

AMENDMENTS TO LB818

(Amendments to Standing Committee amendments, AM1172)

Introduced by McKinney, 11.

1 1. Insert the following new section:

2 Sec. 35. Section 83-973, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 83-973 The Prison Overcrowding Contingency Fund is created. The
5 State Treasurer shall transfer fifteen million dollars from the General
6 Fund to the Prison Overcrowding Contingency Fund on or before July 15,
7 2021, on such date as directed by the budget administrator of the budget
8 division of the Department of Administrative Services. It is the intent
9 of the Legislature that these funds remain in the Prison Overcrowding
10 Contingency Fund until sufficient details are provided to the Legislature
11 regarding plans to reduce prison overcrowding, except that (1) the fund
12 may be used for purposes of a study of inmate classification within the
13 Department of Correctional Services, ~~and~~ (2) transfers may be made to the
14 Vocational and Life Skills Programming Fund at the direction of the
15 Legislature, and (3) any money transferred from the Cash Reserve Fund to
16 the Prison Overcrowding Contingency Fund shall be transferred to the
17 Nebraska Capital Construction Fund contingent on (a) the Department of
18 Correctional Services, in conjunction with the Department of
19 Administrative Services, demolishing the Nebraska State Penitentiary, (b)
20 completion of a study of programming fidelity, including, but not limited
21 to, what is working, what is not working and the reasons for such
22 failure, and what needs to be done to improve programming regarding
23 correctional facilities in the state, (c) completion of a study of staff
24 needs in correctional facilities and mental health services in
25 correctional facilities in the state, and (d) passage of Legislative Bill
26 348, One Hundred Eighth Legislature, First Session, 2023, enacting the

1 Community Work Release and Treatment Centers Act. Any money in the Prison
2 Overcrowding Contingency Fund available for investment shall be invested
3 by the state investment officer pursuant to the Nebraska Capital
4 Expansion Act and the Nebraska State Funds Investment Act.

5 2. On page 36, line 20, strike "eighty-two" and insert "twelve";
6 after line 25 insert the following new subsection:

7 "(7) The State Treasurer shall transfer seventy million dollars from
8 the Cash Reserve Fund to the Prison Overcrowding Contingency Fund on or
9 after July 1, 2023, but before June 30, 2024, on such dates and in such
10 amounts as directed by the budget administrator of the budget division of
11 the Department of Administrative Services."; and renumber the remaining
12 subsections accordingly.

13 3. Renumber the remaining sections accordingly.