

AMENDMENTS TO LB164

(Amendments to Standing Committee amendments, AM2105)

Introduced by McKinney, 11.

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. Section 13-3301, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           13-3301 Sections 13-3301 to 13-3313 and sections 4, 7, 8, and 9 of  
6 this act shall be known and may be cited as the Municipal Inland Port  
7 Authority Act.

8           Sec. 2. Section 13-3303, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10          13-3303 For purposes of the Municipal Inland Port Authority Act:

11          (1) Board means the board of commissioners of an inland port  
12 authority;

13          (2) City means any city of the metropolitan class, city of the  
14 primary class, or city of the first class which contains an area eligible  
15 to be designated as an inland port district;

16          (3) Direct financial benefit means any form of financial benefit  
17 that accrues to an individual directly, including compensation,  
18 commission, or any other form of a payment or increase of money, or an  
19 increase in the value of a business or property. Direct financial benefit  
20 does not include a financial benefit that accrues to the public  
21 generally;

22          (4) Family member means a spouse, parent, sibling, child, or  
23 grandchild;

24          (5) Inland port authority means an authority created by a city, a  
25 county, or a city and one or more counties under the Municipal Inland  
26 Port Authority Act to manage an inland port district;

1 (6) Inland port district means an area within the corporate  
2 boundaries or extraterritorial zoning jurisdiction or both of a city,  
3 within the boundaries of one or more counties, or within both the  
4 corporate boundaries or extraterritorial zoning jurisdiction or both of a  
5 city and the boundaries of one or more counties, and which meets at least  
6 two of the following criteria:

7 (a) Is located within one mile of a navigable river or other  
8 navigable waterway;

9 (b) Is located within one mile of a major rail line;

10 (c) Is located within two miles of any portion of the federally  
11 designated National System of Interstate and Defense Highways or any  
12 other four-lane divided highway; or

13 (d) Is located within two miles of a major airport;

14 (7)(a) Innovation district means a geographic area where leading-  
15 edge institutions, companies, and industry clusters connect with startup  
16 businesses, business incubators, research institutions, and accelerators,  
17 and that is physically compact, transit-accessible, and technically wired  
18 with mixed-use housing, office, retail, and light industrial space.

19 (b) Innovation districts include, but are not limited to, the  
20 following:

21 (i) The anchor-plus model, primarily found in the downtowns and  
22 midtowns of central cities, where large-scale mixed-use development is  
23 centered around major anchor institutions and a rich base of related  
24 firms, entrepreneurs, and spin-off companies involved in the  
25 commercialization of innovation;

26 (ii) The re-imagined urban areas model, often found near or along  
27 historic waterfronts, where industrial or warehouse districts are  
28 undergoing a physical and economic transformation. Such change is powered  
29 in part by transit access, a historic building stock, and proximity to  
30 downtowns in high-rent cities which is supplemented with advanced  
31 research institutions and anchor companies; and

1           (iii) The urbanized science park model, commonly found in suburban  
2 and exurban areas, where traditionally isolated, sprawling areas of  
3 innovation are urbanizing through increased density and an infusion of  
4 new activities, including retail and restaurants, that are mixed as  
5 opposed to separated;

6           (8) Innovation hub has the same meaning as in section 81-12,108;

7           (9) {7} Intermodal facility means a hub or other facility for trade  
8 combining any combination of rail, barge, trucking, air cargo, or other  
9 transportation services;

10           (10) {8} Major airport means an airport with commercial service as  
11 defined by the Federal Aviation Administration;

12           (11) {9} Major rail line means a rail line that is accessible to a  
13 Class I railroad as defined by the federal Surface Transportation Board;  
14 and

15           (12) {10} Nonprofit economic development corporation means a chamber  
16 of commerce or other mutual benefit or public benefit corporation  
17 organized under the Nebraska Nonprofit Corporation Act to assist economic  
18 development.

19           Sec. 3. Section 13-3304, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           13-3304 (1) Any city which encompasses an area greater than three  
22 hundred acres eligible to be designated as an inland port district may  
23 propose to create an inland port authority by ordinance, subject to the  
24 cap on the total number of inland port districts provided in subsection  
25 (4) of this section. In determining whether to propose the creation of an  
26 inland port authority, the city shall consider the following criteria:

27           (a) The desirability and economic feasibility of locating an inland  
28 port district within the corporate boundaries, extraterritorial zoning  
29 jurisdiction, or both of the city;

30           (b) The technical and economic capability of the city and any other  
31 public and private entities to plan and carry out development within the

1 proposed inland port district;

2 (c) The strategic location of the proposed inland port district in  
3 proximity to existing and potential transportation infrastructure that is  
4 conducive to facilitating regional, national, and international trade and  
5 the businesses and facilities that promote and complement such trade;

6 (d) The potential impact that development of the proposed inland  
7 port district will have on the immediate area; and

8 (e) The regional and statewide economic impact of development of the  
9 proposed inland port district.

10 (2) Any city and one or more counties in which a city of the  
11 metropolitan class, city of the primary class, or city of the first class  
12 is located, or in which the extraterritorial zoning jurisdiction of such  
13 city is located, which encompass an area greater than three hundred acres  
14 eligible to be designated as an inland port district may enter into an  
15 agreement pursuant to the Interlocal Cooperation Act to propose joint  
16 creation of an inland port authority, subject to the cap on the total  
17 number of inland port districts provided in subsection (4) of this  
18 section. In determining whether to propose the creation of an inland port  
19 authority, the city and counties shall consider the following criteria:

20 (a) The desirability and economic feasibility of locating an inland  
21 port district within the corporate boundaries or extraterritorial zoning  
22 jurisdiction or both of the city, or within both the corporate boundaries  
23 or extraterritorial zoning jurisdiction or both of a city and the  
24 boundaries of one or more counties;

25 (b) The technical and economic capability of the city and county or  
26 counties and any other public and private entities to plan and carry out  
27 development within the proposed inland port district;

28 (c) The strategic location of the proposed inland port district in  
29 proximity to existing and potential transportation infrastructure that is  
30 conducive to facilitating regional, national, and international trade and  
31 the businesses and facilities that promote and complement such trade;

1 (d) The potential impact that development of the proposed inland  
2 port district will have on the immediate area; and

3 (e) The regional and statewide economic impact of development of the  
4 proposed inland port district.

5 (3) Any county with a population greater than twenty thousand  
6 inhabitants according to the most recent federal census or the most  
7 recent revised certified count by the United States Bureau of the Census  
8 which encompasses an area greater than three hundred acres eligible to be  
9 designated as an inland port district may propose to create an inland  
10 port authority by resolution, subject to the cap on the total number of  
11 inland port districts provided in subsection (4) of this section. In  
12 determining whether to propose the creation of an inland port authority,  
13 the county shall consider the following criteria:

14 (a) The desirability and economic feasibility of locating an inland  
15 port district within the county;

16 (b) The technical and economic capability of the county and any  
17 other public or private entities to plan and carry out development within  
18 the proposed inland port district;

19 (c) The strategic location of the proposed inland port district in  
20 proximity to existing and potential transportation infrastructure that is  
21 conducive to facilitating regional, national, and international trade and  
22 the businesses and facilities that promote and complement such trade;

23 (d) The potential impact that development of the proposed inland  
24 port district will have on the immediate area; and

25 (e) The regional and statewide economic impact of development of the  
26 proposed inland port district.

27 (4) No more than five inland port districts may be designated  
28 statewide. No more than one inland port district may be designated within  
29 the boundaries of a city of the metropolitan class. No inland port  
30 authority shall designate more than one inland port district, and no  
31 inland port authority may be created without also designating an inland

1 port district.

2 (5) Following the adoption of an ordinance, resolution, or execution  
3 of an agreement pursuant to the Interlocal Cooperation Act proposing  
4 creation of an inland port authority, the city clerk or county clerk  
5 shall transmit a copy of such ordinance, resolution, or agreement to the  
6 Department of Economic Development along with an application for approval  
7 of the proposal. Upon receipt of such ordinance, resolution, or agreement  
8 and application, the department shall evaluate the proposed inland port  
9 authority to determine whether the proposal meets the criteria in  
10 subsection (1), (2), or (3) of this section, whichever is applicable, as  
11 well as any prioritization criteria developed by the department. Upon a  
12 determination that the proposed inland port authority sufficiently meets  
13 such criteria, the Director of Economic Development shall certify to the  
14 city clerk or county clerk whether the proposed creation of such inland  
15 port authority exceeds the cap on the total number of inland port  
16 districts pursuant to subsection (4) of this section. If the department  
17 determines that the proposed inland port authority sufficiently meets  
18 such criteria and does not exceed such cap, the inland port authority  
19 shall be deemed created. If the proposed inland port authority does not  
20 sufficiently meet such criteria or exceeds such cap, the city shall  
21 repeal such ordinance, the county shall repeal such resolution, or the  
22 city and county or counties shall rescind such agreement and the proposed  
23 inland port authority shall not be created.

24 Sec. 4. An inland port authority located within the boundaries of a  
25 city of the metropolitan class shall:

26 (1) Create and operate an innovation district;

27 (2) Organize and conduct quarterly public input meetings to receive  
28 public input regarding concerns, ideas, and priorities for economic  
29 development initiatives within the inland port district. The public input  
30 meetings shall provide a platform for dialogue and collaboration between  
31 residents, the inland port authority, local government officials, and

1 other stakeholders;

2 (3) Within ninety days after the receipt of grant funds described in  
3 section 8 of this act, and annually thereafter, conduct a community  
4 survey. Such surveys may be distributed online or through regular United  
5 States mail or may be conducted in person to ensure inclusivity and  
6 accessibility. The data collected shall help identify key areas for  
7 economic development focus within the inland port district and inform  
8 decisionmaking processes;

9 (4) Only use the grant funds described in section 8 of this act  
10 within the inland port district;

11 (5) Provide direct oversight of the operation of any innovation hub  
12 located within a city of the metropolitan class that is located within  
13 two miles of a major airport;

14 (6) Create and maintain a community advisory committee consisting of  
15 nine members that include (a) at least two owners of residential property  
16 located within the inland port district, (b) at least two owners of  
17 businesses located within the inland port district, (c) a member of the  
18 city council of such city of the metropolitan class whose city council  
19 district is located within the inland port district, (d) a member of the  
20 Legislature whose legislative district is located within the inland port  
21 district, and (e) a youth representative or someone closely involved with  
22 youth in the community. A single member may satisfy more than one  
23 qualification described in subdivisions (6)(a) through (e) of this  
24 section;

25 (7) Within one year after the receipt of grant funds described in  
26 section 8 of this act, hire a consultant to create a financial pro forma  
27 and vision and provide recommendations relating to which innovation  
28 district model or blended models should be used by the inland port  
29 authority;

30 (8) Within three years after the receipt of grant funds described in  
31 section 8 of this act, contract with or provide grants to developers or

1 landowners to construct twenty single-family homes and a minimum of one  
2 hundred fifty new housing units within the inland port district; and

3 (9) On or before December 31 of each year, electronically submit a  
4 report to the Urban Affairs Committee of the Legislature and the Clerk of  
5 the Legislature regarding current, completed, and future projects, how  
6 such projects relate to the inland port authority's vision and financial  
7 pro forma, and other areas of opportunity.

8 Sec. 5. Section 13-3310, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 13-3310 (1) An inland port authority shall be administered by the  
11 board which shall consist of:

12 (a) If created by a city of the metropolitan class, nine members  
13 that include (i) the mayor or the mayor's designee, (ii) at least two  
14 members with experience in large-scale residential, commercial,  
15 industrial, or general real estate development, (iii) at least one member  
16 with experience in community organizing and development, advocating for  
17 inclusive economic development strategies, addressing systemic barriers,  
18 and promoting equitable opportunities for all community members, and (iv)  
19 at least one member with experience in financial services and budget  
20 oversight, financial planning, and ensuring accountability in resource  
21 allocation for economic development projects. A single member may satisfy  
22 more than one qualification described in subdivisions (1)(a)(i) through  
23 (iv) of this section;

24 (b) If created by a city of the primary class, seven members;

25 (c) If created by a city of the first class, five members;

26 (d) If jointly created by a city of the metropolitan class and one  
27 or more counties, eleven members;

28 (e) If jointly created by a city of the primary class and one or  
29 more counties, nine members;

30 (f) If jointly created by a city of the first class and one or more  
31 counties, seven members; or



1 (g) If created by a county, nine members.

2 (2) Upon the creation of an inland port authority under subsection  
3 (1) or (2) of section 13-3304, the mayor of the city that created the  
4 authority, with the approval of the city council, and, if the authority  
5 is created under subsection (2) of section 13-3304, with the approval of  
6 the county board or boards, shall appoint a board to govern the  
7 authority. Members of the board shall be residents of the city or of the  
8 county in which such city that created the authority under subsection (1)  
9 of section 13-3304 is located, or, if the authority is created under  
10 subsection (2) of section 13-3304, members of the board shall be  
11 residents of the county or counties jointly creating such authority or of  
12 any county located adjacent to any such county.

13 (3) Upon the creation of an inland port authority under subsection  
14 (3) of section 13-3304, the chairperson of the county board, with the  
15 approval of the county board, shall appoint a board to govern the  
16 authority. Members of the board shall be residents of the county or of  
17 any county located adjacent to such county.

18 (4) The members of the board of any inland port authority created  
19 under section 13-3304 shall be appointed to staggered terms of four years  
20 in such a manner to ensure that the terms of no more than three members  
21 expire in any one year.

22 (5) Any vacancy on the board of an inland port authority shall be  
23 filled in the same manner as the vacating board member was appointed to  
24 serve the unexpired portion of the board member's term.

25 Sec. 6. Section 13-3311, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 13-3311 (1) A public official may serve as a commissioner of an  
28 inland port authority.

29 (2) ~~(1)~~ No individual may serve as a commissioner or an employee of  
30 an inland port authority if:

31 (a) The individual or a family member of the individual owns an

1 interest in any real property located within the boundaries of the inland  
2 port district; ~~or~~

3 (b) The individual or a family member of the individual owns an  
4 interest in, is directly affiliated with, or is an employee or officer of  
5 a private firm, company, or other entity, other than a political  
6 subdivision, that received any financial benefit through any funding  
7 provided from a grant awarded pursuant to subdivision (4)(a) of section  
8 81-12,241. For purposes of this subdivision, financial benefit includes  
9 any income from a contract for goods or services; or

10 (c) ~~(b)~~ The individual or a family member of the individual owns an  
11 interest in, is directly affiliated with, or is an employee or officer of  
12 a private firm, company, or other entity, other than a political  
13 subdivision, that the individual reasonably believes is likely to:

14 (i) Participate in or receive a direct or indirect financial benefit  
15 from the development of the inland port district; or

16 (ii) Acquire an interest in any facility located within the inland  
17 port district.

18 (3) ~~(2)~~ Before taking office as a commissioner or accepting  
19 employment with an inland port authority, an individual shall submit to  
20 the authority a statement verifying that the individual's service as a  
21 commissioner or an employee will not violate subsection (2) ~~(1)~~ of this  
22 section.

23 (4) ~~(3)~~ An individual shall not, at any time during the individual's  
24 service as a commissioner or an employee of an inland port authority,  
25 acquire or take any action to initiate, negotiate, or otherwise arrange  
26 for the acquisition of an interest in any real property located within  
27 the boundaries of the inland port district.

28 (5) ~~(4)~~ A commissioner or an employee of an inland port authority  
29 shall not receive a direct financial benefit from the development of any  
30 real property located within the boundaries of the inland port district.

31 Sec. 7. (1) The Inland Port Authority Fund is created. The fund

1 shall be used by the State Treasurer to carry out section 8 of this act.  
2 The fund shall consist of transfers by the Legislature and any federal  
3 funds which may become available for the purposes of the Municipal Inland  
4 Port Authority Act. Any money in the fund available for investment shall  
5 be invested by the state investment officer pursuant to the Nebraska  
6 Capital Expansion Act and the Nebraska State Funds Investment Act. Any  
7 investment earnings from investment of money in the fund shall be  
8 credited to the fund.

9 (2) The State Treasurer shall transfer (a) any interest earned on or  
10 after July 1, 2024, and on or before June 30, 2026, on federal funds  
11 allocated to the State of Nebraska from the federal Coronavirus State  
12 Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of  
13 2021, 42 U.S.C. 802, as amended, to the Inland Port Authority Fund no  
14 later than October 1, 2024, and on or before June 30 of each year  
15 thereafter through June 30, 2026, on such dates and in such amounts as  
16 directed by the budget administrator of the budget division of the  
17 Department of Administrative Services and (b) any investment earnings on  
18 or after July 1, 2024, and on or before June 30, 2026, from the  
19 investment of money in the Nebraska Capital Construction Fund from  
20 transfers credited to such fund that are designated for the construction  
21 of a new state prison pursuant to section 72-1001, to the Inland Port  
22 Authority Fund no later than October 1, 2024, and on or before June 30 of  
23 each year thereafter through June 30, 2026, on such dates and in such  
24 amounts as directed by the budget administrator of the budget division of  
25 the Department of Administrative Services.

26 Sec. 8. An inland port authority located within the boundaries of a  
27 city of the metropolitan class may apply to the State Treasurer for  
28 grants to carry out the functions of such inland port authority as  
29 authorized under the Municipal Inland Port Authority Act. The application  
30 for such grants shall be submitted on a form prescribed by the State  
31 Treasurer. The application shall only include the amount of grant funds

1 requested for each grant and a certified copy of the approved city  
2 ordinance creating such inland port authority. The State Treasurer shall  
3 not be required to verify the information submitted in the application.  
4 If adequate funds are available in the Inland Port Authority Fund, the  
5 State Treasurer shall award the grants.

6       Sec. 9. The changes made by this legislative bill apply to any  
7 inland port authority existing prior to, on, or after the operative date  
8 of this section.

9       Sec. 10. Section 72-819, Revised Statutes Supplement, 2023, is  
10 amended to read:

11       72-819 (1) The Game and Parks Commission shall construct, develop,  
12 and manage a museum and visitor center honoring Chief Standing Bear.

13       (2) It is the intent of the Legislature to appropriate to the Game  
14 and Parks Commission for the Chief Standing Bear Museum and visitor  
15 center:

16       (a) Not more than fifteen million dollars for fiscal year 2025-26  
17 from investment earnings from the Perkins County Canal Project Fund and  
18 credited to the Economic Recovery Contingency Fund as provided in section  
19 61-305 for construction of the museum and visitor center;

20       (b) Seven hundred fifty thousand dollars for fiscal year 2025-26  
21 from investment earnings from the Perkins County Canal Project Fund and  
22 credited to the Economic Recovery Contingency Fund as provided in section  
23 61-305 for exhibit fabrication and historical interpretation; and

24       (c) Two hundred thousand dollars in fiscal year 2025-26 for  
25 staffing.

26       (3) The Game and Parks Commission may execute a memorandum of  
27 understanding or contract with the Nebraska State Historical Society for  
28 purposes of museum and visitor center development, exhibit fabrication,  
29 and historical interpretation.

30       (4)(a) The Game and Parks Commission shall construct, develop, and  
31 manage a museum at Fort Robinson State Park.

1           (b) It is the intent of the Legislature to appropriate to the Game  
2           and Parks Commission for the museum at Fort Robinson State Park not more  
3           than seven million dollars for fiscal year 2025-26 from the Museum  
4           Construction and Maintenance Fund.

5           (c) The Game and Parks Commission may execute a memorandum of  
6           understanding or contract with the Nebraska State Historical Society for  
7           purposes of museum development, exhibit fabrication, and historical  
8           interpretation at Fort Robinson State Park.

9           Sec. 11. Section 72-1001, Revised Statutes Supplement, 2023, is  
10          amended to read:

11          72-1001 The Nebraska Capital Construction Fund is created. The fund  
12          shall consist of revenue and transfers credited to the fund as authorized  
13          by law. Money shall be appropriated from the fund to state agencies for  
14          making payments on projects as determined by the Legislature, including,  
15          but not limited to, purchases of land, structural improvements to land,  
16          acquisition of buildings, construction of buildings, including  
17          architectural and engineering costs, replacement of or major repairs to  
18          structural improvements to land or buildings, additions to existing  
19          structures, remodeling of buildings, and acquisition of equipment and  
20          furnishings of new or remodeled buildings. The fund shall be administered  
21          by the State Treasurer as a multiple-agency-use fund and appropriated to  
22          state agencies as determined by the Legislature. Transfers may be made  
23          from the fund to the Capitol Restoration Cash Fund at the direction of  
24          the Legislature. Any money in the Nebraska Capital Construction Fund  
25          available for investment shall be invested by the state investment  
26          officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
27          State Funds Investment Act. Any investment earnings from investment of  
28          money in the Nebraska Capital Construction Fund shall be credited to such  
29          fund, ~~except that for fiscal years 2023-24, 2024-25, and 2025-26,~~ any  
30          investment earnings from investment of money in the Nebraska Capital  
31          Construction Fund from transfers credited to such fund that are

1 designated for the construction of a new state prison shall be credited  
2 to the Economic Recovery Contingency Fund for fiscal year 2023-24 and to  
3 the Inland Port Authority Fund for fiscal years 2024-25 and 2025-26.

4 Sec. 12. Section 81-1239, Revised Statutes Supplement, 2023, is  
5 amended to read:

6 81-1239 (1) The Middle Income Workforce Housing Investment Fund is  
7 created. Funding for the grant program described in section 81-1238 shall  
8 come from the Middle Income Workforce Housing Investment Fund. The Middle  
9 Income Workforce Housing Investment Fund may include revenue from  
10 appropriations from the Legislature, grants, private contributions, and  
11 other sources. Any money in the Middle Income Workforce Housing  
12 Investment Fund available for investment shall be invested by the state  
13 investment officer pursuant to the Nebraska Capital Expansion Act and the  
14 Nebraska State Funds Investment Act.

15 (2) The department shall establish a subaccount within the Middle  
16 Income Workforce Housing Investment Fund that shall be used to fund  
17 affordable housing and related land parcel preparation activities under  
18 the Economic Recovery Act as described in subdivisions ~~(4)(d)~~ ~~(4)(e)~~ and  
19 ~~(e)~~ ~~(4)(f)~~ of section 81-12,241.

20 (3) The department shall administer the Middle Income Workforce  
21 Housing Investment Fund and may seek additional private or nonstate funds  
22 to use in the grant program, including, but not limited to, contributions  
23 from the Nebraska Investment Finance Authority and other interested  
24 parties.

25 (4) Interest earned by the department on grant funds shall be  
26 applied to the grant program.

27 (5) If a nonprofit development organization, or a recipient of  
28 subaccount funds described in subsection (2) of this section, fails to  
29 engage in a qualified activity within twenty-four months after receiving  
30 initial grant funding, the nonprofit development organization or  
31 recipient of subaccount funds shall return the grant proceeds to the

1 department for credit to the General Fund.

2 (6) Beginning July 1, 2029, any funds held by the department in the  
3 Middle Income Workforce Housing Investment Fund shall be transferred to  
4 the General Fund.

5 Sec. 13. Section 81-1243, Revised Statutes Supplement, 2023, is  
6 amended to read:

7 81-1243 The department may adopt and promulgate rules and  
8 regulations to administer and enforce the Middle Income Workforce Housing  
9 Investment Act, including rules, regulations, and reporting requirements  
10 relating to proposals pursuant to subdivisions ~~(4)(d)~~ ~~(4)(e)~~ and (e) ~~(f)~~  
11 of section 81-12,241.

12 Sec. 14. Section 81-12,195, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 81-12,195 Sections 81-12,195 to 81-12,218 and section 16 of this act  
15 shall be known and may be cited as the Nebraska Rural Projects Act.

16 Sec. 15. Section 81-12,196, Revised Statutes Cumulative Supplement,  
17 2022, is amended to read:

18 81-12,196 For purposes of the Nebraska Rural Projects Act, the  
19 definitions found in sections 81-12,197 to 81-12,207 and section 16 of  
20 this act shall be used.

21 Sec. 16. Inland port authority has the same meaning as in section  
22 13-3303.

23 Sec. 17. Section 81-12,201, Revised Statutes Cumulative Supplement,  
24 2022, is amended to read:

25 81-12,201 Investment means the amount paid by the applicant for the  
26 project and includes any funding and other resources directed toward the  
27 project by a city, a county, or a public utility. The term also includes  
28 any applicant resources received by the applicant for the project. The  
29 term does not include any matching funds received by the applicant under  
30 the Nebraska Rural Projects Act.

31 Sec. 18. Section 81-12,203, Revised Statutes Supplement, 2023, is

1 amended to read:

2 81-12,203 Project means expenses incurred or to be incurred at one  
3 qualified location for:

4 (1) Site acquisition and preparation, transportation infrastructure,  
5 utility extensions, and rail spur construction for the development of a  
6 new industrial rail access business park, including any such expenses  
7 incurred to assist an initial tenant at such business park that conducts  
8 business in the manufacturing, processing, distribution, or transloading  
9 trades; or

10 (2) Site acquisition and preparation, transportation infrastructure,  
11 or and rail spur construction within thirty miles of the largest  
12 artificial reservoir constructed in this state for the storage of water.

13 Sec. 19. Section 81-12,215, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 81-12,215 (1) If approved by the director, an ~~an~~ applicant may sell  
16 all or any part of the project authorized by the Nebraska Rural Projects  
17 Act or the land on which such project is situated to (a) a person who is  
18 seeking to establish a business at the site of such project, (b) a city,  
19 a county, or a public utility for the purpose of public works  
20 infrastructure, including, but not limited to, storm water management, or  
21 (c) an inland port authority for the purpose of developing, operating, or  
22 managing an inland port district located at the site of such project if  
23 ~~the sale is approved by the director.~~

24 (2) The director shall approve a sale under this section if the  
25 director finds that:

26 (a) The ~~the~~ sale furthers the goals of the project and the Nebraska  
27 Rural Projects Act; or -

28 (b) If the sale is to an inland port authority, the sale furthers  
29 the goals of both the Nebraska Rural Projects Act and the Municipal  
30 Inland Port Authority Act.

31 (3) Any sale under this section shall not affect any matching funds



1 already granted to the applicant and shall not disqualify the applicant  
2 from receiving matching funds after the sale.

3 Sec. 20. Section 81-12,241, Revised Statutes Supplement, 2023, is  
4 amended to read:

5 81-12,241 (1) A primary responsibility of the Economic Recovery and  
6 Incentives Division of the Department of Economic Development shall be to  
7 utilize federal or state funding to award grants as provided in this  
8 section. For grants awarded under this section, the division shall pay a  
9 grantee an advance of fifty percent of the total grant awarded with the  
10 remaining grant funds paid on a monthly basis until the grant is paid in  
11 full or by December 31, 2026, whichever occurs sooner. The division may  
12 (a) require a grantee to return unused grant funds upon a documented  
13 finding that such funds are not being used for the purpose for which the  
14 grant was awarded or (b) reduce any future monthly payments by the amount  
15 of such unused funds already paid.

16 (2) The division shall direct and prioritize the use of grants  
17 awarded under this section toward the economic recovery of those  
18 communities and neighborhoods within qualified census tracts or economic  
19 redevelopment areas located within the boundaries of a city of the  
20 metropolitan class that were disproportionately impacted by the COVID-19  
21 public health emergency and related challenges, with an emphasis on  
22 housing needs, assistance for small businesses, job training, and  
23 business development within such communities and neighborhoods. In  
24 prioritizing the use of grants awarded within the boundaries of a city of  
25 the metropolitan class, the Economic Recovery and Incentives Division  
26 shall rely on any studies produced pursuant to section 81-12,242.

27 (3)(a) The Economic Recovery and Incentives Division shall create a  
28 Qualified Census Tract Recovery Grant Program to provide funding to  
29 public and private entities located within qualified census tracts  
30 throughout the state to respond to the negative impact of the COVID-19  
31 public health emergency.

1 (b) Not to exceed ten million dollars in grants shall be distributed  
2 under the grant program to eligible grantees in qualified census tracts  
3 that are located in a city of the primary class.

4 (c) Not to exceed ten million dollars in grants shall be distributed  
5 under the grant program to eligible grantees in qualified census tracts  
6 that are located outside of a city of the metropolitan class or a city of  
7 the primary class.

8 (d)(i) All remaining funds shall be allocated for grants distributed  
9 under the grant program to eligible grantees in qualified census tracts  
10 that are located in a city of the metropolitan class.

11 (ii) Any funds not applied for within such areas may be allocated  
12 for grants to eligible grantees in any qualified census tract in such  
13 city.

14 (4) In addition to grants under the Qualified Census Tract Recovery  
15 Grant Program, the Economic Recovery and Incentives Division shall  
16 provide grant funding for the following purposes:

17 (a) Not to exceed ninety million dollars in grants to a nonprofit  
18 economic development organization for the development of a business park  
19 located within or adjacent to one or more qualified census tracts located  
20 within the boundaries of a city of the metropolitan class and within two  
21 miles of a major airport as defined in section 13-3303. An innovation hub  
22 as defined in section 81-12,108 shall not qualify for a grant under this  
23 subdivision. Before the release of such grant funds, the division  
24 shall: ÷

25 (i) Require each recipient of a grant under this subdivision (a) to  
26 attend all meetings of the community advisory committee created pursuant  
27 to section 4 of this act;

28 (ii) Require each grant recipient to establish a distinct bank  
29 account exclusively for the management of grant funds received under this  
30 subdivision (a). All proceeds from the lease, sale, or purchase of any  
31 real property in the business park by any grant recipient shall only be

1 used for the business park for a minimum of fifteen years after receipt  
2 of the grant funding; and

3 (iii) Not release any funds other than the planning grant to any  
4 recipient of a grant under this subdivision (a) until the following  
5 occurs:

6 (A) The division receives from the grantee a ten-year financial pro  
7 forma and the grantee completes due diligence on such ten-year financial  
8 pro forma;

9 (B) The grantee holds two public input meetings to receive public  
10 input regarding concerns, ideas, and priorities for economic development  
11 initiatives within the business park. Such public input meetings shall  
12 provide a platform for dialogue and collaboration between residents, the  
13 developer, local government officials, and other stakeholders; and

14 (C) A letter of support is received from the inland port authority  
15 managing the inland port district in which such business park is located;

16 ~~(b) Not to exceed thirty million dollars in grants to one or more~~  
17 ~~innovation hubs located within or adjacent to one or more qualified~~  
18 ~~census tracts and within two miles of a major airport as defined in~~  
19 ~~section 13-3303 providing services and resources within qualified census~~  
20 ~~tracts located within the boundaries of a city of the metropolitan class;~~

21 ~~(b) (c) Not to exceed six million dollars in grants to a nonprofit~~  
22 ~~organization partnering with a city of the metropolitan class for the~~  
23 ~~purpose of providing internships and crime prevention within qualified~~  
24 ~~census tracts located within the boundaries of such city;~~

25 ~~(c) (d) Not to exceed five million dollars in grants pursuant to the~~  
26 ~~purposes of the Nebraska Film Office Fund on or before June 30, 2023, for~~  
27 ~~the purpose of producing a film on Chief Standing Bear, a portion of~~  
28 ~~which is to be filmed in one or more qualified census tracts located~~  
29 ~~within the boundaries of a city of the metropolitan class;~~

30 ~~(d) (e) Not to exceed twenty million dollars in grants to public or~~  
31 ~~private entities to prepare land parcels for affordable housing or~~

1 conduct other eligible affordable housing interventions under the federal  
2 American Rescue Plan Act of 2021 including production, rehabilitation,  
3 and preservation of affordable rental housing and affordable  
4 homeownership units within qualified census tracts which are located in a  
5 city of the metropolitan class;

6 (e) ~~(f)~~ Not to exceed twenty million dollars in grants to public or  
7 private entities to prepare land parcels for affordable housing or  
8 conduct other eligible affordable housing interventions under the federal  
9 American Rescue Plan Act of 2021 including production, rehabilitation,  
10 and preservation of affordable rental housing and affordable  
11 homeownership units within qualified census tracts which are located in a  
12 city of the primary class;

13 (f) ~~(g)~~ Not to exceed five million dollars in grants to a county  
14 agricultural society with facilities within a city of the primary class  
15 to recoup lost revenue; and

16 (g) ~~(h)~~ Not to exceed one million dollars in grants to a  
17 postsecondary institution located in a qualified census tract in a city  
18 of the metropolitan class to provide funding for a financial literacy  
19 program to improve economic and health outcomes for individuals residing  
20 in qualified census tracts.

21 (5) For purposes of subdivisions (4)(d) ~~(4)(e)~~ and (e) ~~(f)~~ of this  
22 section, preparing land parcels shall include:

23 (a) Costs and fees associated with legal land surveys and structural  
24 assessments;

25 (b) Laying drinking water mains, lines, pipes, or channels;

26 (c) Development of access to essential utilities, such as sanitary  
27 sewer, electric, gas, and high-speed Internet;

28 (d) Rehabilitation, renovation, maintenance, or other costs to  
29 secure vacant or abandoned properties in disproportionately impacted  
30 communities;

31 (e) Acquiring and securing legal title of vacant or abandoned

1 properties in disproportionately impacted communities;

2 (f) Testing, removal, and remediation of environmental contaminants  
3 or hazards from vacant or abandoned properties in disproportionately  
4 impacted communities when conducted in compliance with applicable  
5 environmental laws or regulations;

6 (g) Demolition or deconstruction of vacant or abandoned buildings in  
7 disproportionately impacted communities; and

8 (h) Costs associated with inspection fees and other administrative  
9 costs incurred to ensure compliance with applicable environmental laws  
10 and regulations for demolition or other remediation activities in  
11 disproportionately impacted communities.

12 (6) All grants made by the Economic Recovery and Incentives Division  
13 utilizing federal funds allocated to the State of Nebraska from the  
14 federal Coronavirus State Fiscal Recovery Fund under the federal American  
15 Rescue Plan Act of 2021 shall meet the eligible uses under such act and  
16 any relevant guidance on the use of such funds by the United States  
17 Department of the Treasury.

18 (7) All grants made by the Economic Recovery and Incentives Division  
19 utilizing state funds to carry out subsection (2) of section 81-1239 are  
20 subject to the intent and basic parameters of the federal American Rescue  
21 Plan Act of 2021 but are not subject to meet the time restraints for  
22 allocation and spending of funds or the federal reporting requirements  
23 indicated in the federal American Rescue Plan Act of 2021.

24 Sec. 21. Section 81-12,241.01, Revised Statutes Supplement, 2023, is  
25 amended to read:

26 81-12,241.01 (1)(a) The Economic Recovery and Incentives Division of  
27 the Department of Economic Development shall create and administer the  
28 North and South Omaha Recovery Grant Program to provide grants as  
29 provided in this section to public and private entities to respond to the  
30 negative impact of the COVID-19 public health emergency and build  
31 resilient and innovative communities.

1 (b) To be eligible for a grant under the North and South Omaha  
2 Recovery Grant Program, a project shall:

3 (i) Be listed in the coordination plan or appendices by the Economic  
4 Recovery Special Committee of the Legislature dated January 10, 2023; and

5 (ii) Explain how the grant will relieve the negative impact of the  
6 COVID-19 public health emergency within a qualified census tract or an  
7 economic redevelopment area located within the boundaries of a city of  
8 the metropolitan class and build resilient and innovative communities,  
9 with a priority on small business development, job creation, and economic  
10 development within such communities.

11 (2) When considering projects for grants under this section, the  
12 division shall use the coordination plan and appendices, dated January  
13 10, 2023. Projects that would benefit communities and neighborhoods  
14 within qualified census tracts or economic redevelopment areas located  
15 within the boundaries of a city of the metropolitan class with a priority  
16 on small business development, job creation, and economic development  
17 within such communities and neighborhoods shall be prioritized.

18 (3) The division shall award additional grants for the following  
19 purposes:

20 (a) Not to exceed twenty million dollars in grants for the purpose  
21 of creating a museum located in one or more qualified census tracts  
22 located within the boundaries of a city of the metropolitan class and  
23 that is named in honor of a person inducted into the Nebraska Hall of  
24 Fame on or before September 1, 2023; and

25 (b) Not to exceed twenty million dollars in grants to federally  
26 qualified health centers located in a city of the metropolitan class.  
27 Such grants shall be used for persons receiving services under  
28 subsections (g), (h), or (i) of section 330 of the federal Public Health  
29 Service Act, 42 U.S.C. 254b, as such section existed on January 1, 2023.

30 (4) For grants awarded under this section, the division shall pay a  
31 grantee an advance of fifty percent of the total grant awarded with the

1 remaining grant funds paid on a monthly basis until the grant is paid in  
2 full or by December 31, 2027, whichever occurs sooner. If a grantee does  
3 not use the grant funds paid, the division may (a) require such grantee  
4 to return such unused grant funds upon a documented finding that such  
5 funds have not been used or (b) reduce any future monthly payments by the  
6 amount of such unused grant funds already paid.

7 (5) The Department of Economic Development may assign any grant or  
8 contract awarded under the Economic Recovery Act to a city of the  
9 metropolitan class or to an inland port authority located within such  
10 city.

11 Sec. 22. Section 81-12,243, Revised Statutes Supplement, 2023, is  
12 amended to read:

13 81-12,243 (1) The Economic Recovery Contingency Fund is created. The  
14 fund shall consist of transfers by the Legislature to carry out the  
15 Economic Recovery Act. Any money in the fund available for investment  
16 shall be invested by the state investment officer pursuant to the  
17 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
18 Act. Investment earnings on and after July 1, 2023, shall be credited to  
19 the fund.

20 (2) The Department of Economic Development may review the projects  
21 listed in the coordination plan and the appendices by the Economic  
22 Recovery Special Committee of the Legislature dated January 10, 2023, and  
23 shall prioritize the use of the fund on projects listed in the  
24 coordination plan followed by the projects in the appendices.

25 (3) The State Treasurer shall transfer thirty million dollars from  
26 the Economic Recovery Contingency Fund to the Inland Port Authority Fund  
27 no later than five business days after the operative date of this section  
28 for the purpose of creating and operating an innovation district by an  
29 inland port authority and for any other purpose authorized under the  
30 Municipal Inland Port Authority Act.

31 (4) The State Treasurer shall transfer any unobligated funds

1 remaining in the Economic Recovery Contingency Fund on July 31, 2026, to  
2 the Inland Port Authority Fund.

3 (5) The State Treasurer shall transfer seven million dollars from  
4 the Economic Recovery Contingency Fund to the Museum Construction and  
5 Maintenance Fund on or after January 1, 2026, but before June 30, 2026,  
6 on such dates and in such amounts as directed by the budget administrator  
7 of the budget division of the Department of Administrative Services.

8 Sec. 23. Section 81-12,244, Revised Statutes Supplement, 2023, is  
9 amended to read:

10 81-12,244 (1) It is the intent of the Legislature to appropriate ten  
11 million dollars from the General Fund for fiscal year 2023-24 to the  
12 Department of Economic Development to carry out the Economic Recovery  
13 Act. The department may use not more than ten million dollars of such  
14 money for the administration of the Economic Recovery Act.

15 (2) The State Treasurer shall transfer (a) any interest earned after  
16 April 19, 2022, and on or before June 30, 2024, on federal funds  
17 allocated to the State of Nebraska from the federal Coronavirus State  
18 Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of  
19 2021, 42 U.S.C. 802, as amended, to the Economic Recovery Contingency  
20 Fund between June 1, 2023, and June 30, 2023, and on or before June 30,  
21 2024 each year thereafter, on such dates and in such amounts as directed  
22 by the budget administrator of the budget division of the Department of  
23 Administrative Services, and (b) any investment earnings from the  
24 investment of money in (i) the Perkins County Canal Project Fund pursuant  
25 to section 61-305 to the Economic Recovery Contingency Fund between June  
26 1, 2023, and June 30, 2023, and on or before June 30 each year  
27 thereafter, on such dates and in such amounts as directed by the budget  
28 administrator of the budget division of the Department of Administrative  
29 Services, and (c) any investment earnings from the investment of money in  
30 (ii) the Nebraska Capital Construction Fund from transfers credited to  
31 such fund that are designated for the construction of a new state prison



1 pursuant to section 72-1001 to the Economic Recovery Contingency Fund  
2 between June 1, 2023, and June 30, 2023, and on or before June 30, 2024  
3 ~~each year thereafter through June 30, 2026~~, on such dates and in such  
4 amounts as directed by the budget administrator of the budget division of  
5 the Department of Administrative Services.

6 (3) It is the intent of the Legislature that any unobligated amount  
7 as of July 1, 2024, of the federal funds allocated to the State of  
8 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant  
9 to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as  
10 amended, be appropriated to the Department of Economic Development to  
11 carry out the Economic Recovery Act no later than August 1, 2024.

12 ~~(4) It is the intent of the Legislature to appropriate ten million~~  
13 ~~dollars from the General Fund to the Department of Economic Development~~  
14 ~~for fiscal year 2022-23 to provide grants under the Economic Recovery~~  
15 ~~Act.~~

16 (4) ~~(5)~~ It is the intent of the Legislature to transfer ten million  
17 dollars from the General Fund to the Economic Recovery Contingency Fund  
18 for fiscal year 2023-24 and ten million dollars from the General Fund to  
19 the Economic Recovery Contingency Fund for fiscal year 2024-25 to provide  
20 grants under the Economic Recovery Act.

21 Sec. 24. Section 84-602, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 84-602 It shall be the duty of the State Treasurer:

24 (1) To receive and keep all money of the state not expressly  
25 required to be received and kept by some other person;

26 (2) To disburse the public money upon warrants drawn upon the state  
27 treasury according to law and not otherwise;

28 (3) To keep a just, true, and comprehensive account of all money  
29 received and disbursed;

30 (4) To keep a just account with each fund, and each head of  
31 appropriation made by law, and the warrants drawn against them;

1 (5) To report electronically to the Legislature as soon as  
2 practicable, but within ten days after the commencement of each regular  
3 session, a detailed statement of the condition of the treasury and its  
4 operations for the preceding fiscal year;

5 (6) To give information electronically to the Legislature, whenever  
6 required, upon any subject connected with the treasury or touching any  
7 duty of his or her office;

8 (7) To account for, and pay over, all money received by him or her  
9 as such treasurer, to his or her successor in office, and deliver all  
10 books, vouchers, and effects of office to him or her; and such successor  
11 shall receipt therefor. In accounting for and paying over such money the  
12 treasurer shall not be held liable on account of any loss occasioned by  
13 any investment, when such investment shall have been made pursuant to the  
14 direction of the state investment officer;~~and~~

15 (8) To develop and maintain the website required under the Taxpayer  
16 Transparency Act; ~~and -~~

17 (9) To award grants as provided under the Municipal Inland Port  
18 Authority Act.

19 Sec. 25. Sections 25 to 38 of this act shall be known and may be  
20 cited as the Child Care Capacity Building and Workforce Act.

21 Sec. 26. The Legislature finds that:

22 (1) There is a lack of licensed child care programs in Nebraska;

23 (2) Providing incentives and support to the child care workforce  
24 will help maintain and increase the child care capacity in Nebraska;

25 (3) An increased child care capacity will bolster Nebraska's economy  
26 by providing parents and guardians the ability to enter, re-enter, and  
27 remain in the workforce; and

28 (4) The benefits of quality child care and early childhood education  
29 are indisputable and a connection exists between a child's learning  
30 experiences before entering kindergarten and success in school.

31 Sec. 27. For purposes of the Child Care Capacity Building and

1 Workforce Act:

2 (1) Capacity means the number of children receiving care or services  
3 through an approved program;

4 (2) Community foundation means a tax-exempt, nonprofit, autonomous,  
5 nonsectarian, philanthropic institution supported by the public with the  
6 long-term goals of:

7 (a) Building permanent, component funds established by many separate  
8 donors to carry out charitable interests; and

9 (b) Supporting the broad-based charitable interests and benefiting  
10 the residents of a defined geographic area;

11 (3) Department means the Department of Economic Development;

12 (4) Eligible recipient means:

13 (a) Any city of the metropolitan class, city of the primary class,  
14 city of the first class, city of the second class, village, or county;

15 (b) Any nonprofit organization, including any community foundation;  
16 or

17 (c) Any other entity determined appropriate in rules and regulations  
18 adopted and promulgated by the department;

19 (5) License-exempt provider means any approved license-exempt  
20 provider enrolled in the child care subsidy program pursuant to sections  
21 68-1202 and 68-1206;

22 (6) Licensed child care program means a program described in section  
23 71-1911; and

24 (7) Regional facilitator hub means any entity that provides  
25 administrative and technical support to any licensed child care program,  
26 including any:

27 (a) Nonprofit organization; or

28 (b) Community foundation.

29 Sec. 28. (1) The Child Care Capacity Building and Workforce Grant  
30 Program is created.

31 (2) The department shall contract with a statewide organization that

1 supports children and families to administer the program, which may  
2 include providing technical assistance to any grant recipient. Up to five  
3 percent of the money appropriated to the department each fiscal year for  
4 purposes of the Child Care Capacity Building and Workforce Act may be  
5 reserved for such contract with a statewide organization.

6 (3) Under the guidance of the department, the statewide organization  
7 shall be responsible for the following under the program:

8 (a) Prescribing the form on which an eligible recipient may apply to  
9 receive a grant under the program;

10 (b) Reviewing applications and identifying potential grant  
11 recipients;

12 (c) Providing technical assistance to grant recipients; and

13 (d) Coordinating with the Department of Health and Human Services  
14 and the State Department of Education to determine if the grant request  
15 will help meet the child care needs of the eligible recipient.

16 (4) The Department of Economic Development shall:

17 (a) Award grants to eligible recipients across the state and in  
18 urban and rural areas to the fullest extent possible;

19 (b) Award a grant to an eligible recipient based upon a list of the  
20 potential grant recipients that are identified by the statewide  
21 organization; and

22 (c) Prioritize applicants that are requesting a grant to:

23 (i) Increase child care capacity for children three years of age or  
24 younger by creating a new licensed child care program or license-exempt  
25 child care program serving children enrolled in child care subsidy or  
26 expanding an existing licensed-child care or license-exempt child care  
27 program serving children enrolled in child care subsidy;

28 (ii) Support the child care workforce; or

29 (iii) Create a child care program in a county that is not served by  
30 any licensed or license-exempt child care program that offers full-day  
31 full-year care.

1           Sec. 29. To be eligible to receive a grant under the Child Care  
2 Capacity Building and Workforce Grant Program, an eligible recipient  
3 shall complete the application form prescribed by the statewide  
4 organization and provide for a one-to-one match for the amount of the  
5 grant. The eligible recipient shall include the following required  
6 information in its grant application:

7           (1) A needs assessment showing the child care capacity and the needs  
8 of the eligible recipient at the time of application;

9           (2) How the eligible recipient plans to use the grant;

10           (3) How the eligible recipient plans to provide a one-to-one match  
11 for the amount of any grant received. Such match shall be in the form of:

12           (a) Money or other collateral;

13           (b) An in-kind donation, including a donation of facilities,  
14 maintenance, or equipment; or

15           (c) Any combination of money, collateral, or in-kind donation that  
16 is approved by the department; and

17           (4) Any other information required by the department.

18           Sec. 30. A grant recipient under the Child Care Capacity Building  
19 and Workforce Grant Program may use the grant to provide financial or  
20 other support to:

21           (1) The operation of a licensed child care program;

22           (2) The operation of a license-exempt provider serving children  
23 enrolled in child care subsidy;

24           (3) The child care workforce;

25           (4) Parents or guardians with children in child care programs;

26           (5) A federal Head Start program or Early Head Start program;

27           (6) Start or expand any existing licensed child care program or  
28 license-exempt program serving any child on a child care subsidy;

29           (7) An entity other than the statewide organization contracted to  
30 administer the Child Care Capacity Building and Workforce Program that  
31 provides administrative or technical support to a child care program;

- 1           (8) Build or remodel an existing building for child care purposes;  
2           (9) Any purpose specified in rules and regulations adopted and  
3 promulgated by the department; or  
4           (10) Any combination of such purposes.

5           Sec. 31. (1) Each grant recipient under the Child Care Capacity  
6 Building and Workforce Grant Program shall provide the one-to-one match  
7 prior to receiving any disbursement of grant proceeds under the program.

8           (2) The department shall specify how a grant recipient may provide  
9 proof of a one-to-one match for a grant.

10           (3) The department shall disburse the grant proceeds to any grant  
11 recipient that provides satisfactory proof of a one-to-one match. The  
12 grant may be disbursed in increments as determined by the department.

13           Sec. 32. (1)(a) If the department determines that a grant recipient  
14 used the grant other than as provided in section 30 of this act, the  
15 department may request the grant recipient to repay such grant and any  
16 remaining portion of the grant in the possession of the grant recipient  
17 to the department.

18           (b) If the department determines that a grant recipient falsified  
19 any information provided in the application process, the department may  
20 request the grant recipient to repay any or all of the grant disbursed to  
21 the grant recipient.

22           (2) A grant recipient that receives a request to repay a grant  
23 pursuant to subsection (1) of this section may appeal the decision, and  
24 the appeal shall be in accordance with the Administrative Procedure Act.

25           (3) Any money received under this section shall be remitted to the  
26 State Treasurer for credit to the Child Care Capacity Building and  
27 Workforce Cash Fund.

28           Sec. 33. The department shall submit a report to the Legislature  
29 electronically on July 1, 2025, and each July 1 thereafter. Each report  
30 shall include the following:

31           (1) For each grant awarded under the Child Care Capacity Building

1 and Workforce Grant Program since the effective date of this act for the  
2 first such report and since the most recent report under this section for  
3 each subsequent report:

4 (a) The name of the grant recipient;

5 (b) The amount of the grant;

6 (c) The reason the grant was requested; and

7 (d) The number, age, and county location of any children served  
8 through a valid use of a grant described under section 30 of this act;

9 (2) The total amount of money awarded as grants and the total number  
10 of children served under subdivision (1) of this section;

11 (3) A compilation of ages and county locations of all children  
12 served through a valid use of a grant described under section 30 of this  
13 act;

14 (4) Administrative costs of the department to administer the Child  
15 Care Capacity Building and Workforce Grant Program; and

16 (5) Any other information the department deems relevant to the Child  
17 Care Capacity Building and Workforce Grant Program.

18 Sec. 34. (1) The Family Child Care Home Grant Program is created  
19 and shall be administered by the department.

20 (2) The department shall provide grants for new and existing  
21 licensed family child care home programs in residential and  
22 nonresidential facilities and to create regional facilitator hubs in  
23 order to provide administrative and technical support to new and existing  
24 licensed family child care home programs in residential and  
25 nonresidential facilities.

26 (3) Any licensed child care provider, nonprofit organization, for-  
27 profit organization, community foundation, school, or regional  
28 facilitator hub or any other entity specified in rules and regulations  
29 adopted and promulgated by the department may apply for a grant under the  
30 Family Child Care Home Grant Program.

31 (4) A grant recipient under the Family Child Care Home Grant Program

1 shall only use the grant to provide financial or other support to:

2 (a) An existing licensed family child care program in a residential  
3 or nonresidential building that is licensed to serve up to twelve  
4 children of mixed ages;

5 (b) Create a new licensed family child care home program in a  
6 residential or nonresidential building that is licensed to serve up to  
7 twelve children of mixed ages; or

8 (c) Regional facilitator hubs that will provide administrative and  
9 technical support to family child care home programs.

10 Sec. 35. The department shall submit a report to the Legislature  
11 electronically on July 1, 2025, and each July 1 thereafter. Each report  
12 shall include the following:

13 (1) For each grant awarded under the Family Child Care Home Grant  
14 Program since the operative date of this section for the first such  
15 report and since the most recent report under this section for each  
16 subsequent report:

17 (a) The name of the grant recipient;

18 (b) The amount of the grant;

19 (c) The reason the grant was requested and how the money was used by  
20 the grant recipient; and

21 (d) The number, age, and county location of any children served  
22 through a valid use of a grant described under section 34 of this act;

23 (2) The total amount of money awarded as grants and the total number  
24 of children served under subdivision (1) of this section;

25 (3) A compilation of ages and county locations of all children  
26 served through a valid use of a grant described under section 34 of this  
27 act;

28 (4) Administrative costs of the department to administer the Family  
29 Child Care Home Grant Program; and

30 (5) Any other information the department deems relevant to the  
31 Family Child Care Home Grant Program.



1           Sec. 36. (1) The Child Care Capacity Building and Workforce Cash  
2 Fund is created. The department shall administer the fund for purposes of  
3 the Child Care Capacity Building and Workforce Act. The fund may consist  
4 of transfers authorized by the Legislature and any gifts, grants,  
5 bequests, or donations to the fund.

6           (2) Any money in the fund available for investment shall be invested  
7 by the state investment officer pursuant to the Nebraska Capital  
8 Expansion Act and the Nebraska State Funds Investment Act.

9           Sec. 37. The total amount of grants awarded under the Child Care  
10 Capacity Building and Workforce Act shall be subject to the appropriation  
11 of funds from the Child Care Capacity Building and Workforce Cash Fund.

12           Sec. 38. The department may adopt and promulgate rules and  
13 regulations to administer the Child Care Capacity Building and Workforce  
14 Act.

15           Sec. 39. Section 31, Legislative Bill 1413, One Hundred Eighth  
16 Legislature, Second Session, 2024, is amended to read:

17           Sec. 31. The Museum Construction and Maintenance Fund is hereby  
18 created. The fund shall consist of transfers at the direction of the  
19 Legislature and any gifts, bequests, or other contributions to such fund  
20 from public or private entities. The Game and Parks Commission shall  
21 administer the fund. The fund shall be used to (1) provide grants to a  
22 federally recognized Indian tribe for the purposes of construction of a  
23 museum and visitor center honoring Chief Standing Bear, including visitor  
24 center development, exhibit fabrication, and historical interpretation,  
25 and for any administrative costs related to the grants, and (2)  
26 construct, develop, and manage a museum at Fort Robinson State Park. Any  
27 money in the fund available for investment shall be invested by the state  
28 investment officer pursuant to the Nebraska Capital Expansion Act and the  
29 Nebraska State Funds Investment Act. Investment earnings shall be  
30 credited to the fund.

31           Sec. 40. Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36,

1 37, and 38 of this act become operative three calendar months after the  
2 adjournment of this legislative session. The other sections of this act  
3 become operative on their effective date.

4 Sec. 41. Original sections 13-3301, 13-3303, 13-3304, 13-3310, and  
5 13-3311, Reissue Revised Statutes of Nebraska, sections 81-12,195,  
6 81-12,196, 81-12,201, 81-12,215, and 84-602, Revised Statutes Cumulative  
7 Supplement, 2022, sections 72-819, 72-1001, 81-1239, 81-1243, 81-12,203,  
8 81-12,241, 81-12,241.01, 81-12,243, and 81-12,244, Revised Statutes  
9 Supplement, 2023, and section 31, Legislative Bill 1413, One Hundred  
10 Eighth Legislature, Second Session, 2024, are repealed.

11 Sec. 42. Since an emergency exists, this act takes effect when  
12 passed and approved according to law.