

## LEGISLATIVE BILL 384

Approved by the Governor April 26, 2021

Introduced by Speaker Hilgers, ; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend sections 71-812, 72-729.01, 85-420, 85-426, and 86-594, Reissue Revised Statutes of Nebraska, and sections 9-1,101, 58-706, 61-222, 71-808, 71-7611, 81-1220, 82-331, 85-419, 85-421, 85-422, 85-423, 85-424, 85-425, 86-324, and 86-1103, Revised Statutes Cumulative Supplement, 2020; to provide and change uses and transfers of funds; to change and provide definitions; to provide for grants; to change and eliminate provisions relating to deferred maintenance; to change provisions relating to the University of Nebraska Facilities Program and the State College Facilities Program; to rename programs; to create funds; to repeal the original sections; to outright repeal sections 85-412, 85-413, 85-414, 85-415, 85-416, 85-417, and 85-418, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Section 1. The State Treasurer shall transfer an amount as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subsections (2) and (3) of section 82-331, not to exceed \$1,000,000, from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2021, or as soon thereafter as administratively possible.

Sec. 2. The State Treasurer shall transfer an amount as directed by the budget administrator of the budget division of the Department of Administrative Services, pursuant to subsections (2) and (3) of section 82-331, not to exceed \$1,000,000, from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2022, or as soon thereafter as administratively possible.

Sec. 3. The State Treasurer shall transfer the remaining balance in the University Building Renewal Assessment Fund to the General Fund on or before December 31, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 4. The State Treasurer shall transfer the remaining balance in the State College Building Renewal Assessment Fund to the General Fund on or before December 31, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 5. The State Treasurer shall transfer \$10,000 from the General Fund to the Hall of Fame Trust Fund on or before July 15, 2021, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 6. The State Treasurer shall transfer \$10,000 from the General Fund to the Hall of Fame Trust Fund on or before July 15, 2022, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 7. Section 9-1,101, Revised Statutes Cumulative Supplement, 2020, is amended to read:

9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section 9-701 shall be administered and enforced by the Charitable Gaming Division of the Department of Revenue, which division is hereby created. The Department of Revenue shall make annual reports to the Governor, Legislature, Auditor of Public Accounts, and Attorney General on all tax revenue received, expenses incurred, and other activities relating to the administration and enforcement of such acts. The report submitted to the Legislature shall be submitted electronically.

(2) The Charitable Gaming Operations Fund is hereby created. 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.

(3)(a) Forty percent of the taxes collected pursuant to sections 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable Gaming Division for administering and enforcing the acts listed in subsection (1) of this section and providing administrative support for the Nebraska Commission on Problem Gambling. The remaining sixty percent shall be transferred to the General Fund. Any portion of the forty percent not used by the division in the administration and enforcement of such acts and section shall be distributed as provided in this subsection.

(b) Beginning July 1, 2019, through June 30, ~~2023~~ 2021, on or before the last day of the last month of each calendar quarter, the State Treasurer shall transfer one hundred thousand dollars from the Charitable Gaming Operations Fund to the Compulsive Gamblers Assistance Fund.

(c) Any money remaining in the Charitable Gaming Operations Fund after the

transfer pursuant to subdivision (b) of this subsection not used by the Charitable Gaming Division in its administration and enforcement duties pursuant to this section may be transferred to the General Fund and the Compulsive Gamblers Assistance Fund at the direction of the Legislature.

(4) The Tax Commissioner shall employ investigators who shall be vested with the authority and power of a law enforcement officer to carry out the laws of this state administered by the Tax Commissioner or the Department of Revenue and to enforce sections 28-1101 to 28-1117 relating to possession of a gambling device. For purposes of enforcing sections 28-1101 to 28-1117, the authority of the investigators shall be limited to investigating possession of a gambling device, notifying local law enforcement authorities, and reporting suspected violations to the county attorney for prosecution.

(5) The Charitable Gaming Division may charge a fee for publications and listings it produces. The fee shall not exceed the cost of publication and distribution of such items. The division may also charge a fee for making a copy of any record in its possession equal to the actual cost per page. The division shall remit the fees to the State Treasurer for credit to the Charitable Gaming Operations Fund.

(6) For administrative purposes only, the Nebraska Commission on Problem Gambling shall be located within the Charitable Gaming Division. The division shall provide office space, furniture, equipment, and stationery and other necessary supplies for the commission. Commission staff shall be appointed, supervised, and terminated by the director of the Gamblers Assistance Program pursuant to section 9-1004.

Sec. 8. Section 58-706, Revised Statutes Cumulative Supplement, 2020, is amended to read:

58-706 The following activities are eligible for assistance from the Affordable Housing Trust Fund:

(1) New construction, rehabilitation, or acquisition of housing to assist low-income and very low-income families;

(2) Matching funds for new construction, rehabilitation, or acquisition of housing units to assist low-income and very low-income families;

(3) Technical assistance, design and finance services, and consultation for eligible nonprofit community or neighborhood-based organizations involved in the creation of affordable housing;

(4) Matching funds for operating costs for housing assistance groups or organizations when such grant or loan will substantially increase the recipient's ability to produce affordable housing;

(5) Mortgage insurance guarantees for eligible projects;

(6) Acquisition of housing units for the purpose of preservation of housing to assist low-income or very low-income families;

(7) Projects making affordable housing more accessible to families with elderly members or members who have disabilities;

(8) Projects providing housing in areas determined by the Department of Economic Development to be of critical importance for the continued economic development and economic well-being of the community and where, as determined by the department, a shortage of affordable housing exists;

(9) Infrastructure projects necessary for the development of affordable housing;

(10) Downpayment and closing cost assistance;

(11) Demolition of existing vacant, condemned, or obsolete housing or industrial buildings or infrastructure;

(12) Housing education programs developed in conjunction with affordable housing projects. The education programs must be directed toward:

(a) Preparing potential home buyers to purchase affordable housing and postpurchase education;

(b) Target audiences eligible to utilize the services of housing assistance groups or organizations; and

(c) Developers interested in the rehabilitation, acquisition, or construction of affordable housing;

(13) Support for efforts to improve programs benefiting homeless youth; and

(14) Vocational training in the housing and construction trades industries by nonprofit groups; and -

(15) Weatherization and solar or other energy improvements to make utilities for housing more affordable.

Sec. 9. Section 61-222, Revised Statutes Cumulative Supplement, 2020, is amended to read:

61-222 The Water Sustainability Fund is created in the Department of Natural Resources. The fund shall be used in accordance with the provisions established in Laws 2014, LB1098, and for costs directly related to the administration of the fund, except that transfers may be made from the fund as provided in this section.

The fund shall consist of money transferred to the fund by the Legislature, other funds as appropriated by the Legislature, and money donated as gifts, bequests, or other contributions from public or private entities. Funds made available by any department or agency of the United States may also be credited to the fund if so directed by such department or agency. 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. Investment earnings from investment of money in the fund shall be credited to the fund.

It is the intent of the Legislature that twenty-one million dollars be

transferred from the General Fund to the Water Sustainability Fund in fiscal year 2014-15 and that eleven million dollars be transferred from the General Fund to the Water Sustainability Fund each fiscal year beginning in fiscal year 2015-16. It is the intent of the Legislature that three million dollars be transferred annually from the Water Sustainability Fund to the Nebraska Resources Development Fund in FY2015-16 and in FY2016-17.

The State Treasurer shall transfer one hundred seventy-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources Cash Fund on or before June 30, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

The State Treasurer shall transfer four hundred twenty-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources Cash Fund on or before June 30, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

The State Treasurer shall transfer five hundred thousand dollars from the Water Sustainability Fund to the General Fund on or before June 30, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

The State Treasurer shall transfer four hundred seventy-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources Cash Fund on or before June 30, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

The State Treasurer shall transfer four hundred seventy-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources Cash Fund on or before June 30, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 10. Section 71-808, Revised Statutes Cumulative Supplement, 2020, is amended to read:

71-808 (1) A regional behavioral health authority shall be established in each behavioral health region by counties acting under provisions of the Interlocal Cooperation Act. Each regional behavioral health authority shall be governed by a regional governing board consisting of one county board member from each county in the region. Board members shall serve for staggered terms of three years and until their successors are appointed and qualified. Board members shall serve without compensation but shall be reimbursed for expenses as provided in sections 81-1174 to 81-1177.

(2) The regional governing board shall appoint a regional administrator who shall be responsible for the administration and management of the regional behavioral health authority. Each regional behavioral health authority shall encourage and facilitate the involvement of consumers in all aspects of service planning and delivery within the region and shall coordinate such activities with the office of consumer affairs within the division. Each regional behavioral health authority shall establish and utilize a regional advisory committee consisting of consumers, providers, and other interested parties and may establish and utilize such other task forces, subcommittees, or other committees as it deems necessary and appropriate to carry out its duties under this section.

(3) Each county in a behavioral health region shall provide funding for the operation of the behavioral health authority and for the provision of behavioral health services in the region. The total amount of funding provided by counties under this subsection shall be equal to one dollar for every three dollars from the General Fund. The division shall annually certify the total amount of county matching funds to be provided. At least forty percent of such amount shall consist of local and county tax revenue, and the remainder shall consist of other nonfederal sources. The regional governing board of each behavioral health authority, in consultation with all counties in the region, shall determine the amount of funding to be provided by each county under this subsection. For purposes of calculating the amount of county matching funds under this subsection, the amount of General Funds shall exclude: Any General Funds transferred from regional centers for the provision of community-based behavioral health services after July 1, 2004, and funds received by a regional behavioral health authority for the provision of behavioral health services to children under section 71-826 shall be excluded from any calculation of county matching funds under this subsection.

(a) An amount equal to two million five hundred ninety-nine thousand six hundred sixty dollars from the General Fund each year, beginning on July 1, 2021;

(b) Any General Funds transferred from regional centers for the provision of community-based behavioral health services after July 1, 2004; and

(c) Funds received by a regional behavioral health authority for the provision of behavioral health services to children under section 71-826.

Sec. 11. Section 71-812, Reissue Revised Statutes of Nebraska, is amended to read:

71-812 (1) The Behavioral Health Services Fund is created. The fund shall be administered by the division and shall contain cash funds appropriated by the Legislature or otherwise received by the department for the provision of behavioral health services from any other public or private source and directed by the Legislature for credit to the fund.

(2) The fund shall be used to encourage and facilitate the statewide

development and provision of community-based behavioral health services, including, but not limited to, (a) the provision of grants, loans, and other assistance for such purpose and (b) reimbursement to providers of such services.

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

(b) For purposes of this subsection:

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

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

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

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

(4) 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.

Sec. 12. Section 71-7611, Revised Statutes Cumulative Supplement, 2020, is amended to read:

71-7611 (1) The Nebraska Health Care Cash Fund is created. The State Treasurer shall transfer (a) sixty million three hundred thousand dollars on or before July 15, 2014, (b) sixty million three hundred fifty thousand dollars on or before July 15, 2015, (c) sixty million three hundred fifty thousand dollars on or before July 15, 2016, (d) sixty million seven hundred thousand dollars on or before July 15, 2017, (e) five hundred thousand dollars on or before May 15, 2018, (f) sixty-one million six hundred thousand dollars on or before July 15, 2018, (g) sixty-two million dollars on or before July 15, 2019, (h) sixty-one million four hundred fifty thousand dollars on or before July 15, 2020, and (i) fifty-one ~~sixty-one~~ million ~~one hundred thousand~~ dollars on or before every July 15 thereafter from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care Cash Fund, except that such amount shall be reduced by the amount of the unobligated balance in the Nebraska Health Care Cash Fund at the time the transfer is made. The state investment officer shall advise the State Treasurer on the amounts to be transferred first from the Nebraska Medicaid Intergovernmental Trust Fund until the fund balance is depleted and from the Nebraska Tobacco Settlement Trust Fund thereafter in order to sustain such transfers in perpetuity. The state investment officer shall report electronically to the Legislature on or before October 1 of every even-numbered year on the sustainability of such transfers. The Nebraska Health Care Cash Fund shall also include money received pursuant to section 77-2602. Except as otherwise provided by law, no more than the amounts specified in this subsection may be appropriated or transferred from the Nebraska Health Care Cash Fund in any fiscal year.

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

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

(2) Any money in the Nebraska Health Care Cash 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.

(3) The University of Nebraska and postsecondary educational institutions having colleges of medicine in Nebraska and their affiliated research hospitals

in Nebraska, as a condition of receiving any funds appropriated or transferred from the Nebraska Health Care Cash Fund, shall not discriminate against any person on the basis of sexual orientation.

(4) The State Treasurer shall transfer fifty thousand dollars on or before July 15, 2016, from the Nebraska Health Care Cash Fund to the Board of Regents of the University of Nebraska for the University of Nebraska Medical Center. It is the intent of the Legislature that these funds be used by the College of Public Health for workforce training.

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

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

Sec. 13. Section 72-729.01, Reissue Revised Statutes of Nebraska, is amended to read:

72-729.01 There is hereby created the Hall of Fame Trust Fund to be administered by the Nebraska Hall of Fame Commission for the purpose of the creation, design, size, configuration, and placement of busts or other appropriate objects as authorized in section 72-729. Deposits to such fund shall include money received from public donation and from funds appropriated specifically for such purpose by the Legislature. It is the intent of the Legislature that ten thousand dollars be transferred from the General Fund to the Hall of Fame Trust Fund annually beginning with fiscal year 2021-22. 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.

Sec. 14. Section 81-1220, Revised Statutes Cumulative Supplement, 2020, is amended to read:

81-1220 (1)(a) The Nebraska Film Office Fund is created. The fund shall be administered by the Department of Economic Development and used for grants for Nebraska-based films as provided in this section.

(b) The fund shall consist of funds transferred appropriated by the Legislature, gifts, grants, and bequests. It is the intent of the Legislature to transfer the unexpended and unobligated balance in the Nebraska Film Office Fund on June 30, 2025, to the General Fund.

(c) Any money in the Nebraska Film Office Fund 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.

(2)(a) The department shall administer a grant program for Nebraska-based films and shall require applications to be submitted to the department prior to beginning production.

(b) To be eligible for a grant under the program, the applicant shall verify that:

(i) The film is to be produced in Nebraska;

(ii) The film tells a Nebraska story; and

(iii) At least fifty percent of the workforce for film production will be composed of Nebraska residents for the duration of the production except as otherwise provided in subdivision (c) of this subsection.

(c) The department may lower the fifty-percent requirement in subdivision (b)(iii) of this subsection but shall not waive the requirement. The applicant shall apply to the department to lower the requirement and provide a certification that the requirement is an unreasonable impediment to production of the film. The department shall notify the applicant of the decision under this subdivision.

(d) The department shall review each application to determine whether the film qualifies for a grant under this section and shall not award a grant that exceeds twenty-five percent of the projected production cost of the film.

Sec. 15. Section 82-331, Revised Statutes Cumulative Supplement, 2020, is amended to read:

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

~~(2) On August 1, 1998, the State Treasurer shall transfer five million dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund.~~

~~(2) (3) Except as provided in subsection (3) (4) of this section, it is the intent of the Legislature that the State Treasurer shall transfer (a) an amount not to exceed one million dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2013, (b) an amount not to exceed five hundred thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31, 2014, (c) an amount not to exceed seven hundred fifty thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund on December 31 of 2015 and 2016, and (d) an amount not to exceed five hundred thousand dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund annually on December 31 of beginning in 2019 and 2020, and (e) an amount not to exceed one million dollars from the General Fund to the Nebraska Cultural Preservation Endowment Fund annually on December 31 beginning in 2021 and continuing through December 31, 2028.~~

~~(3) (4) Prior to the transfer of funds from any state account into the~~

Nebraska Cultural Preservation Endowment Fund, the Nebraska Arts Council shall provide documentation to the budget division of the Department of Administrative Services that qualified endowments have generated a dollar-for-dollar match of new money, up to the amount of state funds authorized by the Legislature to be transferred to the Nebraska Cultural Preservation Endowment Fund. For purposes of this section, new money means a contribution to a qualified endowment generated after July 1, 2011. Contributions not fully matched by state funds shall be carried forward to succeeding years and remain available to provide a dollar-for-dollar match for state funds. For an endowment to be a qualified endowment (a) the endowment must meet the standards set by the Nebraska Arts Council or Nebraska Humanities Council, (b) the endowment must be intended for long-term stabilization of the organization, and (c) the funds of the endowment must be endowed and only the earnings thereon expended. The budget division of the Department of Administrative Services shall notify the State Treasurer to execute a transfer of state funds up to the amount specified by the Legislature, but only to the extent that the Nebraska Arts Council has provided documentation of a dollar-for-dollar match. State funds not transferred shall be carried forward to the succeeding year and be added to the funds authorized for a dollar-for-dollar match during that year.

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

(5) ~~(6)~~ Any money in the Nebraska Cultural Preservation Endowment 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) ~~(7)~~ All investment earnings from the Nebraska Cultural Preservation Endowment Fund shall be credited to the Nebraska Arts and Humanities Cash Fund.

Sec. 16. Section 85-419, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-419 (1) ~~The Legislature finds and determines that protecting investments in buildings through the completion of renewal, renovation, replacement, or repair deferred maintenance, repair, renovation, and facility replacement construction projects is of critical importance to the State of Nebraska. The Legislature further recognizes that arresting the continued deterioration of buildings and , limiting the effects of inflation on the costs of such renewal, renovation, replacement, or repair of such facilities deferred maintenance, repair, renovation, and facility replacement construction, and bringing such buildings into compliance with current health and safety requirements at the earliest possible time is necessary for protecting such investment in the buildings of the State of Nebraska. The state, the University of Nebraska, and the Nebraska state colleges have a shared goal of protecting the assets of the state and maintaining them at a level which will attract and retain students and serve Nebraskans effectively. In order to further this critical goal, it is necessary, desirable, and advisable that the Legislature extend the University of Nebraska Facilities Program, the State College Facilities Program, and the other capital appropriations referenced in sections 85-419 to 85-425 and provide the University of Nebraska and the Nebraska state colleges the necessary authority to efficiently pursue prevailing financing strategies and achieve cost savings by authorizing the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges to enter into long-term financing contracts to finance the facilities referenced in sections 85-419 to 85-425. In order to accomplish these goals, it is necessary, desirable, and advisable that the Legislature confirm and extend such programs to provide for the receipt of funds for such purposes to the University of Nebraska and the Nebraska state colleges as soon as practicable with the repayment of such funds to be made over a period of years.~~

(2) ~~The Legislature recognizes the commitment of (a) the Board of Regents of the University of Nebraska to provide matching funds (a) up to eleven million dollars per year for the period beginning with the fiscal year commencing July 1, 2009, and continuing through the fiscal year ending June 30, 2030, (b) up to two million five hundred thousand dollars per year for the period beginning with the fiscal year commencing July 1, 2021, and continuing through the fiscal year ending June 30, 2030, and (c) up to thirteen million five hundred thousand dollars per year for the period beginning with the fiscal year commencing July 1, 2030, and continuing through the fiscal year ending June 30, 2062, for a total of up to two hundred twenty-five million eight hundred thousand dollars to supplement amounts appropriated from the General Fund pursuant to section 85-421 to be applied for the purposes described in section 85-421.~~

(3) ~~The Legislature recognizes the commitment of and (b) the Board of Trustees of the Nebraska State Colleges to provide matching funds up to one million four hundred forty thousand dollars per year for the period beginning with the fiscal year commencing July 1, 2006, and continuing through the fiscal year ending June 30, 2040, 2030, for a total of up to twenty-eight million eight hundred thousand dollars to supplement amounts appropriated from the General Fund pursuant to section 85-424 to be applied for the purposes described in section 85-424.~~

(4) ~~The Legislature further acknowledges and reaffirms the directive made by Laws 2019, LB297, section 38, which sets forth the intent of the Legislature to continue the appropriations set forth in Laws 2017, LB330, section 35, in~~

the amount of eight hundred twenty thousand dollars per year through 2050; in Laws 2017, LB330, section 36, in the amount of two million one hundred sixty-five thousand nine hundred twenty-eight dollars per year through 2050; and in Laws 2017, LB330, section 37, in the amount of one million four hundred seventy-seven thousand dollars per year through 2050.

(5) The Legislature further acknowledges and affirms the directive made by Laws 2019, LB297, section 37, which sets forth the intent of the Legislature to continue the appropriations set forth in Laws 2013, LB198, section 37, in the amount of two million two hundred sixteen thousand dollars per year through 2035.

(6) (2) Sections 85-419 to 85-425 do not modify, reduce, or eliminate any provision of subsection (10) of section 85-1414 requiring the approval of the Coordinating Commission for Postsecondary Education for any renewal, renovation, replacement, or repair deferred maintenance, repair, renovation, facility addition, or facility replacement construction project authorized by section 85-421 or 85-424 and undertaken by the Board of Regents of the University of Nebraska or the Board of Trustees of the Nebraska State Colleges.

Sec. 17. Section 85-420, Reissue Revised Statutes of Nebraska, is amended to read:

85-420 The University of Nebraska Facilities Program ~~of 2006~~ is created. All funds appropriated to the program by the Legislature shall be used exclusively for the projects listed in section 85-421 or for renewal, renovation, replacement, or repair deferred maintenance, repair, renovation, facility renovation, and facility replacement construction projects authorized pursuant to section 85-421.

Sec. 18. Section 85-421, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-421 (1) The Legislature shall appropriate from the General Fund (a) an amount not less than five million five hundred thousand dollars for each fiscal year for the period beginning with the fiscal year commencing July 1, 2006, and continuing through the fiscal year ending June 30, 2009, ~~and~~ (b) an amount not less than eleven million dollars for each fiscal year for the period beginning with the fiscal year commencing July 1, 2009, and continuing through the fiscal year ending June 30, 2030, (c) an amount not less than two million five hundred thousand dollars for each fiscal year for the period beginning with the fiscal year commencing July 1, 2021, and continuing through the fiscal year ending June 30, 2030, (d) an amount not less than thirteen million five hundred thousand dollars for each fiscal year for the period beginning with the fiscal year commencing July 1, 2030, and continuing through the fiscal year ending June 30, 2062, and (e) an amount not less than four million four hundred sixty-two thousand nine hundred twenty-eight dollars in each fiscal year for the appropriations referred to in subsection (4) of section 85-419, which shall be continued through the fiscal year ending June 30, 2062, to the University of Nebraska Facilities Program ~~of 2006~~ to be used by the Board of Regents of the University of Nebraska to accomplish projects as provided in this section. Through the allotment process established in section 81-1113, the Department of Administrative Services shall make appropriated funds available. Undisbursed appropriations balances existing in the University of Nebraska Facilities Program ~~of 2006~~ at the end of each fiscal year until June 30, 2063 ~~2031~~, shall be and are hereby reappropriated.

(2) The Legislature finds and determines that the projects funded through the University of Nebraska Facilities Program ~~of 2006~~ are of critical importance to the State of Nebraska. It is the intent of the Legislature that the appropriations to the program shall not be reduced until all contracts and securities relating to the construction and financing of the projects or portions of the projects funded from such funds or accounts of such funds are completed or paid but in no case shall such appropriations extend beyond the fiscal year ending June 30, 2062 ~~2030~~, nor shall the cumulative total of the ~~General Fund appropriations for the program exceed two hundred forty-seven million five hundred thousand dollars.~~

(3) Subject to the receipt of project approval from the Coordinating Commission for Postsecondary Education as required by subsection (10) of section 85-1414 for each of the following University of Nebraska projects, the Board of Regents of the University of Nebraska is authorized to make expenditures from the University of Nebraska Facilities Program ~~of 2006~~ for the following projects: (a) Deferred maintenance, repair, and renovation of University of Nebraska at Kearney Bruner Hall; (b) construction of University of Nebraska at Kearney campus-wide central utilities plant and system; (c) construction of facilities to replace University of Nebraska-Lincoln Behlen, Brace, and Ferguson Halls or deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Behlen, Brace, and Ferguson Halls; (d) construction of a facility to replace University of Nebraska-Lincoln Keim Hall or deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Keim Hall; (e) deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Sheldon Memorial Art Gallery; (f) deferred maintenance, repair, and renovation of University of Nebraska-Lincoln Animal Science Complex; (g) deferred maintenance, repair, and renovation of University of Nebraska Medical Center Poynter, Bennet, and Wittson Halls; (h) deferred maintenance, repair, and renovation of University of Nebraska Medical Center Eppley Institute for Research in Cancer and Allied Diseases or replacement if additional federal or private funds are received; (i) deferred maintenance, repair, and renovation of University of Nebraska Medical Center College of Dentistry; (j) deferred maintenance, repair, and renovation of University of

Nebraska at Omaha Library; (k) deferred maintenance, repair, and renovation of University of Nebraska at Omaha utilities infrastructure; (l) University of Nebraska-Lincoln Scott Engineering Center; (m) University of Nebraska-Lincoln Nebraska Hall; (n) University of Nebraska-Lincoln Mabel Lee Hall/Henzlik Hall; (o) University of Nebraska Medical Center Wittson Hall-Phase I; (p) University of Nebraska Medical Center Joseph D. & Millie E. Williams Science Hall (College of Pharmacy); (q) renovation of a privately funded acquisition at the University of Nebraska at Omaha; (r) University of Nebraska at Omaha Strauss Performing Arts Center; (s) University of Nebraska at Omaha Arts and Sciences Hall; ~~and~~ (t) University of Nebraska at Kearney Otto C. Olsen Building; (u) the facilities financed with the appropriations referred to in subsection (4) of section 85-419, including the Nebraska College of Technical Agriculture at Curtis Education Center and the College of Nursing Building on the campus of the University of Nebraska-Lincoln; and (v) any renewal, renovation, replacement, or repair of existing University of Nebraska facilities.

(4) Expenditures of matching funds provided for the projects listed in this section by the Board of Regents of the University of Nebraska as provided for in section 85-419 shall be accounted for in the Nebraska State Accounting System through the University of Nebraska Facilities Program ~~of 2006~~ or according to some other reporting process mutually agreed upon by the University of Nebraska and the Department of Administrative Services.

(5) The Board of Regents of the University of Nebraska shall record and report, on the Nebraska State Accounting System, expenditure of amounts from the University of Nebraska Facilities Program ~~of 2006~~ and expenditure of proceeds arising from any contract entered into pursuant to this section and section 85-422 in such manner and format as prescribed by the Department of Administrative Services or according to some other reporting process mutually agreed upon by the University of Nebraska and the Department of Administrative Services.

(6) At least once every two fiscal years beginning in the fiscal year 2023-24 for the biennial period from fiscal years 2023-25, the The Board of Regents of the University of Nebraska shall report to the Legislature (a) the projects expected to be constructed or newly financed in the next biennium from the University of Nebraska Facilities Program and (b) the projects that were constructed or newly financed in the previous biennium from the University of Nebraska Facilities Program. In addition, at least once every five fiscal years beginning in the fiscal year 2024-25 for the fiscal years 2026-30, the Board of Regents shall provide to the Legislature a copy of its current long-term capital plan for projects to be constructed or newly financed from the University of Nebraska Facilities Program provide to the Task Force for Building Renewal semiannual reports concerning the status of each project authorized by this section.

(7) The Board of Regents of the University of Nebraska shall establish a program to deposit annually, beginning with the fiscal year commencing July 1, 2025, an amount equal to two percent of the total project costs of new renewal, renovation, replacement, or repair projects expended during the immediately preceding fiscal year and financed with the University of Nebraska Facilities Program. Such funds may be held by a bank or trust company in trust, and amounts deposited therein shall be invested as the Board of Regents determines in accordance with its investment policies. The Board of Regents shall apply amounts in such fund, together with investment earnings thereon, to pay for renewal, renovation, replacement, or repair projects for university facilities as the Board of Regents shall determine.

Sec. 19. Section 85-422, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-422 (1) In order to accomplish any projects authorized by section 85-421, the Board of Regents of the University of Nebraska may enter into contracts with any person, firm, or corporation providing for the implementation of any such project of the University of Nebraska and providing for the long-term payment of the cost of such project from the University of Nebraska Facilities Program ~~of 2006~~. In no case shall any such contract extend for a period beyond December 31, ~~2063~~ 2031, nor shall any such contract exceed the repayment capabilities implicit in the funding streams authorized in sections 85-419 ~~to 85-422 and 85-421~~.

(2) The Board of Regents of the University of Nebraska shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriation specifically made by the Legislature for such purpose, together with such funds of the Board of Regents of the University of Nebraska as the board determines. No contract shall be entered into pursuant to this section without prior approval ~~by resolution~~ by the Board of Regents. The Board of Regents may also convey, lease, or lease back all or any part of the projects authorized by section 85-421 and the land on which such projects are situated to such person, firm, or corporation as the Board of Regents may contract with pursuant to this section to facilitate the long-term payment of the cost of such projects. Any such conveyance or lease shall provide that when the cost of such projects has been paid, together with interest and other costs thereon, such projects and the land on which such projects are located shall become the property of the Board of Regents.

(3) The Board of Regents of the University of Nebraska is authorized to make expenditures for the purposes stated in this section and section 85-421 from investment income balances in any fund created under the authority provided for in any contract or contracts authorized by this section. Any



~~balance existing in the University of Nebraska Facilities Program, whether from appropriations or the designated amounts identified in appropriated amounts and amounts designated or matched by the Board of Regents under section 85-419, in excess of amounts required to meet debt service and any interest thereon for any related financing contract, and excluding amounts on deposit in the trust fund established pursuant to subsection (7) of section 85-421, shall be distributed proportionally between the earnings derived from reserve funds or any other funds created under the authority provided for in any contract or contracts authorized by this section shall be accumulated and applied toward early retirement of debt as authorized under any resolution, indenture, or other contract entered into by the Board of Regents as authorized by this section. The Board of Regents and the Department of Administrative Services as to the total amount contributed to the program by the Board of Regents pursuant to section 85-419 and by the state, beginning in the fiscal year commencing July 1, 2009, through and including the fiscal year ending June 30, 2062, on December 31, 2063 shall, on or before January 1, 2007, enter into an agreement providing for the allocation and distribution of any balances existing in the University of Nebraska Facilities Program of 2006 or any other funds created as part of long-term contracts entered into by the Board of Regents pursuant to this section to the General Fund and any other funds designated by the Board of Regents as a source of funds for the match specified in section 85-419 either on December 31, 2031, or when all financial obligations incurred in the contracts entered into by the Board of Regents pursuant to this section are discharged, whichever occurs first.~~

Sec. 20. Section 85-423, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-423 The State College Facilities Program of 2006 is created. All funds appropriated to the program by the Legislature shall be used exclusively for ~~the projects listed in section 85-424 or for renewal, renovation, replacement, or repair deferred maintenance, repair, renovation, and facility replacement construction~~ projects authorized pursuant to section 85-424.

Sec. 21. Section 85-424, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-424 (1) ~~The Beginning with the fiscal year commencing July 1, 2006, and continuing through the fiscal year ending June 30, 2030, the~~ Legislature shall appropriate each fiscal year from the General Fund (a) an amount not less than one million one hundred twenty-five thousand dollars to the State College Facilities Program for each fiscal year for the period commencing July 1, 2006, and continuing through the fiscal year ending June 30, 2040, and (b) an amount not less than two million two hundred sixteen thousand dollars in each fiscal year for the appropriations referred to in subsection (5) of section 85-419, which shall be continued through the fiscal year ending June 30, 2040, to the State College Facilities Program of 2006 to be used by the Board of Trustees of the Nebraska State Colleges to accomplish projects as provided in this section. Through the allotment process established in section 81-1113, ~~at a minimum,~~ the Department of Administrative Services shall make appropriated funds available. Undisbursed appropriations balances existing in the State College Facilities Program of 2006 at the end of each fiscal year until June 30, 2041 2031, shall be and are hereby reappropriated.

(2) The Legislature finds and determines that the projects funded through the State College Facilities Program program are of critical importance to the State of Nebraska. It is the intent of the Legislature that the appropriations to the program shall not be reduced until all contracts and securities relating to the construction and financing of the projects or portions of the projects funded from such funds or accounts of such funds are completed or paid but in no case shall such appropriations extend beyond the fiscal year ending June 30, 2040 2030, nor shall the cumulative total of the General Fund appropriations for the program exceed twenty-seven million dollars.

(3) Subject to the receipt of project approval from the Coordinating Commission for Postsecondary Education as required by subsection (10) of section 85-1414 for each of the following state college projects, the Board of Trustees of the Nebraska State Colleges is authorized to make expenditures from the State College Facilities Program of 2006 for the following state college projects: (a) Deferred maintenance, repair, and renovation of Chadron State College Academic/Administration Building; (b) design and placement of a new Peru State College emergency power generator; (c) replacement of existing Peru State College Al Wheeler Activity Center bleachers; (d) addition to and deferred maintenance, repair, and renovation of Peru State College Al Wheeler Activity Center; (e) addition to and deferred maintenance, repair, and renovation of Wayne State College Campus Services Building; (f) deferred maintenance, repair, and renovation of Wayne State College Rice Auditorium; (g) deferred maintenance, repair, and renovation of Wayne State College Memorial Stadium; (h) replacement of or deferred maintenance, repair, and renovation of Chadron State College stadium; (i) addition to and deferred maintenance, repair, and renovation of Peru State College Theatre/Event Center; (j) construction of a facility to replace Wayne State College Benthack Hall applied technology programmatic space; ~~and~~ (k) systemwide miscellaneous fire and life safety, energy conservation, deferred repair, federal Americans with Disabilities Act of 1990, and asbestos removal projects; (l) construction of the Math Science Facility at Chadron State College; and (m) any renewal, renovation, replacement, or repair of existing state college facilities.

(4) Expenditures of matching funds provided for the projects listed in this section by the Board of Trustees of the Nebraska State Colleges as

provided for in section 85-419 shall be accounted for in the Nebraska State Accounting System through the State College Facilities Program ~~of 2006~~ or according to some other reporting process mutually agreed upon by the state colleges and the Department of Administrative Services.

(5) The Board of Trustees of the Nebraska State Colleges shall record and report, on the Nebraska State Accounting System, expenditure of amounts from the State College Facilities Program ~~of 2006~~ and expenditure of proceeds arising from any contract entered into pursuant to this section and section 85-425 in such manner and format as prescribed by the Department of Administrative Services or according to some other reporting process mutually agreed upon by the state colleges and the Department of Administrative Services.

(6) At least once every two fiscal years beginning with fiscal year 2023-24 for the biennial period from fiscal years 2023-25, the The Board of Trustees of the Nebraska State Colleges shall report to the Legislature (a) the projects expected to be constructed or newly financed in the next biennium from the State College Facilities Program and (b) the projects that were constructed or newly financed in the previous biennium from the State College Facilities Program. In addition, at least once every ten fiscal years beginning with fiscal year 2022-23, the Board of Trustees shall provide to the Legislature a copy of its current long-term capital plan for projects to be constructed or newly financed from the State College Facilities Program provide to the Task Force for Building Renewal semiannual reports concerning the status of each project authorized by this section.

Sec. 22. Section 85-425, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-425 (1) In order to accomplish any projects authorized by section 85-424, the Board of Trustees of the Nebraska State Colleges may enter into contracts with any person, firm, or corporation providing for the implementation of any such project of the Nebraska state colleges and providing for the long-term payment of the cost of such project from the State College Facilities Program ~~of 2006~~. In no case shall any such contract extend for a period beyond December 31, 2041 ~~2030~~, nor shall any such contract exceed the repayment capabilities implicit in the funding streams authorized in sections 85-419 and 85-424.

(2) The Board of Trustees of the Nebraska State Colleges shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriation specifically made by the Legislature for such purpose, together with such funds of the Board of Trustees as the board determines. No contract shall be entered into pursuant to this section without prior approval ~~by resolution~~ by the Board of Trustees. The Board of Trustees may also convey, lease, or lease back all or any part of the projects authorized by section 85-424 and the land on which such projects are situated to such person, firm, or corporation as the Board of Trustees may contract with pursuant to this section to facilitate the long-term payment of the cost of such projects. Any such conveyance or lease shall provide that when the cost of such projects has been paid, together with interest and other costs thereon, such projects and the land on which such projects are located shall become the property of the Board of Trustees.

(3) The Board of Trustees of the Nebraska State Colleges is authorized to make expenditures for the purposes stated in this section and section 85-424 from investment interest income balances in any fund created under the authority provided for in any contract or contracts authorized by this section. Any balance existing in the State College Facilities Program, whether from appropriations or the designated amounts identified in appropriated amounts and amounts designated or matched by the Board of Trustees under section 85-419, in excess of amounts required to meet debt service and any interest thereon for any related financing contract, shall be distributed proportionally between the earnings derived from reserve funds or any other funds created under the authority provided for in any contract or contracts authorized by this section shall be accumulated and applied toward early retirement of debt as authorized under any resolution, indenture, or other contract entered into by the Board of Trustees as authorized by this section. The Board of Trustees and the Department of Administrative Services as to the total amount contributed to the program by the Board of Trustees pursuant to section 85-419 and by the state, beginning in the fiscal year commencing July 1, 2006, through and including the fiscal year ending June 30, 2040, on December 31, 2041 shall, on or before January 1, 2007, enter into an agreement providing for the allocation and distribution of any balances existing in the State College Facilities Program of 2006 or any other funds created as part of a long-term contract entered into by the Board of Trustees pursuant to this section to the General Fund and any other funds designated by the Board of Trustees as a source of funds for the match specified in section 85-419 either on December 31, 2030, or when all financial obligations incurred in the contracts entered into by the Board of Trustees pursuant to this section are discharged, whichever occurs first.

Sec. 23. Section 85-426, Reissue Revised Statutes of Nebraska, is amended to read:

85-426 All capital construction projects, including applicable financing plans, proposed by any nonprofit corporation created by the Board of Regents of the University of Nebraska or the Board of Trustees of the Nebraska State Colleges shall be submitted to the Legislature for review and approval or disapproval by the Legislature, or if the Legislature is not in session, the

Executive Board of the Legislative Council, when (1) state general funds, (2) funds received by the University of Nebraska or any state college for the purposes of reimbursing overhead costs and expenses in connection with any federal or other grant or contract, (3) tuition, or (4) the state's operating investment pool investment income constitutes all or any part of the funds used for the repayment of all or any part of the bonds of such nonprofit corporation. This section does not apply to any construction project or financing plan comprising part of the University of Nebraska Facilities Program or the State College Facilities Program to the extent that subsection (6) of section 85-421 and subsection (6) of section 85-424 have been complied with by the respective boards referenced in such sections.

Sec. 24. Section 86-324, Revised Statutes Cumulative Supplement, 2020, is amended to read:

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

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

(a) Shall have authority and power to subject eligible telecommunications companies to service quality, customer service, and billing regulations. Such regulations shall apply only to the extent of any telecommunications services or offerings made by an eligible telecommunications company which are eligible for support by the fund. The commission shall be reimbursed from the fund for all costs related to drafting, implementing, and enforcing the regulations and any other services provided on behalf of customers pursuant to this subdivision;

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

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

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

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

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

(3) 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, ~~and for the period July 1, 2017, through June 30, 2019, any interest earned by the fund shall be credited to the General Fund.~~

(4) Transfers may be made from earnings on the Nebraska Telecommunications Universal Service Fund to the 211 Cash Fund at the direction of the Legislature. The State Treasurer shall annually transfer three hundred thousand dollars on July 1 beginning in 2021 from the earnings on the Nebraska Telecommunications Universal Service Fund to the 211 Cash Fund.

Sec. 25. Section 86-594, Reissue Revised Statutes of Nebraska, is amended to read:

86-594 (1) Except as provided in the Educational Service Units Act and sections 79-1319, 81-1120.01 to 81-1120.28, 85-401 to ~~85-411~~ ~~85-418~~, 85-1501 to 85-1542, and 86-575, an agency or political subdivision of the state that is not a public power supplier shall not provide on a retail or wholesale basis any broadband services, Internet services, telecommunications services, or video services.

(2) The provisions of subsection (1) of this section shall not apply to services which an agency or political subdivision of the state was authorized to provide and was providing prior to January 1, 2005.

Sec. 26. Section 86-1103, Revised Statutes Cumulative Supplement, 2020, is amended to read:

86-1103 The Rural Broadband Task Force Fund is created. The fund shall be used to carry out the purposes of the Rural Broadband Task Force as described in section 86-1102 and to provide for a state broadband coordinator. For administrative purposes, the fund shall be located in the Nebraska Information

Technology Commission. The fund shall consist of money appropriated or transferred by the Legislature and gifts, grants, or bequests from any source, including federal, state, public, and private sources. 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.

Sec. 27. The United States Space Command Headquarters Assistance Fund is created. The fund shall be used to contribute to the construction of the United States Space Command headquarters if the State of Nebraska is selected as the site for the headquarters. The Adjutant General of the State of Nebraska shall administer the fund. The fund shall consist of transfers authorized by the Legislature and any gifts, grants, or bequests from any source, including federal, state, public, and private sources, for such purposes. 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.

Sec. 28. The Prison Overcrowding Contingency Fund is created. The State Treasurer shall transfer fifteen million dollars from the General Fund to the Prison Overcrowding Contingency Fund on or before July 15, 2021, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services. It is the intent of the Legislature that these funds remain in the Prison Overcrowding Contingency Fund until sufficient details are provided to the Legislature regarding plans to reduce prison overcrowding, except that the fund may be used for purposes of a study of inmate classification within the Department of Correctional Services. 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.

Sec. 29. Original sections 71-812, 72-729.01, 85-420, 85-426, and 86-594, Reissue Revised Statutes of Nebraska, and sections 9-1,101, 58-706, 61-222, 71-808, 71-7611, 81-1220, 82-331, 85-419, 85-421, 85-422, 85-423, 85-424, 85-425, 86-324, and 86-1103, Revised Statutes Cumulative Supplement, 2020, are repealed.

Sec. 30. The following sections are outright repealed: Sections 85-412, 85-413, 85-414, 85-415, 85-416, 85-417, and 85-418, Reissue Revised Statutes of Nebraska.

Sec. 31. Since an emergency exists, this act takes effect when passed and approved according to law.