	0	20,000,000
38	LB 1087 Aid to Community Colleges for dual enrollment	83	15,000,000	0	15,000,000
39	LB 1014 Small & Medium Meat Processors	18	10,000,000	10,000,000	10,000,000
40	LB 1167 Worker training, expanding and retaining workforce	23	50,000,000	0	10,000,000
41	LB 1066 DHHS & University, behavioral health care services	25	5,000,000	0	5,000,000
42	LB 1161 NDE, services to students who are deaf or hard of hearing	13	1,000,000	0	1,000,000
43	LB 1254 Services for youth who have aged out of the foster care	25	2,000,000	0	1,000,000
44	LB 1162 Rural in-person interpreting and legal communication access	82	500,000	0	500,000
45	LB 1195 Grants for international competitions in Nebraska	72	1,500,000	0	500,000
46	LB 1255 University for an updated climate change report	51	150,000	0	150,000
47	LB 1014 Low-Income Education Assistance Program	13	60,000,000	60,000,000	0
48	LB 1014 Behavioral Health and Nursing Assistance	25	25,000,000	25,000,000	0
49	LB 1014 North 24th Street Project	72	12,000,000	12,000,000	0

Row	Bill & Item	AG #	Total Request	Total Governor	Total Committee
50	LB 1014 Commercial Real Estate Assistance	72	10,000,000	10,000,000	0
51	LB 703 University, agricultural innovation facility	51	25,000,000	0	\$25M CRF
52	LB 968 DED, affordable housing and job training	72	10,000,000	0	LB1014 \$91M
53	LB 1041 NIFA, loans affordable housing units	72	21,000,000	0	LB1014 \$91M
54	LB 699 DED, grants to improve technology infrastructure	72	100,000,000	0	0
55	LB 755 Independent Processor Assistance Program	18	10,000,000	0	0
56	LB 904 Artificial Intelligence, Cybersecurity, Holland Computer Center	51	50,000,000	0	0
57	LB 940 Housing programs	72	200,000,000	0	0
58	LB 950 University, Global Center for Health Security	51	10,000,000	0	0
59	LB 962 University Science, Tech, Engineering & Math (STEM) Trail Center	51	5,000,000	0	0
60	LB 969 DEE, electric infrastructure projects	84	10,000,000	0	0
61	LB 970 Catastrophic livestock mortality and disposal events	18	7,000,000	0	0
62	LB 1002 DHHS for low-income home energy assistance	25	2,000,000	0	0
63	LB 1006 DED, construct new dairy processing plants	72	25,000,000	0	0
64	LB 1033 Economic Opportunity, workforce, site development, etc...	72	195,000,000	0	0
65	LB 1052 DHHS, Nebraska Homeless Assistance Program	25	40,000,000	0	0
66	LB 1054 UNO, modernize academic research laboratories and equipment	51	16,000,000	0	0
67	LB 1072 DED, financial success program	72	1,000,000	0	0
68	LB 1079 Disbursement to Nebr residents, prepaid debit cards	16	520,000,000	0	0
69	LB 1085 NDE, career and technical educational student organizations	13	5,000,000	0	0
70	LB 1125 DED, construction of industrial rail yards	72	75,000,000	0	0
71	LB 1141 Legal representation for indigent clients	94	3,000,000	0	0
72	LB 1142 NIFA, development of affordable housing units	72	25,000,000	0	0
73	LB 1152 Funds for repair and restoration of the State Capitol	65	30,000,000	0	0
74	LB 1163 Business Innovation Act and change award limitations	72	20,000,000	0	0
75	LB 1193 Directions, use of fed Consolidated Approp Act and ARPA funds	72	0	0	0
76	LB 1198 NDE, mentorship, career exploration, job readiness grants	13	2,500,000	0	0
77	LB 1202 DED, grants to Nebr professional soccer/baseball team	72	5,000,000	0	0
78	LB 1203 DHHS for various child care programs	25	100,493,000	0	0
79	LB 1224 DED for grants for new and upgraded tourism attractions	72	100,000,000	0	0
80	LB 1228 Tourism Comm for Chief Standing Bear museum	91	75,000,000	0	0
81	LB 1229 Sports/fitness programs, intern stipends, facility rental costs	72	1,000,000	0	0
82	LB 1238 DED for the South Omaha Recovery Grant Program	72	50,000,000	0	0
83	LB 1240 Education recovery accounts for low-income children	13	60,000,000	0	0
84	LB 1252 DED, for middle-income housing in urban areas grants	72	20,000,000	0	0
85	LB 1257 Grants for electric vehicle fast charging stations	27	10,000,000	0	0
86	LB 1267 Health equity liaisons for various state commissions	76	2,500,000	0	0
87	LB 1277 County agricultural society within a primary class city	72	7,000,000	0	0

Premium Pay

88	LB 1089 Licensed and medicaid-certified nursing facilities	25	60,000,000	0	55,000,000
89	LB 1172 Rate increases certain developmental disabilities providers	25	37,000,000	0	55,000,000
90	LB 1014 Salary Increases 24-Hour Facilities	25	36,700,000	36,700,000	36,700,000
91	LB 996 Payments to assisted-living facilities	25	5,462,800	0	5,462,800
92	LB 696 Dept of Education, school employee retention payments	13	??	0	0
93	LB 1055 DHHS, grants for premium-pay to front-line nurses	25	50,000,000	0	0
94	LB 1063 Labor, apprentices and provide premium pay	23	5,000,000	0	0
95	LB 1131 \$1,000 bonus for teachers, child and health care workers	16	??	0	0
96	LB 1217 Funds for incentive payments to eligible school employees	65	??	0	0
97	LB 1220 \$10,000 payments. teachers in underserved communities	13	1,000,000	0	0

Water, Sewer, Broadband

98	LB 1014 Ft. Laramie-Gering Canal	29	23,100,000	23,100,000	23,100,000
99	LB 1014 State Fair Sewer Upgrades	84	25,000,000	25,000,000	20,000,000
100	LB 1014 Wastewater System Projects	33	8,100,000	8,100,000	8,100,000

Row	Bill & Item	AG #	Total Request	Total Governor	Total Committee
101	LB 1014 State Colleges Facility & Equipment Upgrades	50	8,000,000	8,000,000	8,000,000
102	LB 1160 Grants for reverse osmosis systems	84	10,000,000		4,000,000
103	Hearing request- Wyuka Cemetary Stormwater Project	65	1,800,000	0	1,800,000
104	LB 1014 Perkins County Canal Project	29	100,000,000	100,000,000	\$53.5 CRF
105	LB 1014 Drinking Water Projects	84	60,000,000	60,000,000	0
106	LB 1014 STARWARS	29	50,000,000	50,000,000	\$200M CRF/GF
107	LB 1014 Water Resources Data Collection	29	10,000,000	10,000,000	0
108	LB 783 DED, beef processing grants	72	75,000,000	0	0
109	LB 1070 DED, infrastructure related to rural workforce housing	72	20,000,000	0	0
110	LB 1191 Improve tribal-owned community drinking water	76	??	0	0
111	LB 1196 DED for utility dist. lead service line replacements	72	45,000,000	0	0
112	LB 1210 Aid to small businesses in second class cities and villages	72	10,000,000	0	0
113	LB 1248 DEE for a municipal water treatment plant projects	84	30,000,000	0	0

Funds Administration

114	LB 1014 ARPA Fund Administration (including DHHS OCIO)	31	25,000,000	25,000,000	25,000,000
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Bills in Other Committees

115	LB 1081 Grants for water transport infrastructure	29	200,000,000	0	20,000,000
116	LB 865 Child care rates to 75th percentile	25	0	0	Fed funds
117	LB 761 Precision Agriculture Infrastructure Grant Act	72	10,000,000	0	0
118	LB 777 Digital archive Nebr Legislature video coverage (NETC)	3	0	0	0
119	LB 1015 Perkins County Canal Project Act	29	see LB1014	see LB1014	see LB1014
120	LB 1023 Lake Development Act, Water Recreation Enhancement Act	29	see LB1014	see LB1014	see LB1014
121	LB 1024 North Omaha Recovery Act, allocate ARPA funds	72	(see LB1025)	0	0
122	LB 1034 Progress schools and progress plans	13	272,830	0	0
123	LB 1044 Care Team Innovation Grant Pilot Project Act, ARPA fund	25	2,000,000	0	0
124	LB 1091 Nebraska Nursing Incentive Act, allocate ARPA funds	25	5,000,000	0	0
125	LB 1113 Transition-age youth pilot project, allocate ARPA funds	25	0	0	0
126	LB 1157 Require NDE to submit reports on ARPA federal funds	13	0	0	0
127	LB 1173 Child Welfare Study	25	500,000	0	0
128	LB 1208 Broadband Pole Replacement Fund Act, allocate ARPA funds	14	15,000,000	0	0
129	LB 1227 Allow land banks to receive ARPA federal funds	72	0	0	0
130	LB 1262 Recreation Area Assistance Act, allocate ARPA funds	33	8,000,000	0	0
131	ARPA Coronavirus State Fiscal Recovery Fund (CSRRF)		4,378,800,630	1,040,000,000	1,029,812,800

By Category	# of items Committee	Request \$	Governor \$	Committee \$
Public Health Response	9	522,522,000	199,400,000	157,800,000
Negative Economic Impacts	17	2,945,115,830	504,700,000	619,850,000
Water, Sewer, Broadband	7	701,000,000	284,200,000	85,000,000
Premium Pay	4	195,162,800	36,700,000	152,162,800
Funds Administration	1	15,000,000	15,000,000	15,000,000
Total-ARPA CSRRF	38	4,378,800,630	1,040,000,000	1,029,812,800

By Source of Request		\$	\$	\$
Governor LB1014	18	1,091,800,000	1,040,000,000	636,400,000
Bills Assigned to Appropriations Committee	19	3,041,227,800	0	368,412,800
Bills Assigned to Other Committees	1	240,772,830	0	20,000,000
Total-ARPA CSRRF	38	4,373,800,630	1,040,000,000	1,024,812,800



Section Listing - LB 1014 (AM 2330)

Section 10 *LB 1014 Salary Increases 24-Hour Facilities*

			Request	Committee
State Agency	#25 HHS System			
Analyst	Liz Hruska	FY2021-22	36,700,000	36,700,000
		FY2022-23	0	0
		Total	36,700,000	36,700,000

Description

The Governor’s recommendation includes 20% increase for classifications identified as high demand and a 30% increase for healthcare classifications identified as critical. In Program 033 developmental disabilities service and children and family service positions are included in the premium pay adjustments. Salary Increases 24-hour Facilities – The recommendation includes \$36.7 million in FY 2021-22 to provide premium pay increases for front-line workers in 24-hour facilities. These teammates worked closely with the public health response and provided services during the height of the pandemic. This increase ensures the state is competitive in pay for positions that respond to public health and public safety.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQS 2.16 PAGE 9: “The Interim Final Rule includes as an eligible use re-hiring public sector staff up to the government’s level of pre-pandemic employment. “Public sector staff” would not include individuals participating in a job training or subsidized employment program administered by the recipient.”

ARPA GUIDANCE ALSO PROVIDES UNDER SLFRP FAQS 5.1 PAGE 26: “Essential workers are those in critical infrastructure sectors who regularly perform in person work, interact with others at work, or physically handle items handled by others.”

Section 11 *LB 1161 NDE, services to students who are deaf or hard of hearing*

			Request	Committee
State Agency	#13 Education			
Analyst	Bill Biven	FY2021-22	0	0
		FY2022-23	1,000,000	1,000,000
		Total	1,000,000	1,000,000

Description

LB 1161 appropriates \$1 million to the State Department of Education exclusively for programs and interpreters that provide services to students who are deaf or hard of hearing.

Guidance on Eligibility

In the Treasury Dept question and answer guidance 2.11 related to help addressing disparit impacts of COVID19 on certain populations and geographies. Specifically it said "Addressing educational disparities exacerbated by COVID-19, including: early learning services, increasing resources for high-poverty school districts, educational services like tutoring or afterschool programs, and supports for students’ social, emotional, and mental health needs".

Section 12 *LB 1014 Small & Medium Meat Processors*

			Request	Committee
State Agency #18 Agriculture		FY2021-22	10,000,000	10,000,000
Analyst Clint Verner		FY2022-23	0	0
		Total	10,000,000	10,000,000

Description

The recommendation includes \$10 million in FY 2021-22 to assist small and medium meat processors across the state and to conduct a dairy industry study. Meat processor assistance will be used to upgrade equipment and facilities to accommodate increased demand for processing. Throughout the pandemic, supply chain issues affected small and medium meat packing plants when larger meat packing plants closed. Included in the recommendation is \$125,000 for a dairy industry study. In Nebraska, livestock producers were diverted to smaller processors causing significant backlogs in animal processing. This in turn affected Nebraskans by not having quality meat on the shelves at the stores. Businesses were forced to have employees work overtime to handle the increased need for processing, also putting a strain on existing equipment in the plants.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQs: SECTION 2.17 PAGE 10: "In providing assistance to small businesses, recipients must design a program that responds to the negative economic impacts of the COVID-19 public health emergency, including by identifying how the program addresses the identified need or impact faced by small businesses. This can include assistance to adopt safer operating procedures, weather periods of closure, or mitigate financial hardship resulting from the COVID-19 public health emergency."

Section 13 *LB 1167 Worker training, expanding and retaining workforce*

			Request	Committee
State Agency #72 Economic Development		FY2021-22	0	0
Analyst Clint Verner		FY2022-23	50,000,000	10,000,000
		Total	50,000,000	10,000,000

Description

The recommendation includes \$10,000,000 appropriated to the Department of Labor for existing worker training programs.

Guidance on Eligibility

The final rule addresses assistance to unemployed and underemployed workers. Eligible beneficiaries are defined as, "individuals who want and are available for work, including those who have looked for work sometime in the past 12 months or who are employed part time but who want and are available for full-time work". In addition, disproportionately impacted communities and households are presumed eligible beneficiaries for job training programs.

Section 14 LB 1075 DHHS, pediatric mental health services technology

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Nikki Swope	FY2022-23	1,800,000	1,800,000
	Total	1,800,000	1,800,000

Description

LB1075 appropriates \$1.8 million to the Department of Health and Human Services for telehealth technology related to pediatric mental health services. The bill stipulates that funding be provided to any pediatric trauma center to support statewide pediatric mental health services.

Guidance on Eligibility

ARPA GUIDANCE UNDER SLFRF FINAL RULE II(2)(A)(2)(c)-BEHAVIORAL HEALTH CARE (PG.66-68) "Recognizing that the public health emergency, necessary mitigation measures like social distancing, and the economic downturn have exacerbated mental health and substance use challenges for many Americans, the interim final rule included an enumerated eligible use for mental health treatment, substance use treatment, and other behavioral health services, including a non-exhaustive list of specific services that would be eligible under this category. Recipients may also provide services for special populations, for example, enhanced services in schools to address increased rates of behavioral health challenges for youths.... Finally, recipients may use funds for programs or services to support equitable access to services and reduce racial, ethnic, or socioeconomic disparities (or other populations as presumed to be disproportionately impacted by the pandemic) in access to high-quality treatment".

Section 15 LB 1201 DHHS for nonprofit organization food assistance grants

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	40,000,000	20,000,000
	Total	40,000,000	20,000,000

Description

Provides \$20 million to the Department of Health and Human Services for grants to nonprofit organizations to be distributed in the following manner:

- 1) \$10 million to be awarded to nonprofit organizations that focus on food distribution in ten or more counties and qualify for the Emergency Food Assistance Program for the purchase and distribution of food, infrastructure and equipment and construction of increased capacity.
- 2) \$10 million to be awarded for regional or local capacity and food security innovation grants. The department is required to create a process for soliciting, vetting, awarding and monitor grants or contracting with the third party to handle those responsibilities.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQs 2.5 PAGE 4: Assistance to households includes . . . food assistance, utility assistance, prevent eviction or homelessness, cash assistance.

Section 16 LB 1014 Child Welfare Case Counts & Provider Rates

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	10,000,000
Analyst Liz Hruska	FY2022-23	25,000,000	15,000,000
	Total	25,000,000	25,000,000

Description

The recommendation includes \$10 million in FY 2022 and \$15 million in FY 2023 for child welfare aid to assist in managing escalated costs in this program related to increased case counts and provides provider rate increases for three fiscal years, FY 2022, FY 2023 and FY 2024. Child welfare case counts have spiked substantially across the country and have continued throughout the pandemic. Funding will be provided to ensure services are provided to youth in the care of the state.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQS 2.11 PAGE 7: "Promoting healthy childhood environments, including: childcare, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth."

Section 17 LB 1254 Services for youth who have aged out of the foster care

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	2,000,000	1,000,000
	Total	2,000,000	1,000,000

Description

Provides \$1 million for a grant program for a non-profit which prepares youth who have aged out of the foster care system to enter the workforce. The funds would be used for facility upgrades, building maintenance, transportation, construction and training. The recipient of the funds must provide low-income housing in a campus environment. The youth must find employment, attend school or both.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQS 2.11 PAGE 7: "Promoting healthy childhood environments, including: childcare, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth."

Section 18 *LB 1172 Rate increases certain developmental disabilities providers*

			Request	Committee
State Agency	#25 HHS System			
Analyst	Nikki Swope	FY2021-22	37,000,000	0
		FY2022-23	0	55,000,000
		Total	37,000,000	55,000,000

Description

Service provider rates were increased by 15% in the budget bill (LB 1011) to attract and retain staff and to address deficits in service provider agency's budgets.

LB 1172 would appropriate additional Federal Funds to the Department of Health and Human Services Developmental Disability Aid. These funds are to offer competitive wages similar the pay rate for State of Nebraska employees who provide essential services for those with developmental disabilities. The total ARPA funds for the DD provider rate increases are appropriated as \$20,000,000 FY 2022-23 and the intent to appropriate \$20,000,000 FY 2023-24 and \$15,000,000 FY 2024-25.

Guidance on Eligibility

ARPA GUIDANCE UNDER SLFRF FINAL RULE II (B)(2)-PREMIUM PAY (PG. 219-220) Sections 602(c)(1)(B) and 603(c)(1)(B) of the Social Security Act, as added by the ARPA, provide that SLFRF funds may be used "to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the . . . government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work." Premium pay is designed to compensate workers that, by virtue of their employment, were forced to take on additional burdens and make great personal sacrifices as a result of the COVID-19 pandemic.

Section 19 *LB 1138 DHHS, funds for local public health departments*

			Request	Committee
State Agency	#25 HHS System			
Analyst	Liz Hruska	FY2021-22	0	0
		FY2022-23	16,000,000	10,000,000
		Total	16,000,000	10,000,000

Description

The funds would be used for local public health departments distributed evenly for one-time infrastructure needs and any other costs including testing, personal protective equipment and other preventative measures to combat COVID-19 and any mutations.

Guidance on Eligibility

OVERVIEW OF FINAL RULE, U.S. DEPARTMENT OF TREASURY, JANUARY 2022, PAGE 20: primary care clinics, hospitals, integration of health services into other settings and other investments in medical equipment and facilities designed to address health disparities.

Section 20 LB 1159 DHHS for a model system of care, COVID 19

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	5,000,000	5,000,000
	Total	5,000,000	5,000,000

Description

This bill appropriates \$5 million in FY 2023 to be used for a grant program for a model system of care for individuals who have recovered from COVID-19 with persistent symptoms. The one-time grant shall be awarded to a rehabilitation hospital with the capacity to provide interdisciplinary research.

The model system of care shall be a comprehensive program to address persistent COVID-19 symptoms and include the following activities:

- (i) Post-COVID-19 research
- (ii) Post-COVID-19 clinics
- (iii) Mental health services expanded to address cognitive and psychiatric needs of post-COVID-19 patients
- (iv) Educational materials for health care providers and the public

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQs 2.1 PAGE 4: A broad range of services are needed to contain COVID-19 and are eligible uses including supports for vulnerable populations to access medical or public health service.

Section 21 LB 996 Payments to assisted-living facilities

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	5,462,800	5,462,800
	Total	5,462,800	5,462,800

Description

The funds are to be used to pay assisted living facilities \$400 per bed. The assisted living facilities could only use the funds for incentives for staff to enhance recruitment and retention and for supplies and equipment.

Guidance on Eligibility

OVERVIEW OF FINAL RULE, U.S. DEPARTMENT OF TREASURY, JANUARY 2022. PREMIUM PAY, PAGE 35: Listing of eligible workers includes health care, child care and education.

Section 22 *LB 1089 Licensed and medicaid-certified nursing facilities*

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	60,000,000	55,000,000
	Total	60,000,000	55,000,000

Description

The Department of Health and Human Services shall provide money to licensed and medicaid-certified nursing facilities in the following manner over three fiscal years, FY 2023, FY 2024 and FY 2025:

- (i) \$41,250,000 to Medicaid-certified nursing facilities divided proportionately by the Medicaid-certified beds at such facilities; and
- (ii) \$13,750,000 divided proportionately by the Medicaid certified beds at the facilities that are in the top twenty-five percent of Medicaid-certified nursing facilities with the highest percentage of Medicaid days, as a percentage of that facility's total days as reported on provider tax forms and equally among the Medicaid-certified nursing facilities that were in the top twenty-five percent of Medicaid certified nursing facilities with the highest percentage of bed-days paid by Medicaid in fiscal year 2021-22.

Guidance on Eligibility

OVERVIEW OF FINAL RULE, U.S. DEPARTMENT OF TREASURY, JANUARY 2022. PREMIUM PAY, PAGE 35: Listing of eligible workers includes health care, child care and education.

Section 23 *LB 1014 Replace Aging Rural Ambulances*

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	35,000,000	20,000,000
	Total	35,000,000	20,000,000

Description

The recommendation includes \$20 million in FY 2022-23 to assist rural communities to replace aging ambulances. Many ambulances in rural areas have reached the end of their useful life and are in significant need of replacement. This funding will ensure that essential equipment is provided in rural communities to support necessary public health services.

Guidance on Eligibility

OVERVIEW OF FINAL RULE, U.S. DEPARTMENT OF TREASURY, JANUARY 2022, PAGE 20: primary care clinics, hospitals, integration of health services into other settings and other investments in medical equipment and facilities designed to address health disparities.

Section 24 LB 760 DHHS, grants to emergency medical services programs

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	5,000,000	5,000,000
	Total	5,000,000	5,000,000

Description

Provides grants to licensed emergency medical services programs for the one-time purchase of equipment, including, but not limited to power cots, defibrillators, and other similar lifesaving equipment. It is the intent of the Legislature that priority in awarding grants be given to an emergency medical services program that (1) is volunteer-based, (2) is located in a community with a population of fewer than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, and (3) has high needs, as determined by the department in consultation with a statewide organization dedicated to supporting providers of prehospital emergency medical care in Nebraska.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQS 2.1 PAGE 4: A broad range of services are needed to contain COVID-19 and are eligible uses . . . including supports for vulnerable populations to access medical or public health service.

Section 25 LB 1066 DHHS & University, behavioral health care services

		Request	Committee
State Agency #25 HHS System	FY2021-22	0	0
Analyst Liz Hruska	FY2022-23	5,000,000	5,000,000
	Total	5,000,000	5,000,000

Description

LB1066 provides federal funding for access to behavioral health acute care beds in rural Nebraska and training and educational opportunities for the behavioral health workforce in Nebraska.

\$5 million is appropriated to the Department of Health and Human Services to provide grants of up to \$250 thousand for capital costs related to the expansion of behavioral health acute care beds in rural areas where a shortage exists.

\$28 million is appropriated to the University of Nebraska for the Behavioral Health Education Center of Nebraska to develop a comprehensive behavioral health internship program, a telebehavioral health support program, COVID-19-specific behavioral health education and training, and support of provisionally licensed behavioral health professionals.

Guidance on Eligibility

The relevant sections from the Final Rule Section 35.6 are: (b)(2); (b)(3)(i)(C); (b)(3)(i)(D). Rural areas are presumed to be disproportionately impacted. A Rural Health Complex trains a workforce to respond to COVID or similar pandemic health issues. Per ARPA Eligibility Checklist: addresses COVID-19 prevention and mitigation; medical services; and behavioral / mental health care. Checklist also indicates "Yes" for items under "Negative Economic Impact": The Complex is designed to address workforce issues for a disproportionately impacted community (rural) while increasing the state's ability to directly address health care / pandemic needs.

Section 26 *LB 1014 Ft. Laramie-Gering Canal*

		Request	Committee
State Agency #29 Natural Resources	FY2021-22	23,100,000	23,100,000
Analyst Clint Verner	FY2022-23	0	0
	Total	23,100,000	23,100,000

Description

The recommendation includes \$23.1 million in FY 2021-22 to repair irrigation tunnels that collapsed in the Ft. Laramie – Gering Irrigation District which supplies roughly 107,000 acres with water for irrigation. In July 2019, Irrigation Tunnel 1 and 2 collapsed and temporary work was done to secure the stability of both tunnels, but only provided 80-85 percent capacity of the water needed. The recommended funding will enable Nebraska to partner with Wyoming to completely repair both tunnels to secure water for our farmers and ranchers. Nebraska's funding share represents fifty one percent ownership of the canal, with the rest of the funding coming from Wyoming.

Guidance on Eligibility

SLFRP FAQs: SECTION 6.1 PAGE 27: "The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)." The Final Rule also permits that Recovery Funds may be used for purposes of satisfying non-federal matching requirements required for an authorized Bureau of Reclamation project.

Section 27 *LB 1081 Grants for water transport infrastructure*

		Request	Committee
State Agency #29 Natural Resources	FY2021-22	20,000,000	20,000,000
Analyst Clint Verner	FY2022-23	0	0
	Total	20,000,000	20,000,000

Description

LB 1081 creates a grant program for the design, construction, and implementation of water supply projects. Eligible grantees are cities of the primary class that utilize more than 30 million gallons/day. Eligible projects shall include, but not be limited to, design, construction, and implementation of additional water supply project.

Guidance on Eligibility

DWSRF eligible projects are generally eligible for ARPA funding pursuant to the final rule. However, as this is a new water sourcing project this is subject to a cost-effectiveness test as required by DWSRF.

Section 28 LB 1014 ARPA Fund Administration

		Request	Committee
State Agency #31 Military Dept	FY2021-22	15,000,000	20,000,000
Analyst Sam Malson	FY2022-23	0	5,000,000
	Total	15,000,000	25,000,000

Description

The recommendation includes \$20 million in FY 2021-22 and \$5 million in FY 2022-23 to provide funding for the operating and administrative costs of applicable agencies, boards, and commissions who are administering the ARPA-State Fiscal Recovery Fund. Funding will be utilized to directly pay such expenses or reimburse said entities for their expenses. Examples of costs include salaries, operational support, software licensing, and vendor/contractor support.

Funding is also included to reimburse the Department of Health and Human Services for expenses incurred from March 3, 2021 through June 30, 2023 which are related to pandemic relief processing, and equipment and operating a mobile workforce.

Guidance on Eligibility

The Treasury Final Rule speaks to administrative expenses on pages 364 and 365. It is stated that "...recipients (i.e., the State of Nebraska) may use for administering the State Fiscal Recover Fund Program". This includes "...costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements." Further the Final Rule clarifies that direct and indirect administrative expenses are permissible uses of the State Fiscal Recover Fund.

Section 29 LB 1014 Wastewater System Projects

		Request	Committee
State Agency #33 Game and Parks	FY2021-22	0	0
Analyst Sam Malson	FY2022-23	8,100,000	8,100,000
	Total	8,100,000	8,100,000

Description

The recommendation includes \$8.1 million in FY 2022-23 to update/improve several locations with wastewater and sewage issues that need to be addressed as current systems are outdated and in need of replacement. This would ensure that the Nebraska Game and Parks Commission is compliant with federal requirements for sanitary sewer systems and the state is providing safe and clean accommodations to customers.

The specific locations are Niobrara State Park, Branched Oak State Recreation Area, Two Rivers State Recreation Area, Lewis and Clark State Recreation Area, and Mormon Island State Recreation Area.

Guidance on Eligibility

The Treasury Final Rule discusses necessary investments in water and sewer on pages 260 through 293. Treasury indicates it has aligned eligible uses of the State Fiscal Recovery Fund with the types of projects that are eligible under the Clean Water State Revolving Fund or Drinking Water State Revolving Fund (Administered by the Environmental Protection Agency). Specifically, the Final Rule provides that assistance can be provided to "any...state agency for construction of publicly owned treatment works..." as defined by section 212 of the Clean Water Act, which includes wastewater collection and treatment.

Section 30 LB 1014 Community College: Workforce Development

		Request	Committee
State Agency #48 Postsecondary Coord.	FY2021-22	40,000,000	25,000,000
Analyst Suzanne Houlden	FY2022-23	50,000,000	35,000,000
	Total	90,000,000	60,000,000

Description

The recommendation includes \$25 million in FY 2021-22 and an additional \$35 million in FY 2022-23 to the six community college areas for various projects to strengthen and grow a post-pandemic skilled workforce. This funding will provide up to \$10 million to each community college and substantially increase their ability to train the next workforce of Nebraska. The state currently has a 1.8 percent unemployment rate and needs highly skilled workers particularly in the healthcare, agricultural, HVAC, CDL, and construction industries. This funding will provide for the acquisition, construction, and upgrades of several educational institutions across the state to upskill and reskill the population, especially in low income, underserved, and disproportionately impacted communities. The community colleges will utilize the funding to expand facilities and equipment to provide an education in these high demand fields.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQS 2.8 PAGE 6: "Recipients must demonstrate that funding uses directly address a negative economic impact of the COVID-19 public health emergency, including funds used for economic or workforce development. For example, job training for unemployed workers may be used to address negative economic impacts of the public health emergency and be eligible." This is not considered a capital construction project.

Section 31 LB 1014 State Colleges Facility & Equipment Upgrades

		Request	Committee
State Agency #50 State Colleges/Board	FY2021-22	0	0
Analyst Suzanne Houlden	FY2022-23	8,000,000	8,000,000
	Total	8,000,000	8,000,000

Description

The recommendation includes \$8 million to purchase equipment and upgrade campus drinking water and wastewater projects. This will provide \$2 million to purchase equipment for Chadron, Peru, and Wayne campuses to aid healthcare professionals in combatting the effects of COVID-19, and \$6 million to upgrade their water and sewer systems that need repaired or replaced. With this appropriation being for FY22-23, this would be contingent upon receiving the 2nd tranche of ARPA funds (expected May 2022).

Guidance on Eligibility

SLFRP FAQS: SECTION 6.1 PAGE 27: "The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)." Under the Final Rule, the section(s) relevant to this is/are Section 35.6 (e)(1)(iii). As this would be a construction project, section 35.6 (b)(3)(ii)(E) also applies (written justification for certain capital expenditures over \$1 mm).

Section 32 LB 1014 Rural Health Complex

		Request	Committee
State Agency #51 University of Nebraska	FY2021-22	10,000,000	10,000,000
Analyst Suzanne Houlden	FY2022-23	0	50,000,000
	Total	10,000,000	60,000,000

Description

The recommendation includes \$10 million in FY 2021-22 and \$50 million in FY 2022-23 for a joint University of Nebraska at Kearney (UNK) and University of Nebraska Medical Center (UNMC) Rural Health Complex to be located on the UNK campus. The complex will be located adjacent to UNK's Health Education Complex and will provide much needed space to expand education and development to healthcare providers in rural Nebraska. The project is expected to cost \$85 million and remaining costs will be funded by private funds with ARPA funding provided upon receipt of the remaining total estimated project cost.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQS 2.1 PAGE 4: "Capital investments in public facilities to meet pandemic operational needs are also eligible, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics." As this would be a construction project, section 35.6 (b)(3)(ii)(E) also applies (written justification for certain capital expenditures over \$1 mm).

Section 33 LB 1066 DHHS & University, behavioral health care services

		Request	Committee
State Agency #51 University of Nebraska	FY2021-22	0	0
Analyst Suzanne Houlden	FY2022-23	28,000,000	28,000,000
	Total	28,000,000	28,000,000

Description

LB1066 provides federal funding for access to behavioral health acute care beds in rural Nebraska and training and educational opportunities for the behavioral health workforce in Nebraska.

\$5 million is appropriated to the Department of Health and Human Services to provide grants of up to \$250 thousand for capital costs related to the expansion of behavioral health acute care beds in rural areas where a shortage exists.

\$28 million is appropriated to the University of Nebraska for the Behavioral Health Education Center of Nebraska to develop a comprehensive behavioral health internship program, a telebehavioral health support program, COVID-19-specific behavioral health education and training, and support of provisionally licensed behavioral health professionals.

Based on the fiscal note provided by NU, this does not appear to be a construction project.

- \$13 million to qualified internship programs for behavioral health trainees and supervisors to support successful completion of degree programs and licensure.
- \$10 million on a competitive basis to telebehavioral health programs designed to provide distance-based behavioral health services and proximal care.
- \$3 million in one-time training and educational professional development opportunities related to the COVID-19 emergency for current behavioral health professionals and students to recruit and educate students in behavioral health training programs.
- \$2 million in support for provisionally licensed professionals who need additional supervision to become fully licensed professionals.

Guidance on Eligibility

The relevant sections from the Final Rule Section 35.6 are: (b)(2); (b)(3)(i)(C); (b)(3)(i)(D). Rural areas are presumed to be disproportionately impacted. A Rural Health Complex trains a workforce to respond to COVID or similar pandemic health issues. Per ARPA Eligibility Checklist: addresses COVID-19 prevention and mitigation; medical services; and behavioral / mental health care. Checklist also indicates "Yes" for items under "Negative Economic Impact": The Complex is designed to address workforce issues for a disproportionately impacted community (rural) while increasing the state's ability to directly address health care / pandemic needs.

Section 34 LB 1255 University for an updated climate change report

		Request	Committee
State Agency #51 University of Nebraska	FY2021-22	0	0
Analyst Suzanne Houlden	FY2022-23	150,000	150,000
	Total	150,000	150,000

Description

LB 1255 would appropriate \$150,000 in federal ARPA funds to the University, who would direct the funds to be used by the Institute of Agriculture and Natural Resources (IANR) on the Lincoln campus to update the Assessing Climate Change report released in 2014. IANR would then contract with an independent third party to update that report as specified in LB 1255. These are operations expenses only.

Guidance on Eligibility

The ARPA Eligibility checklist indicates that this use would constitute an investment in water, sewer, or broadband infrastructure.

Section 35 Wyuka Cemetary Stormwater Project

		Request	Committee
State Agency #65 Admin Services	FY2021-22	0	0
Analyst Keisha Patent	FY2022-23	1,800,000	1,800,000
	Total	1,800,000	1,800,000

Description

Project to control sediment and stormwater coming to the pond at Wyuka cemetery and downstream drainage.

Guidance on Eligibility

Water infrastructure projects eligible for CWSRF are eligible. The CWSRF includes a broad range of stormwater infrastructure projects. These projects include gray infrastructure projects, such as traditional pipe, storage, and treatment systems. Projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water are also eligible, including real-time control systems for combined sewer overflow management, and sediment control.

Section 36 *LB 1014 Workforce Housing*

		Request	Committee
State Agency #72 Economic Development	FY2021-22	25,000,000	47,000,000
Analyst Clint Verner	FY2022-23	50,000,000	44,000,000
	Total	75,000,000	91,000,000

Description

The recommendation includes \$91 million total to address unprecedented labor shortages and attract workers to Nebraska. Funds are allocated to rural projects eligible under Nebraska's Rural Workforce Housing Investment Act, to urban projects eligible under the state's Middle-Income Workforce Housing Investment Act, to the Nebraska Investment Finance Authority for affordable housing projects eligible for federal tax credit programs, and for housing and job training programs for certain low income and refugee populations. The allocation is as follows: \$35 million for the Middle-Income Workforce Housing Investment Act; \$25 million for the Rural Workforce Housing Investment Act; \$21 million for NIFA programs, and \$10 million for housing and job training programs for refugees.

Guidance on Eligibility

Populations presumed impacted under the housing provisions of the ARPA final rule include projects that would be eligible under either the National Housing Trust Fund or the Home Investment Partnerships Program (HTF and HOME, respectively). In addition, ARPA funds may be used to provide funds for laying of drinking water transmission lines for the development of new housing development that is already in progress. Housing vouchers and assistance for relocating to areas of higher economic opportunity are enumerated eligible uses for ARPA for disproportionately impacted communities (page 388). Eligibility is dependent upon whether the end recipient will qualify under the Federal Poverty Limits.

Section 37 *LB 1025 Qualified Census Tract grants*

		Request	Committee
State Agency #72 Economic Development	FY2021-22	0	50,000,000
Analyst Clint Verner	FY2022-23	50,000,000	0
	Total	50,000,000	50,000,000

Description

The recommendation includes \$150 million in FY21-22 for grants to eligible uses in qualified census tracts (QCTs). Eligible uses of grant funding pursuant to the Qualified Census Tract Recovery Grant Program shall be eligible use of federal funds in qualified census tracts pursuant to the American Rescue Plan Act of 2021, including, but not limited to, eligible uses in the areas of entrepreneurship, housing, employment, job creation, and small business assistance. Distribution of the funds are as follows: (1) no less than \$50 million to QCTs in a city of the metropolitan class, north of Dodge St and east of 72 St; (2) no less than \$50 million to QCTs in a city of the metropolitan class, south of Dodge St and east of 72nd; and (3) up to \$50 million to QCTs outside of a city of the metropolitan class.

Guidance on Eligibility

As these uses are within QCTs, there are broad enumerated eligible uses. This includes job-training, housing vouchers, affordable housing, business incubators, neighborhood features that include improved health and safety outcomes, vacant or abandoned property tear-downs or remediation (pages 125-139 final rule).

Section 38 *LB 1195 Grants for international competitions in Nebraska*

			Request	Committee
State Agency	#72 Economic Development	FY2021-22	0	500,000
Analyst	Clint Verner	FY2022-23	1,500,000	0
		Total	1,500,000	500,000

Description

The recommendation includes \$500,000 for the purpose of awarding major sponsorship grants for international competitions to be hosted in Nebraska that are recognized by an international governing body.

Guidance on Eligibility

Aid to impacted industries is an eligible use for ARPA funds. Under the final rule, impacted industry designation is reserved for industries with an 8% reduction in employment or a 24% reduction in revenues with presumptive eligibility for the tourism, travel, and hospitality sector.

Section 39 *LB 1014 Meat Processing Plant Grant*

			Request	Committee
State Agency	#72 Economic Development	FY2021-22	0	0
Analyst	Clint Verner	FY2022-23	15,000,000	20,000,000
		Total	15,000,000	20,000,000

Description

The recommendation includes \$20 million in FY 2022-23 related to the state's ability to secure meat producers ability to sell livestock and keep quality meat on the shelves for all Nebraskans. Supply chain issues have affected the ability to purchase meat in stores throughout the pandemic. When large packing houses shut down, producers were forced to send their livestock to smaller processors. Supporting the proposed meat packing plant in North Platte will significantly assist the state in addressing supply chain issues. This project will also attract additional skilled jobs for Nebraska. The proposed North Platte meat packing plant will have to retrofit the flood mitigation lagoons and wastewater pre-treatment system. Controlling the runoff and treating the wastewater from the operations of the processing plant are vital in ensuring that clean water is going back into the sewer system of North Platte.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES FOR THIS SECTION UNDER SLFRP FAQS: SECTION 6.1 PAGE 27: "The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)."

Section 40 LB 1014 Healthcare Facility Capacity Expansion

State Agency #72 Economic Development		Request	Committee
Analyst Clint Verner	FY2021-22	20,000,000	10,000,000
	FY2022-23	20,000,000	10,000,000
	Total	40,000,000	20,000,000

Description

The recommendation includes \$10 million in FY 2021-22 and an additional \$10 million in FY 2022-23 for healthcare facility construction grants. An allocation of \$10 million is provided to build capacity for mental health care, \$5 million is allocated to build capacity for mental health care, and \$5 million is allocated to build capacity for adolescent mental health development day school to serve those impacted by the pandemic.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQs 4.8 PAGE 22: "Recognizing that the pandemic exacerbated mental health and substance use disorder needs in many communities, eligible public health services include mental health and other behavioral health services, which are a critical component of a holistic public safety approach."

Section 41 LB 1014 Shovel-Ready Capital Projects

State Agency #72 Economic Development		Request	Committee
Analyst Clint Verner	FY2021-22	50,000,000	50,000,000
	FY2022-23	50,000,000	50,000,000
	Total	00,000,000	00,000,000

Description

The recommendation includes \$50 million for FY 2021-22 and an additional \$50 million in FY 2022-23 for capital projects eligible under the Shovel-Ready Capital Recovery and Investment Act grants. Eligible projects related to arts, culture, humanities, and sports complexes were submitted by non-profit organizations prior to July 15, 2021, and must be resumed by June 30, 2022 to be eligible for grant awards up to \$15 million per project. The Legislature includes intent language to allocate appropriated funds equally by congressional district and to prioritize projects of \$5 million or less.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FINAL RULE: "Aid may be considered responsive to the negative economic impacts of the pandemic if it supports businesses, attractions, business districts, and Tribal development districts operating prior to the pandemic and affected by required closures and other efforts to contain the pandemic. For example, a recipient may provide aid to support safe reopening of businesses in the tourism, travel, and hospitality industries and to business districts that were closed during the COVID-19 public health emergency, as well as aid for a planned expansion or upgrade of tourism, travel, and hospitality facilities delayed due to the pandemic."

Section 42 LB 1014 Site and Building Development

		Request	Committee
State Agency #72 Economic Development	FY2021-22	30,000,000	60,000,000
Analyst Clint Verner	FY2022-23	30,000,000	0
	Total	60,000,000	60,000,000

Description

The recommendation includes \$60 million in FY 2021-22 for projects eligible under the Site and Building Development Act for projects located in cities of a metropolitan class and within 10 miles of an airport, or, if funds remain after such projects are considered, for projects located in a qualified census tract.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQs 2.17 PAGE 10: "As part of program design and to ensure that the program responds to the identified need, recipients may consider additional criteria to target assistance to businesses in need, including to small businesses, assistance may be targeted to businesses facing financial insecurity, with substantial declines in gross receipts (e.g., comparable to measures used to assess eligibility for the Paycheck Protection Program), or facing other economic harm due to the pandemic, as well as businesses with less capacity to weather financial hardship, such as the smallest businesses, those with less access to credit, or those serving disadvantaged communities."

ARPA GUIDANCE ALSO PROVIDES UNDER SLFRP FAQs 2.1 PAGE 4: "Capital investments in public facilities to meet pandemic operational needs are also eligible, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics."

Section 43 LB 1100 DED, feasibility study relating to nuclear reactors

		Request	Committee
State Agency #72 Economic Development	FY2021-22	0	0
Analyst Clint Verner	FY2022-23	1,000,000	1,000,000
	Total	1,000,000	1,000,000

Description

The recommendation includes \$1 million for a grant to a political subdivision of the state who owns or operates a nuclear plant in Nebraska. The funds would be used to conduct a feasibility study to assess existing electric generation facilities and their compatibility with being converted into an advanced nuclear reactor.

Guidance on Eligibility

Under additional enumerated eligible uses for disproportionately impacted communities in the Final Rule, "Environmental quality and climate resilience is an eligible use. Several commenters recommended eligible uses to enhance environmental quality, remediate pollution, promote recycling or composting, or increase energy efficiency or electrical grid resilience. Whether these projects respond to the disproportionate impacts of the pandemic on certain communities would depend on the specific issue they address and its nexus to the public health and economic impacts of the pandemic."

Section 44 LB 1014 Law Enforcement Training Center

		Request	Committee
State Agency #78 Crime Commission	FY2021-22	47,700,000	47,700,000
Analyst Nikki Swope	FY2022-23	0	0
	Total	47,700,000	47,700,000

Description

The Governor recommendation includes \$47.7 million in FY 2021-22 for the Nebraska Commission on Law Enforcement and Criminal Justice. This appropriation would provide funding to purchase new land and expand the Nebraska Law Enforcement Training Center.

Guidance on Eligibility

ARPA GUIDANCE UNDER SLFRF FINAL RULE II (A)(2)(d)-PREVENTING AND RESPONDING TO VIOLENCE (PG. 69-72) "The interim final rule highlighted that some types of violence had increased during the pandemic and that the ability of victims to access services had decreased, noting as an example the challenges that individuals affected by domestic violence face in accessing services. Accordingly, the interim final rule enumerated as an eligible use, in disproportionately impacted communities, evidence-based community violence intervention programs. Enumerated eligible uses that respond to an increase in gun violence may be pursued in communities experiencing an increase in gun violence associated with the pandemic, specifically: 1) hiring law enforcement officials – even above pre-pandemic levels or paying overtime where the funds are directly focused on advancing community policing strategies for gun violence."

The construction would also be subject to the capital expenditures rule.

ARPA GUIDANCE UNDER SLFRF FINAL RULE Part II

(A)(4)(b) -CAPITAL EXPENDITURES (PG. 190-200) "The interim final rule expressly permitted use of funds for a limited number of capital expenditures that mostly pertained to COVID-19 prevention and mitigation... Because, in all cases, uses of SLFRF funds to respond to public health and negative economic impacts of the pandemic must be related and reasonably proportional to a harm caused or exacerbated by the pandemic, some capital expenditures may not be eligible."

"For administrative convenience, the final rule provides presumptions on whether a Written Justification is required based on the type and size of the capital expenditure". For projects that are greater than \$10 million, written justification would need to be submitted to the Department of the Treasury and recipients must submit regular reporting "including the requirement that a capital expenditure must be reasonably designed to benefit the individual or class that experienced the identified impact or harm and must be related and reasonably proportional to the extent and type of impact or harm".

"The Written Justification should (1) describe the harm or need to be addressed; (2) explain why a capital expenditure is appropriate to address the harm or need; and (3) compare the proposed capital expenditure against alternative capital expenditures that could be made. The information required for the Written Justification reflects the framework applicable to all uses under the public health and negative economic impacts eligible use category, providing justification for the reasonable design, relatedness, and reasonable proportionality of the capital expenditure in response to the harm or impact identified".

ARPA guidance.

Section 45 *LB 1162 Rural in-person interpreting and legal communication access*

			Request	Committee
State Agency	#82 Deaf/Hard of Hearing			
Analyst	Liz Hruska	FY2021-22	0	0
		FY2022-23	500,000	500,000
		Total	500,000	500,000

Description

Provides \$500,000 to the Commission for the Deaf and Hard of Hearing to be used for in-person interpreting in rural areas and legal communication access.

Guidance on Eligibility

ARPA GUIDANCE PROVIDES UNDER SLFRP FAQs 2.19, PAGE 12: steps to reduce the backlogs such as hiring additional court staff to speed case resolution or other expenses to expedite case resolution are eligible uses.

Section 46 *LB 1087 Aid to Community Colleges for dual enrollment*

			Request	Committee
State Agency	#83 Community Colleges			
Analyst	Suzanne Houlden	FY2021-22	0	0
		FY2022-23	15,000,000	15,000,000
		Total	15,000,000	15,000,000

Description

Proposes to appropriate \$15 million of Federal ARPA funds to Nebraska's six Community Colleges to be used as State Aid to fund dual enrollment. The appropriation would occur in FY2022-23, but is intended to be spent over the next three fiscal years: \$5 million in FY2022-23; \$5 million in FY2023-24, and \$5 million in FY2024-25. The aid would not be allocated evenly among the six Community Colleges; it would be a need-based allocation, in direct proportion to the full-time-equivalent enrollment in dual credit courses. Dual credit means the student is enrolled in both high school and college: the student receives college credit and may also receive high school credit.

Guidance on Eligibility

Mitigates negative economic impacts. Relevant sections the Final Rule section 35.6 are: (b)(1); (b)(3)(ii)(A)(8). This is not considered a capital construction project.

Section 47 LB 1160 Grants for reverse osmosis systems

		Request	Committee
State Agency #84 Environment & Energy	FY2021-22	0	0
Analyst Clint Verner	FY2022-23	10,000,000	4,000,000
	Total	10,000,000	4,000,000

Description

The recommendation includes \$4 million to the Department of Environment and Energy to provide grants for villages and cities of the second class to install reverse osmosis systems in community water systems where drinking water test levels are above ten parts per million of nitrate and, if appropriate, provide grant funds for use to install reverse osmosis systems if test levels for nitrate in drinking water pumped from private wells are above ten parts per million.

Guidance on Eligibility

DWSRF/CWSRF eligible uses are generally eligible for ARPA funds. The final rule expanded eligibility of private wells under the provisions of DWSRF/CWSRF for ARPA.

Section 48 LB 1014 State Fair Sewer Upgrades

		Request	Committee
State Agency #84 Environment & Energy	FY2021-22	0	0
Analyst Clint Verner	FY2022-23	25,000,000	20,000,000
	Total	25,000,000	20,000,000

Description

The recommendation includes \$20 million in FY 2022-23 to assist the State Fair in improving their sewage system for storm drainage and assist in creating a new wastewater system. Over the past several years, the State Fair has experienced significant rain and inadequate drainage has created large areas of the fair grounds to become unusable due to flooding. These improvements will allow the fair to increase attendance and grow substantially in the future.

Guidance on Eligibility

SLFRP FAQs: SECTION 6.1 PAGE 27: "The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)."