

LEGISLATIVE BILL 956

Approved by the Governor April 5, 2010

Introduced by Adams, 24.

FOR AN ACT relating to the Nebraska Scholarship Act; to amend sections 9-836.01, 85-1901, 85-1902, 85-1903, 85-1907, 85-1908, 85-1909, 85-1911, 85-1912, 85-1913, 85-1914, 85-1915, 85-1917, 85-1918, 85-1919, and 85-1920, Reissue Revised Statutes of Nebraska, section 85-1412, Revised Statutes Supplement, 2009, and section 9-812, Revised Statutes Supplement, 2009, as amended by section 1, Legislative Bill 2, One Hundred First Legislature, First Special Session, 2009; to rename the act and a fund; to redefine terms; to change provisions relating to awards; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 9-812, Revised Statutes Supplement, 2009, as amended by section 1, Legislative Bill 2, One Hundred First Legislature, First Special Session, 2009, is amended to read:

9-812 (1) All money received from the operation of lottery games conducted pursuant to the State Lottery Act in Nebraska shall be credited to the State Lottery Operation Trust Fund, which fund is hereby created. All payments of the costs of establishing and maintaining the lottery games shall be made from the State Lottery Operation Cash Fund. In accordance with legislative appropriations, money for payments for expenses of the division shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Operation Cash Fund, which fund is hereby created. All money necessary for the payment of lottery prizes shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Prize Trust Fund, which fund is hereby created. The amount used for the payment of lottery prizes shall not be less than forty percent of the dollar amount of the lottery tickets which have been sold.

(2) Beginning October 1, 2003, a portion of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska ~~Scholarship~~ Opportunity Grant Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund. The dollar amount transferred pursuant to this subsection shall equal the greater of (a) the dollar amount transferred to the funds in fiscal year 2002-03 or (b) any amount which constitutes at least twenty-two percent and no more than twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis. To the extent that funds are available, the Tax Commissioner and director may authorize a transfer exceeding twenty-five percent of the dollar amount of the lottery tickets sold on an annualized basis.

(3) Of the money available to be transferred to the Education Innovation Fund, the Nebraska ~~Scholarship~~ Opportunity Grant Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:

(a) The first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 71-817;

(b) Nineteen and three-fourths percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Education Innovation Fund;

(c) Twenty-four and three-fourths percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska ~~Scholarship~~ Opportunity Grant Fund;

(d) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(e) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides

matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(f) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 71-817.

(4)(a) The Education Innovation Fund is created. At least seventy-five percent of the lottery proceeds allocated to the Education Innovation Fund shall be available for disbursement.

(b) For fiscal year 2005-06, the Education Innovation Fund shall be allocated as follows: The first one million dollars shall be transferred to the School District Reorganization Fund, and the remaining amount shall be allocated to the General Fund after operating expenses for the Excellence in Education Council are deducted.

(c) For fiscal year 2006-07, the Education Innovation Fund shall be allocated as follows: The first two hundred fifty thousand dollars shall be transferred to the Attracting Excellence to Teaching Program Cash Fund to fund the Attracting Excellence to Teaching Program Act, the next one million dollars shall be transferred to the School District Reorganization Fund, and the amount remaining in the Education Innovation Fund shall be allocated, after administrative expenses, for distance education equipment and incentives pursuant to sections 79-1336 and 79-1337.

(d) For fiscal year 2007-08, the Education Innovation Fund shall be allocated as follows: The first five hundred thousand dollars shall be transferred to the Attracting Excellence to Teaching Program Cash Fund to fund the Attracting Excellence to Teaching Program Act, and the amount remaining in the Education Innovation Fund shall be allocated, after administrative expenses, for distance education equipment and incentives pursuant to sections 79-1336 and 79-1337.

(e) For fiscal year 2008-09, the Education Innovation Fund shall be allocated as follows: The first seven hundred fifty thousand dollars shall be transferred to the Attracting Excellence to Teaching Program Cash Fund to fund the Attracting Excellence to Teaching Program Act, and the amount remaining in the Education Innovation Fund shall be allocated, after administrative expenses, for distance education equipment and incentives pursuant to sections 79-1336 and 79-1337.

(f) For fiscal year 2009-10, the Education Innovation Fund shall be allocated as follows: Any amounts transferred to the Education Innovation Fund from the School District Reorganization Fund shall be returned to the School District Reorganization Fund first, the next one million dollars shall be transferred to the Excellence in Teaching Cash Fund to fund the Excellence in Teaching Act, and the amount remaining in the Education Innovation Fund shall be allocated, after administrative expenses, for distance education equipment and incentives pursuant to sections 79-1336 and 79-1337.

(g) For fiscal years 2010-11 through 2015-16, the Education Innovation Fund shall be allocated as follows: The first one million dollars shall be transferred to the Excellence in Teaching Cash Fund to fund the Excellence in Teaching Act, and the amount remaining in the Education Innovation Fund shall be allocated, after administrative expenses, for distance education equipment and incentives pursuant to sections 79-1336 and 79-1337.

(h) For fiscal year 2016-17 and each fiscal year thereafter, the Education Innovation Fund shall be allocated, after administrative expenses, for education purposes as provided by the Legislature.

(i) The State Treasurer shall transfer ten million dollars from the Education Innovation Fund to the University Cash Fund on or before December 31, 2009, as directed by the budget administrator of the budget division of the Department of Administrative Services.

(5) Any money in the State Lottery Operation Trust Fund, the State Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, or the Education Innovation Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(6) Unclaimed prize money on a winning lottery ticket shall be retained for a period of time prescribed by rules and regulations. If no claim is made within such period, the prize money shall be used at the discretion of the Tax Commissioner for any of the purposes prescribed in this section.

Sec. 2. Section 9-836.01, Reissue Revised Statutes of Nebraska, is amended to read:

9-836.01 The division may endorse and sell for profit tangible personal property related to the lottery. Any money received as profit by the division pursuant to this section shall be remitted to the State Treasurer for credit to the State Lottery Operation Trust Fund to be distributed to the Education Innovation Fund, the Nebraska ~~Scholarship~~ Opportunity Grant Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund pursuant to the requirements of section 9-812.

Sec. 3. Section 85-1412, Revised Statutes Supplement, 2009, is amended to read:

85-1412 The commission shall have the following additional powers and duties:

(1) Conduct surveys and studies as may be necessary to undertake the coordination function of the commission pursuant to section 85-1403 and request information from governing boards and appropriate administrators of public institutions and other governmental agencies for research projects. All public institutions and governmental agencies receiving state funds shall comply with reasonable requests for information under this subdivision. Public institutions may comply with such requests pursuant to section 85-1417;

(2) Recommend to the Legislature and the Governor legislation it deems necessary or appropriate to improve postsecondary education in Nebraska and any other legislation it deems appropriate to change the role and mission provisions in sections 85-917 to 85-966.01;

(3) Establish any advisory committees as may be necessary to undertake the coordination function of the commission pursuant to section 85-1403 or to solicit input from affected parties such as students, faculty, governing boards, administrators of the public institutions, administrators of the private nonprofit institutions of postsecondary education and proprietary institutions in the state, and community and business leaders regarding the coordination function of the commission;

(4) Participate in or designate an employee or employees to participate in any committee which may be created to prepare a coordinated plan for the delivery of educational programs and services in Nebraska through the telecommunications system;

(5) Seek a close liaison with the State Board of Education and the State Department of Education in recognition of the need for close coordination of activities between elementary and secondary education and postsecondary education;

(6) Administer the Integrated Postsecondary Education Data System or other information system or systems to provide the commission with timely, comprehensive, and meaningful information pertinent to the exercise of its duties. The information system shall be designed to provide comparable data on each public institution. The commission shall also administer the uniform information system prescribed in sections 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public institutions shall supply the appropriate data for the information system or systems required by the commission;

(7) Administer the Access College Early Scholarship Program Act and the Nebraska ~~Scholarship~~ Opportunity Grant Act;

(8) Accept and administer loans, grants, and programs from the federal or state government and from other sources, public and private, for carrying out any of its functions, including the administration of privately endowed scholarship programs. Such loans and grants shall not be expended for any other purposes than those for which the loans and grants were provided. The commission shall determine eligibility for such loans, grants, and programs, and such loans and grants shall not be expended unless approved by the Governor;

(9) Consistent with section 85-1620, approve, in a timely manner, new baccalaureate degree programs to be offered at private postsecondary career schools as defined in section 85-1603. The commission may charge a reasonable fee based on its administrative costs for authorizations pursuant to this subdivision and section 85-1620. The commission shall report such action to the Commissioner of Education;

(10) Pursuant to sections 85-1101 to 85-1104, authorize out-of-state institutions of higher or postsecondary education to offer courses or degree programs in this state;

(11) Pursuant to sections 85-1105 to 85-1111, approve or disapprove petitions to establish new private colleges in this state;

(12) On or before December 1, 2000, and on or before December 1 every two years thereafter, submit to the Legislature and the Governor a report of its objectives and activities and any new private colleges in

Nebraska and the implementation of any recommendations of the commission for the preceding two calendar years;

(13) Provide staff support for interstate compacts on postsecondary education;

(14) Request inclusion of the commission in any existing grant review process and information system; and

(15) Facilitate a study that explores the following issues related to the Nebraska community college system:

(a) The need for changes to the statutory role and mission of Nebraska community colleges;

(b) Changes in the weighting of courses that may be necessary for reimbursable educational units to properly reflect the role and mission of Nebraska community colleges and the cost of providing such courses;

(c) Powers, duties, and mission of the Nebraska Community College Association or its successor and whether membership in such an association should be required;

(d) Consequences for failing to satisfy current community college association membership requirements contained in section 85-1502; and

(e) State coordination of community colleges in the absence of a community college association or membership therein.

The commission shall include and facilitate discussion among the state's community colleges in the completion of such study. Each community college shall participate in good faith with the conduct of such study. The commission shall report its findings to the Legislature on or before December 15, 2009.

Sec. 4. Section 85-1901, Reissue Revised Statutes of Nebraska, is amended to read:

85-1901 Sections 85-1901 to 85-1920 shall be known and may be cited as the Nebraska ~~Scholarship~~ Opportunity Grant Act.

Sec. 5. Section 85-1902, Reissue Revised Statutes of Nebraska, is amended to read:

85-1902 For purposes of the Nebraska ~~Scholarship~~ Opportunity Grant Act, the definitions found in sections 85-1903 to 85-1910 apply.

Sec. 6. Section 85-1903, Reissue Revised Statutes of Nebraska, is amended to read:

85-1903 Award means a grant of money by the commission to an eligible student for educational expenses. Awards shall not exceed:

(1) For ~~the 2007-08~~ each award year except award years 2008-09 and 2009-10, fifty percent of the tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the University of Nebraska-Lincoln; and

(2) For ~~the 2008-09 award year and each award year thereafter~~, award years 2008-09 and 2009-10, twenty-five percent of the tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the University of Nebraska-Lincoln.

Sec. 7. Section 85-1907, Reissue Revised Statutes of Nebraska, is amended to read:

85-1907 Eligible student means an undergraduate student who:

(1) Is enrolled in an eligible postsecondary educational institution;

(2) ~~Is~~ Has applied for federal financial aid through the Free Application for Federal Student Aid for the applicable award year and either is eligible to receive a Federal Pell Grant from the United States Department of Education or has an expected family contribution for the applicable award year of no more than the qualifying maximum which will equal six thousand dollars for award year 2010-11 and will equal the prior year's qualifying maximum increased by two and one-half percent for each award year thereafter;

(3) Is a resident student who is domiciled in Nebraska as provided by section 85-502; and

(4) Complies with all other provisions of the Nebraska ~~Scholarship~~ Opportunity Grant Act and its rules and regulations.

Sec. 8. Section 85-1908, Reissue Revised Statutes of Nebraska, is amended to read:

85-1908 Full-time student and full-time-equivalent student have the definitions found in rules and regulations adopted and promulgated pursuant to the Nebraska ~~Scholarship~~ Opportunity Grant Act.

Sec. 9. Section 85-1909, Reissue Revised Statutes of Nebraska, is amended to read:

85-1909 Tuition and mandatory fees means ~~-(1) For students who received an award from the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2002-03 award year, the student costs for tuition and mandatory~~

fees for a full-time, resident, undergraduate student for the last completed award year at the eligible postsecondary educational institution; or (2) For students who did not receive an award from the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2002-03 award year, the lesser of the student costs for tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the eligible postsecondary educational institution or the student costs for tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the University of Nebraska-Lincoln.

Sec. 10. Section 85-1911, Reissue Revised Statutes of Nebraska, is amended to read:

85-1911 The Nebraska Scholarship Opportunity Grant Act shall provide for awards made directly to eligible students based on financial need.

Sec. 11. Section 85-1912, Reissue Revised Statutes of Nebraska, is amended to read:

85-1912 In order to reduce the costs of administering the Nebraska Scholarship Opportunity Grant Act, the commission shall identify a target level of funds to be distributed to students pursuant to the act at each eligible postsecondary educational institution. The target level of funds shall represent the maximum amount that may be awarded pursuant to the act to eligible students enrolled in such eligible postsecondary educational institution. The To determine the target level of funds for each eligible postsecondary educational institution, the commission shall: shall be determined as follows:

(1) For award years prior to the 2006-07 award year for eligible postsecondary educational institutions when the student cost for tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the eligible postsecondary educational institution was greater than the student cost for tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the University of Nebraska-Lincoln:

(a) Determine the number of eligible full-time-equivalent students enrolled at the eligible postsecondary educational institution for the last completed award year;

(b) Determine the number of eligible full-time-equivalent students enrolled at the eligible postsecondary educational institution for the last completed award year who received an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2002-03 award year;

(c) For the 2003-04 award year, multiply the number determined in subdivision (1)(b) of this section by the ratio equal to the number of eligible full-time-equivalent students who received an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for both the 2002-03 award year and the 2001-02 award year at the eligible postsecondary educational institution divided by the number of eligible full-time-equivalent students who received an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2001-02 award year at the eligible postsecondary educational institution;

(d) For the 2004-05 award year, multiply the number determined in subdivision (1)(b) of this section by the ratio equal to the number of eligible full-time-equivalent students who received both an award pursuant to the Nebraska Scholarship Act for the 2003-04 award year and an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2001-02 award year at the eligible postsecondary educational institution divided by the number of eligible full-time-equivalent students who received an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for both the 2002-03 award year and the 2001-02 award year at the eligible postsecondary educational institution;

(e) For the 2005-06 award year, multiply the number determined in subdivision (1)(b) of this section by the ratio equal to the number of eligible full-time-equivalent students who received both an award pursuant to the Nebraska Scholarship Act for the 2004-05 award year and an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2001-02 award year at the eligible postsecondary educational institution divided by the number of eligible full-time-equivalent students enrolled at the eligible postsecondary educational institution who received both an award pursuant to

the Nebraska Scholarship Act for the 2003-04 award year and an award pursuant to the Postsecondary Education Award Program Act, the Scholarship Assistance Program Act, or the State Scholarship Award Program Act for the 2001-02 award year at the eligible postsecondary educational institution;

(f) Multiply the difference of the number determined pursuant to subdivision (1)(a) of this section minus the number determined pursuant to subdivision (1)(c), (d), or (e) of this section by the tuition and mandatory fees determined pursuant to subdivision (2) of section 85-1909;

(g) Multiply the number determined pursuant to subdivision (1)(c), (d), or (e) of this section by the tuition and mandatory fees determined pursuant to subdivision (1) of section 85-1909;

(h) Divide the sum of the products derived pursuant to subdivisions (1)(f) and (g) of this section for each eligible postsecondary educational institution by the sum of the products derived pursuant to subdivisions (1)(f) and (g) and (2)(b) of this section for all eligible postsecondary educational institutions; and

(i) Multiply the total of federal and state funds appropriated for purposes of distribution pursuant to the Nebraska Scholarship Act by the ratio derived pursuant to subdivision (1)(h) of this section; and

(2) For award years prior to 2006-07 for eligible postsecondary educational institutions when the student costs for tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the eligible postsecondary educational institution was less than or equal to the student costs for tuition and mandatory fees for a full-time, resident, undergraduate student for the last completed award year at the University of Nebraska-Lincoln and for the 2006-07 award year and each award year thereafter for all eligible postsecondary educational institutions;

(a) (1) Determine the number of eligible full-time-equivalent students enrolled at the eligible postsecondary educational institution for the last completed award year;

(b) (2) Multiply the number determined in subdivision (2)(a) (1) of this section by the tuition and mandatory fees as limited pursuant to subdivision (2) of section 85-1909;

(c) (3) Divide the product derived pursuant to subdivision (2)(b) (2) of this section for each eligible postsecondary educational institution by the sum of the products derived pursuant to subdivisions (1)(f) and (g) and (2)(b) subdivision (2) of this section for all eligible postsecondary educational institutions; and

(d) (4) Multiply the total of federal and state funds appropriated for purposes of distribution pursuant to the act by the ratio derived pursuant to subdivision (2)(c) (3) of this section.

Sec. 12. Section 85-1913, Reissue Revised Statutes of Nebraska, is amended to read:

85-1913 Eligible postsecondary educational institutions, acting as agents of the commission, shall:

(1) Receive and process applications for awards under the Nebraska Scholarship Opportunity Grant Act;

(2) Determine eligibility of students based on criteria set forth in the act; and

(3) At any time prior to June 1 of each award year, make recommendations as often as necessary to the commission for awards to eligible students, including the name of each eligible student, social security number of each eligible student, and recommended award amount for each eligible student.

Sec. 13. Section 85-1914, Reissue Revised Statutes of Nebraska, is amended to read:

85-1914 (1) Within thirty days after receiving recommendations pursuant to section 85-1913, the commission shall review the recommended awards for compliance with the Nebraska Scholarship Opportunity Grant Act and its rules and regulations and notify each eligible postsecondary educational institution of the approval or disapproval of recommended awards.

(2) The commission shall distribute to each eligible postsecondary educational institution the total award amount approved for eligible students at such institution. The eligible postsecondary educational institution shall act as an agent of the commission to disburse the awards directly to eligible students during the award year.

Sec. 14. Section 85-1915, Reissue Revised Statutes of Nebraska, is amended to read:

85-1915 An award may be granted to an eligible student for attendance at an eligible postsecondary educational institution if:

(1) The eligible student is accepted for enrollment as follows:

(a) In the case of an eligible student beginning his or her first

year in attendance at an eligible postsecondary educational institution, such eligible student has satisfied requirements for admission and has enrolled or indicated an intent to enroll in an eligible postsecondary educational institution; or

(b) In the case of an eligible student enrolled in an eligible postsecondary educational institution following the successful completion of the student's first year in attendance, such eligible student continues to meet the requirements of the Nebraska Scholarship Opportunity Grant Act and has maintained the minimum standards of performance as required by the eligible postsecondary educational institution in which the eligible student is enrolled;

(2) The eligible student receiving such award certifies that the award will be used only for educational expenses; and

(3) The eligible student has complied with the act and its rules and regulations.

Sec. 15. Section 85-1917, Reissue Revised Statutes of Nebraska, is amended to read:

85-1917 (1) The commission shall:

(a) Supervise the issuance of public information concerning the Nebraska Scholarship Opportunity Grant Act; and

(b) Establish a reasonable and fair appeal procedure for students adversely affected by the actions of the commission or an eligible postsecondary educational institution in the distribution of funds or granting of awards pursuant to the act.

(2) The commission may adopt and promulgate rules and regulations necessary to carry out the act, including such rules and regulations for maintenance of fiscal controls and fund accounting procedures as may be necessary to assure proper disbursement of funds and to assure that the eligible postsecondary educational institutions, as agents of the commission, have complied with the act. Such rules and regulations shall be developed in cooperation with representatives of eligible postsecondary educational institutions and shall be designed, to the extent consistent with requirements of the act, to minimize the administrative burden on the eligible postsecondary educational institutions and the commission.

Sec. 16. Section 85-1918, Reissue Revised Statutes of Nebraska, is amended to read:

85-1918 Each eligible postsecondary educational institution shall file an annual report with the commission. The report shall document that students receiving awards under the Nebraska Scholarship Opportunity Grant Act have met the eligibility standards and requirements established in the act and rules and regulations. The report shall include an accounting of all state-funded or federally funded student financial aid awarded by the eligible postsecondary educational institution in the previous fiscal year. The report may include other data, including the unmet need as defined by the commission for all Federal-Pell-Grant-eligible students at each eligible postsecondary educational institution.

Sec. 17. Section 85-1919, Reissue Revised Statutes of Nebraska, is amended to read:

85-1919 The Nebraska Scholarship Opportunity Grant Act does not grant any authority to the commission to (1) control or influence the policies of any eligible postsecondary educational institution because such institution accepts students who receive awards or (2) require any eligible postsecondary educational institution to enroll any student receiving an award or, once admitted, to continue in such institution any student receiving an award.

Sec. 18. Section 85-1920, Reissue Revised Statutes of Nebraska, is amended to read:

85-1920 The Nebraska Scholarship Opportunity Grant Fund is created. Money in the fund shall include amounts transferred from the State Lottery Operation Trust Fund pursuant to section 9-812. ~~For fiscal years 2003-04 and 2004-05, two million dollars shall be used to carry out the Nebraska Scholarship Act, and the remainder accruing to the Nebraska Scholarship Fund shall be transferred to the General Fund. For fiscal year 2005-06, two million five hundred thousand dollars shall be used to carry out the Nebraska Scholarship Act, and the remainder accruing to the Nebraska Scholarship Fund shall be transferred to the General Fund. For fiscal year 2006-07 and each fiscal year thereafter, all All amounts accruing to the Nebraska Scholarship Opportunity Grant Fund shall be used to carry out the Nebraska Scholarship Opportunity Grant Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Any money in the Nebraska Scholarship Fund on the operative date of this act shall be transferred to the Nebraska Opportunity Grant Fund on such date.~~

Sec. 19. This act becomes operative on July 1, 2010.

Sec. 20. Original sections 9-836.01, 85-1901, 85-1902, 85-1903, 85-1907, 85-1908, 85-1909, 85-1911, 85-1912, 85-1913, 85-1914, 85-1915, 85-1917, 85-1918, 85-1919, and 85-1920, Reissue Revised Statutes of Nebraska, section 85-1412, Revised Statutes Supplement, 2009, and section 9-812, Revised Statutes Supplement, 2009, as amended by section 1, Legislative Bill 2, One Hundred First Legislature, First Special Session, 2009, are repealed.

Sec. 21. Since an emergency exists, this act takes effect when passed and approved according to law.