

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1014

FINAL READING
(SECOND)

Introduced by Speaker Hilgers, 21; at the request of the Governor.

Read first time January 13, 2022

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to state intent; to define
- 2 terms; to appropriate funds allocated to the State of Nebraska from
- 3 the federal Coronavirus State Fiscal Recovery Fund pursuant to the
- 4 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended;
- 5 and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill passed by
3 the One Hundred Seventh Legislature, First or Second Session, which
4 appropriates funds, FY2021-22 means the period July 1, 2021, through June
5 30, 2022; FY2022-23 means the period July 1, 2022, through June 30, 2023;
6 FY2023-24 means the period July 1, 2023, through June 30, 2024; and
7 FY2024-25 means the period July 1, 2024, through June 30, 2025.

8 Sec. 2. APPROPRIATION LANGUAGE.

9 There are hereby appropriated, for FY2021-22 and FY2022-23, the sums
10 set forth in this act to each agency for each program from Federal Funds.
11 The Federal Funds appropriated in this act are from the funds allocated
12 to the State of Nebraska from the federal Coronavirus State Fiscal
13 Recovery Fund pursuant to the federal American Rescue Plan Act of 2021,
14 42 U.S.C. 802, as amended. The sums set forth in this act for FY2022-23
15 shall be made available by the budget administrator of the budget
16 division of the Department of Administrative Services only upon
17 confirmation that such funds have been received and made available to the
18 State of Nebraska under 42 U.S.C. 802, as amended.

19 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

20 All certified encumbrance amounts on June 30, 2022, are hereby
21 reappropriated for FY2022-23, which amounts shall be in addition to the
22 amounts shown in this act.

23 Sec. 4. REAPPROPRIATION OF BALANCES, FY2021-22 to FY2022-23;
24 FY2022-23 to FY2023-24; FY2023-24 to FY2024-25.

25 In addition to the appropriations set forth in this act, there are
26 hereby reappropriated all unexpended appropriation balances of the
27 Federal Funds appropriated in this act existing on June 30, 2022, for
28 FY2022-23 to the respective agencies, programs, and funds listed in this
29 act, except as otherwise provided in this act.

30 It is the intent of the Legislature that all unexpended
31 appropriation balances of the Federal Funds appropriated in this act

1 existing on June 30, 2023, be reappropriated for FY2023-24 to the
2 respective agencies, programs, and funds listed in this act.

3 It is the intent of the Legislature that of the Federal Funds
4 appropriated and reappropriated in this act only the amounts obligated by
5 June 30, 2024, be reappropriated for FY2024-25 to the respective
6 agencies, programs, and funds listed in this act.

7 Sec. 5. OPERATING AND ADMINISTRATIVE EXPENSES.

8 The operating and administrative expenditures of any agency, board,
9 or commission related to the use of the Federal Funds appropriated
10 pursuant to this act shall be expended or reimbursed through the Federal
11 Fund appropriation for operating and administrative costs to the Military
12 Department, Agency No. 31, Program No. 191, as identified in section 34
13 of this act.

14 The administrative expenditures of any agency, board, or commission
15 related to the use of the Federal Funds appropriated pursuant to this act
16 shall not exceed fifteen percent of the Federal Fund appropriation to
17 such agency, board, or commission for such purpose.

18 The expenditures for permanent and temporary salaries and per diems
19 for FY2022-23 as provided for in this act shall not be considered in the
20 basis for continuation funding for any fiscal year of a succeeding
21 biennium.

22 Sec. 6. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

23 The definitions contained in the Nebraska Accounting System Manual,
24 and any amendments thereto, on file with the Clerk of the Legislature are
25 hereby adopted by the Legislature as the definitions for this act except
26 as otherwise provided in section 7 of this act.

27 Sec. 7. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

28 (1) For purposes of this act, (a) SALARY LIMIT shall mean total
29 expenditures for permanent and temporary salaries and per diems and (b)
30 total expenditures for permanent and temporary salaries and per diems
31 shall mean all remuneration paid to employees treated as taxable

1 compensation by the Internal Revenue Service or subject to social
2 security coverage, specifically including payments accounted for as
3 vacation, holidays, sick leave, military leave, funeral leave, maternity
4 leave, administrative leave, compensatory time, deferred compensation, or
5 any other similar form, and amounts withheld pursuant to law, but
6 excluding state contributions for social security, retirement, and
7 employee insurance plans.

8 (2) Expenditures for permanent and temporary salaries and per diems
9 from Federal Funds allocated pursuant to the federal American Rescue Plan
10 Act of 2021, 42 U.S.C. 802, shall be in addition to the limitation on
11 permanent and temporary salaries and per diems otherwise established by
12 law. No agency shall request any state funds for continuation or
13 replacement of any such personnel or activities in future budget
14 requests.

15 Sec. 8. BUDGET STATUS REPORTS.

16 All state agencies, boards, and commissions shall promptly establish
17 detailed Budget Status Reports at the budget subprogram level in the
18 Nebraska Accounting System and adjust the reports as necessary during
19 each fiscal year to reflect the most current appropriations shown on the
20 Allotment Status Report.

21 Sec. 9. DRAWING AND PAYING WARRANTS.

22 The Director of Administrative Services shall draw warrants upon the
23 proper fund in the state treasury for an amount not to exceed the
24 appropriations set forth in this act upon presentation of proper
25 documentation. The State Treasurer shall pay the warrants out of the
26 appropriate funds.

27 Sec. 10. All grants utilizing Federal Funds allocated to the State
28 of Nebraska from the federal Coronavirus State Fiscal Recovery Fund shall
29 meet the eligible uses under the federal American Rescue Plan Act of 2021
30 and any relevant guidance on the use of such funds by the United States
31 Department of the Treasury.

1 Each agency, board, or commission shall complete guidance documents
2 related to the distribution of the Federal Funds appropriated pursuant to
3 this act within sixty days after the effective date of this act.

4 Each such agency, board, or commission shall provide a report to the
5 Executive Board of the Legislative Council within ninety days after the
6 effective date of this act that outlines whether the projects or
7 appropriations assigned to the agency, board, or commission by the
8 Legislature comply with the federal act or regulations.

9 Sec. 11. None of the funds appropriated in this act shall be used
10 for or by a joint public agency as defined in the Joint Public Agency
11 Act.

12 Sec. 12. PUBLIC HEALTH AND SAFETY PREMIUM PAY.

13 There are hereby appropriated for FY2021-22 the following amounts of
14 Federal Funds related to premium pay for Public Health and Public Safety
15 positions as a result of COVID-19 conditions, totaling \$36,700,000. The
16 appropriations in this section shall be allocated according to the
17 following agency and program classifications:

18 AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

19 Program No. 33 - Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>
20		
21	<u>FEDERAL FUND</u>	<u>2,987,914</u>
		<u>-0-</u>
22	<u>PROGRAM TOTAL</u>	<u>2,987,914</u>
		<u>-0-</u>

23 AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

24 Program No. 250 - Juvenile Services Operations

	<u>FY2021-22</u>	<u>FY2022-23</u>
25		
26	<u>FEDERAL FUND</u>	<u>1,947,943</u>
		<u>-0-</u>
27	<u>PROGRAM TOTAL</u>	<u>1,947,943</u>
		<u>-0-</u>

28 AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

29 Program No. 359 - Bridge to Independence

	<u>FY2021-22</u>	<u>FY2022-23</u>
30		
31	<u>FEDERAL FUND</u>	<u>12,041</u>
		<u>-0-</u>

1	<u>PROGRAM TOTAL</u>	<u>12,041</u>	<u>-0-</u>
2	<u>AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>		
3	<u>Program No. 365 - Mental Health Operations</u>		
4		<u>FY2021-22</u>	<u>FY2022-23</u>
5	<u>FEDERAL FUND</u>	<u>7,047,420</u>	<u>-0-</u>
6	<u>PROGRAM TOTAL</u>	<u>7,047,420</u>	<u>-0-</u>
7	<u>AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>		
8	<u>Program No. 421 - Beatrice State Development Center</u>		
9		<u>FY2021-22</u>	<u>FY2022-23</u>
10	<u>FEDERAL FUND</u>	<u>762,616</u>	<u>-0-</u>
11	<u>PROGRAM TOTAL</u>	<u>762,616</u>	<u>-0-</u>
12	<u>AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS</u>		
13	<u>Program No. 511 - Veterans' Affairs</u>		
14		<u>FY2021-22</u>	<u>FY2022-23</u>
15	<u>FEDERAL FUND</u>	<u>3,546,602</u>	<u>-0-</u>
16	<u>PROGRAM TOTAL</u>	<u>3,546,602</u>	<u>-0-</u>
17	<u>AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES</u>		
18	<u>Program No. 200 - Operations</u>		
19		<u>FY2021-22</u>	<u>FY2022-23</u>
20	<u>FEDERAL FUND</u>	<u>20,262,543</u>	<u>-0-</u>
21	<u>PROGRAM TOTAL</u>	<u>20,262,543</u>	<u>-0-</u>
22	<u>AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES</u>		
23	<u>Program No. 214 - Vocational and Life Skills</u>		
24		<u>FY2021-22</u>	<u>FY2022-23</u>
25	<u>FEDERAL FUND</u>	<u>132,921</u>	<u>-0-</u>
26	<u>PROGRAM TOTAL</u>	<u>132,921</u>	<u>-0-</u>
27	<u>Sec. 13. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
28	<u>Program No. 401 - Services for the Deaf and Hard of Hearing</u>		
29		<u>FY2021-22</u>	<u>FY2022-23</u>
30	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>1,000,000</u>

1 Department, Agency No. 31, Program No. 191, as identified in section 34
2 of this act.

3 Sec. 15. AGENCY NO. 23 – DEPARTMENT OF LABOR

4 Program No. 31 - Division of Employment

	<u>FY2021-22</u>	<u>FY2022-23</u>
5		
6 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>10,000,000</u>
7 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>10,000,000</u>

8 There is included in the appropriation to this program for FY2022-23
9 \$10,000,000 Federal Funds for state aid, which shall only be used for
10 such purpose.

11 There is included in the amount shown as aid for this program for
12 FY2022-23 \$10,000,000 Federal Funds for worker training programs
13 administered by the Department of Labor and distributed through the
14 recommendation of the Nebraska Worker Training Board pursuant to the
15 guidelines established in section 48-622.03.

16 Expenditures from the appropriation to this program shall not be
17 restricted to state aid if operating and administrative expenditures are
18 necessary to administer the funding appropriated pursuant to this
19 section. In such instances, an agency, board, or commission shall be
20 reimbursed through the Federal Fund appropriation to the Military
21 Department, Agency No. 31, Program No. 191, as identified in section 34
22 of this act.

23 Sec. 16. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

24 Program No. 38 - Behavioral Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
25		
26 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>1,800,000</u>
27 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,800,000</u>

28 There is included in the appropriation to this program for FY2022-23
29 \$1,800,000 Federal Funds for state aid, which shall only be used for such
30 purpose.

31 There is included in the amount shown as aid for this program for

1 FY2022-23 \$1,800,000 Federal Funds for funding for a pediatric trauma
2 center in Nebraska to purchase technology that will support statewide
3 pediatric mental health services through telehealth and telemonitoring,
4 which shall only be used for such purpose.

5 Expenditures from the appropriation to this program shall not be
6 restricted to state aid if operating and administrative expenditures are
7 necessary to administer the funding appropriated pursuant to this
8 section. In such instances, an agency, board, or commission shall be
9 reimbursed through the Federal Fund appropriation to the Military
10 Department, Agency No. 31, Program No. 191, as identified in section 34
11 of this act.

12 Sec. 17. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
13 Program No. 175 - Rural Health Provider Incentive Program

	<u>FY2021-22</u>	<u>FY2022-23</u>
14		
15	<u>5,000,000</u>	<u>-0-</u>
16	<u>5,000,000</u>	<u>-0-</u>

17 There is included in the appropriation to this program for FY2021-22
18 \$5,000,000 Federal Funds for state aid, which shall only be used for such
19 purpose.

20 There is included in the amount shown as aid for this program for
21 FY2021-22 \$5,000,000 Federal Funds for repayment of qualified educational
22 debts owed by eligible health professionals as provided in section
23 71-5662.

24 Expenditures from the appropriation to this program shall not be
25 restricted to state aid if operating and administrative expenditures are
26 necessary to administer the funding appropriated pursuant to this
27 section. In such instances, an agency, board, or commission shall be
28 reimbursed through the Federal Fund appropriation to the Military
29 Department, Agency No. 31, Program No. 191, as identified in section 34
30 of this act.

31 Sec. 18. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

1 Program No. 176 - Nursing Incentives

	<u>FY2021-22</u>	<u>FY2022-23</u>
3 <u>FEDERAL FUND</u>	5,000,000	-0-
4 <u>PROGRAM TOTAL</u>	5,000,000	-0-

5 (1) There is included in the appropriation to this program for
6 FY2021-22 \$5,000,000 Federal Funds for state aid, which shall only be
7 used for such purpose.

8 (2) There is included in the amount shown as aid for this program
9 for FY2021-22 \$5,000,000 Federal Funds for scholarships to students (a)
10 residing in Nebraska, (b) intending to enroll or enrolled in a nursing
11 program that (i) is approved pursuant to sections 38-2232 to 38-2236,
12 (ii) is offered by a public or private postsecondary institution in
13 Nebraska, and (iii) consists of courses of instruction in regularly
14 scheduled classes leading only to an associate degree, diploma, or
15 certificate in nursing or an accelerated bachelor of science in nursing
16 degree, (c) intending to practice as a licensed practical nurse, licensed
17 registered nurse, or nurse aide upon completion of the approved nursing
18 program, and (d) agreeing in writing to work for two years in this state
19 as a licensed practical nurse, licensed registered nurse, or nurse aide
20 upon completion of the approved nursing program. Each qualifying student
21 shall receive a scholarship of up to \$2,500 per semester.

22 (3) Expenditures from the appropriation to this program shall not be
23 restricted to state aid if operating and administrative expenditures are
24 necessary to administer the funding appropriated pursuant to this
25 section. In such instances, an agency, board, or commission shall be
26 reimbursed through the Federal Fund appropriation to the Military
27 Department, Agency No. 31, Program No. 191, as identified in section 34
28 of this act.

29 Sec. 19. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

30 Program No. 347 - Public Assistance

	<u>FY2021-22</u>	<u>FY2022-23</u>
--	------------------	------------------

1	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>20,000,000</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>20,000,000</u>

3 (1)(a) There is included in the appropriation to this program for
4 FY2022-23 \$20,000,000 Federal Funds for state aid, which shall only be
5 used for such purpose.

6 (b) There is included in the amount shown as aid for this program
7 for FY2022-23 \$20,000,000 Federal Funds to provide grants to nonprofit
8 organizations pursuant to this section, which shall only be used for such
9 purpose.

10 (2) The Department of Health and Human Services shall create a
11 program to award grants to nonprofit organizations in the following
12 manner:

13 (a) \$17,500,000 shall be awarded to nonprofit organizations that
14 focus on food distribution in ten or more counties in the state and
15 qualify for The Emergency Food Assistance Program administered by the
16 United States Department of Agriculture. Funds awarded pursuant to this
17 subdivision (a) shall be used for the purchase and distribution of food,
18 infrastructure, and equipment and for construction of increased capacity;
19 and

20 (b) \$2,500,000 shall be awarded for regional or local capacity and
21 food security innovation grants to decrease Nebraska's reliance on
22 national supply chains, to support local businesses, to create local and
23 regional economic resilience, to encourage healthy eating habits, to
24 reduce food deserts, and to support partnerships between local businesses
25 and producers meeting the greatest needs statewide in the most efficient
26 and sustainable manner.

27 (3) The Department of Health and Human Services shall:

28 (a) Create a process for soliciting, vetting, awarding, and
29 monitoring grants; or

30 (b) Contract with a third-party to solicit, vet, award, and monitor
31 grants.

1 (4) The program created pursuant to this section shall be
2 coordinated and administered in compliance with the federal American
3 Rescue Plan Act of 2021.

4 (5) Expenditures from the appropriation to this program shall not be
5 restricted to state aid if operating and administrative expenditures are
6 necessary to administer the funding appropriated pursuant to this
7 section. In such instances, an agency, board, or commission shall be
8 reimbursed through the Federal Fund appropriation to the Military
9 Department, Agency No. 31, Program No. 191, as identified in section 34
10 of this act.

11 Sec. 20. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
12 Program No. 347 - Public Assistance

	<u>FY2021-22</u>	<u>FY2022-23</u>
14 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>4,000,000</u>
15 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>4,000,000</u>

16 There is included in the appropriation to this program for FY2022-23
17 \$4,000,000 Federal Funds for state aid, which shall only be used for such
18 purpose.

19 There is included in the amount shown as aid for this program for
20 FY2022-23 \$4,000,000 Federal Funds to contract with a statewide nonprofit
21 organization that supports children and families to increase child care
22 capacity in areas of need by providing grants to expand or start child
23 care programs for children from birth through five years of age.

24 Expenditures from the appropriation to this program shall not be
25 restricted to state aid if operating and administrative expenditures are
26 necessary to administer the funding appropriated pursuant to this
27 section. In such instances, an agency, board, or commission shall be
28 reimbursed through the Federal Fund appropriation to the Military
29 Department, Agency No. 31, Program No. 191, as identified in section 34
30 of this act.

31 Sec. 21. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

1	<u>Program No. 354 - Child Welfare Aid</u>		
2		<u>FY2021-22</u>	<u>FY2022-23</u>
3	<u>FEDERAL FUND</u>	<u>10,000,000</u>	<u>15,000,000</u>
4	<u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>15,000,000</u>

5 There is included in the appropriation to this program for FY2021-22
6 \$10,000,000 Federal Funds for state aid, which shall only be used for
7 such purpose. There is included in the appropriation to this program for
8 FY2022-23 \$15,000,000 Federal Funds for state aid, which shall only be
9 used for such purpose.

10 There is included in the amount shown as aid for this program for
11 FY2021-22 \$3,000,000 Federal Funds for an increase in provider rates,
12 which shall only be used for such purpose. There is included in the
13 amount shown as aid for this program for FY2022-23 \$12,000,000 Federal
14 Funds for an increase in provider rates, which shall only be used for
15 such purpose. It is the intent of the Legislature that the \$12,000,000
16 Federal Funds appropriated in FY2022-23 be used as follows: \$6,000,000
17 Federal Funds for provider rate increases in FY2022-23 and \$6,000,000
18 Federal Funds for provider rate increases in FY2023-24.

19 There is included in the amount shown as aid for this program for
20 FY2021-22 \$7,000,000 Federal Funds for child welfare case count increase,
21 which shall only be used for such purpose. There is included in the
22 amount shown as aid for this program for FY2022-23 \$3,000,000 Federal
23 Funds for child welfare case count increase, which shall only be used for
24 such purpose.

25 Expenditures from the appropriation to this program shall not be
26 restricted to state aid if operating and administrative expenditures are
27 necessary to administer the funding appropriated pursuant to this
28 section. In such instances, an agency, board, or commission shall be
29 reimbursed through the Federal Fund appropriation to the Military
30 Department, Agency No. 31, Program No. 191, as identified in section 34
31 of this act.

1 Sec. 22. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
2 Program No. 354 - Child Welfare Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
4 <u>FEDERAL FUND</u>	-0-	<u>1,000,000</u>
5 <u>PROGRAM TOTAL</u>	-0-	<u>1,000,000</u>

6 (1) There is included in the appropriation to this program for
7 FY2022-23 \$1,000,000 Federal Funds for state aid, which shall only be
8 used for such purpose.

9 (2) The Department of Health and Human Services shall use the funds
10 appropriated in this section for the following purposes:

11 (a) Facility upgrades, building maintenance, transportation,
12 construction, and training for youth who have aged out of the foster care
13 system; and

14 (b) Preparation of youth who have aged out of the foster care system
15 to enter the workforce in Nebraska.

16 (3) Any recipient of funding from the Department of Health and Human
17 Services pursuant to this section shall:

18 (a) Provide low-income housing in a campus environment for youth who
19 have aged out of the foster care system; and

20 (b) Require youth who have aged out of the foster care system to
21 find employment, attend school, or both.

22 (4) Expenditures from the appropriation to this program shall not be
23 restricted to state aid if operating and administrative expenditures are
24 necessary to administer the funding appropriated pursuant to this
25 section. In such instances, an agency, board, or commission shall be
26 reimbursed through the Federal Fund appropriation to the Military
27 Department, Agency No. 31, Program No. 191, as identified in section 34
28 of this act.

29 Sec. 23. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
30 Program No. 424 - Developmental Disability Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
--	------------------	------------------

1	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>47,500,000</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>47,500,000</u>

3 There is included in the appropriation to this program for FY2022-23
4 \$47,500,000 Federal Funds for state aid, which shall only be used for
5 such purpose.

6 There is included in the appropriation for this program for
7 FY2022-23 \$47,500,000 Federal Funds for rate increases for agency
8 providers for the following services: Prevocational; Residential
9 Habilitation, excluding Shared Living Services; Supported Employment -
10 Individual; Enclave; Behavioral In-Home Habilitation; Community
11 Inclusion; Community Integration; Consultative Assessment; Crisis
12 Intervention Support; Habilitative Workshop; Independent Living; In-Home
13 Residential Habilitation; Medical In-Home Habilitation; Supported Family
14 Living; Supported Employment - Follow Along; and Child Day Habilitation,
15 which shall only be used for such purpose. Such payments shall be used
16 for the purpose of enhancing employee retention and recruitment.

17 There is included in the amount shown for rate increases for agency
18 providers:

- 19 (1) \$20,000,000 for FY2022-23;
- 20 (2) \$15,000,000 for FY2023-24; and
- 21 (3) \$12,500,000 for FY2024-25.

22 Sec. 24. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

23 Program No. 502 - Public Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
24		
25	<u>-0-</u>	<u>10,000,000</u>
26	<u>-0-</u>	<u>10,000,000</u>

27 There is included in the appropriation to this program for FY2022-23
28 \$10,000,000 Federal Funds for state aid, which shall only be used for
29 such purpose.

30 There is included in the amount shown as aid for this program for
31 FY2022-23 \$10,000,000 Federal Funds for the local public health

1 departments that receive aid pursuant to section 71-1628.08, which shall
2 be distributed evenly to the local public health departments for one-time
3 infrastructure needs and any other costs, including testing, personal
4 protective equipment, and other preventive measures, to combat the
5 COVID-19 virus and any of its mutations.

6 Sec. 25. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
7 Program No. 502 - Public Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
9 <u>FEDERAL FUND</u>	<u>500,000</u>	<u>-0-</u>
10 <u>PROGRAM TOTAL</u>	<u>500,000</u>	<u>-0-</u>

11 There is included in the appropriation to this program for FY2021-22
12 \$500,000 Federal Funds for state aid, which shall only be used for such
13 purpose.

14 There is included in the amount shown as aid for this program for
15 FY2021-22 \$500,000 Federal Funds for the Human Immunodeficiency Virus
16 (HIV) Surveillance and Prevention Programs for education on the benefits
17 of preexposure prophylaxis medication and for the costs of medication.

18 Sec. 26. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
19 Program No. 514 - Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
21 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>5,000,000</u>
22 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>5,000,000</u>

23 There is included in the appropriation to this program for FY2022-23
24 \$5,000,000 Federal Funds for state aid, which shall only be used for such
25 purpose.

26 There is included in the amount shown as aid for this program for
27 FY2022-23 \$5,000,000 Federal Funds for a grant program for a model system
28 of care for individuals who have recovered from COVID-19 with persistent
29 symptoms. The one-time grant shall be awarded to a rehabilitation
30 hospital with the capacity to provide interdisciplinary research.

31 The model system of care shall be a comprehensive program to address

1 persistent COVID-19 symptoms and include the following activities:

2 (1) Post-COVID-19 research;

3 (2) Post-COVID-19 clinics;

4 (3) Mental health services expanded to address cognitive and
5 psychiatric needs of post-COVID-19 patients; and

6 (4) Educational materials for health care providers and the public.

7 Expenditures from the appropriation to this program shall not be
8 restricted to state aid if operating and administrative expenditures are
9 necessary to administer the funding appropriated pursuant to this
10 section. In such instances, an agency, board, or commission shall be
11 reimbursed through the Federal Fund appropriation to the Military
12 Department, Agency No. 31, Program No. 191, as identified in section 34
13 of this act.

14 Sec. 27. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
15 Program No. 514 - Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
17 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>5,462,800</u>
18 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>5,462,800</u>

19 (1) There is included in the appropriation to this program for
20 FY2022-23 \$5,462,800 Federal Funds for state aid, which shall only be
21 used for such purpose.

22 (2) The Department of Health and Human Services shall distribute the
23 funds appropriated in this section to assisted-living facilities. Such
24 distribution to a licensed assisted-living facility shall equal four
25 hundred dollars per licensed bed in such facility.

26 (3) A licensed assisted-living facility shall use the funds
27 distributed pursuant to this section for:

28 (a) Incentives for staff members employed by the licensed assisted-
29 living facility in order to enhance employee recruitment and retention;

30 or

31 (b) Assistance with costs for supplies and equipment purchased by

1 the licensed assisted-living facility.

2 Sec. 28. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

3 Program No. 514 - Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
4		
5 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>47,500,000</u>
6 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>47,500,000</u>

7 (1) There is included in the appropriation to this program for
8 FY2022-23 \$47,500,000 Federal Funds for state aid, which shall only be
9 used for such purpose.

10 (2) The Department of Health and Human Services shall provide money
11 to licensed and medicaid-certified nursing facilities in the following
12 manner:

13 (a) \$35,625,000 to medicaid-certified nursing facilities divided
14 proportionately by the medicaid-certified beds at such facilities; and

15 (b) \$11,875,000 divided proportionally by the medicaid-certified
16 beds at the facilities that are in the top twenty-five percent of
17 medicaid-certified nursing facilities with the highest percentage of
18 medicaid days, as a percentage of that facility's total days as reported
19 on provider tax forms and equally among the medicaid-certified nursing
20 facilities that were in the top twenty-five percent of medicaid-certified
21 nursing facilities with the highest percentage of bed-days paid by
22 medicaid in fiscal year 2021-22.

23 (3) The money provided to the licensed and medicaid-certified
24 nursing facilities by the Department of Health and Human Services shall
25 be used to provide supplemental incentive payments for direct care staff
26 members employed at licensed and medicaid-certified nursing facilities.
27 Such payments are intended to enhance employee recruitment and retention.

28 (4) It is the intent of the Legislature that the money paid to the
29 licensed and medicaid-certified nursing facilities pursuant to this
30 section be expended by such facilities for the purpose of enhancing
31 employee recruitment and retention of direct care staff as follows:

- 1 (a) \$20,000,000 total for FY2022-23;
- 2 (b) \$15,000,000 total for FY2023-24; and
- 3 (c) \$12,500,000 total for FY2024-25.

4 (5) For purposes of this section, direct care staff means nursing
 5 facility employees who regularly perform in-person work with residents,
 6 interact with residents, or physically handle items handled by residents.
 7 The term includes nurses, medication aides, therapists, therapy aides,
 8 dietary staff, social service and activity staff, housekeeping and
 9 maintenance staff, and other medical staff.

10 Sec. 29. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
 11 Program No. 514 - Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
12 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>20,000,000</u>
14 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>20,000,000</u>

15 There is included in the appropriation to this program for FY2022-23
 16 \$20,000,000 Federal Funds for state aid, which shall only be used for
 17 such purpose.

18 There is included in the amount shown as aid for this program for
 19 FY2022-23 \$20,000,000 Federal Funds for a rural ambulance replacement
 20 program, which shall only be used for such purpose.

21 Expenditures from the appropriation to this program shall not be
 22 restricted to state aid if operating and administrative expenditures are
 23 necessary to administer the funding appropriated pursuant to this
 24 section. In such instances, an agency, board, or commission shall be
 25 reimbursed through the Federal Fund appropriation to the Military
 26 Department, Agency No. 31, Program No. 191, as identified in section 34
 27 of this act.

28 Sec. 30. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
 29 Program No. 514 - Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
30 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>5,000,000</u>

1 \$2,500,000 Federal Funds for state aid, which shall only be used for such
2 purpose.

3 There is included in the appropriation to this program for FY2022-23
4 \$2,500,000 Federal Funds for purposes of providing grants of up to
5 \$250,000 for capital costs of expanding access to behavioral health acute
6 care beds in rural areas where beds are not currently available or a
7 shortage exists, which shall only be used for such purpose.

8 Expenditures from the appropriation to this program shall not be
9 restricted to state aid if operating and administrative expenditures are
10 necessary to administer the funding appropriated pursuant to this
11 section. In such instances, an agency, board, or commission shall be
12 reimbursed through the Federal Fund appropriation to the Military
13 Department, Agency No. 31, Program No. 191, as identified in section 34
14 of this act.

15 Sec. 32. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

16 Program No. 314 - Critical Infrastructure Facilities

	<u>FY2021-22</u>	<u>FY2022-23</u>
17		
18 <u>FEDERAL FUND</u>	<u>23,100,000</u>	<u>-0-</u>
19 <u>PROGRAM TOTAL</u>	<u>23,100,000</u>	<u>-0-</u>

20 There is included in the appropriation to this program for FY2021-22
21 \$23,100,000 Federal Funds for state aid, which shall only be used for
22 such purpose.

23 There is included in the amount shown as aid for this program for
24 FY2021-22 \$23,100,000 Federal Funds to provide a grant to an irrigation
25 district which is part of an interstate irrigation system that
26 experienced a failure, in order to satisfy matching requirements for a
27 project authorized by the United States Bureau of Reclamation for
28 construction and repairs on any tunnel or canal pursuant to the federal
29 American Rescue Plan Act of 2021.

30 Expenditures from the appropriation to this program shall not be
31 restricted to state aid if operating and administrative expenditures are

1 necessary to administer the funding appropriated pursuant to this
2 section. In such instances, an agency, board, or commission shall be
3 reimbursed through the Federal Fund appropriation to the Military
4 Department, Agency No. 31, Program No. 191, as identified in section 34
5 of this act.

6 Sec. 33. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES
7 Program No. 319 - Water Projects

	<u>FY2021-22</u>	<u>FY2022-23</u>
9 <u>FEDERAL FUND</u>	<u>20,000,000</u>	<u>-0-</u>
10 <u>PROGRAM TOTAL</u>	<u>20,000,000</u>	<u>-0-</u>

11 There is included in the appropriation to this program for FY2021-22
12 \$20,000,000 Federal Funds for state aid, which shall only be used for
13 such purpose.

14 There is included in the amount shown as aid for this program for
15 FY2021-22 \$20,000,000 Federal Funds to provide a grant to a city of the
16 primary class that utilizes more than thirty million gallons per day of
17 water to be used for the design, construction, and implementation of
18 additional water supply projects, which shall only be used for such
19 purpose. Eligible project costs shall include, but not be limited to,
20 costs for a water treatment plant, land acquisition, acquiring permits, a
21 wellfield, pumping, and transportation of water over twenty-five miles
22 for the purpose of providing potable water to the city. The Department of
23 Natural Resources may award a grant to a city of the primary class based
24 on criteria and procedures established by the department.

25 Expenditures from the appropriation to this program shall not be
26 restricted to state aid if operating and administrative expenditures are
27 necessary to administer the funding appropriated pursuant to this
28 section. In such instances, an agency, board, or commission shall be
29 reimbursed through the Federal Fund appropriation to the Military
30 Department, Agency No. 31, Program No. 191, as identified in section 34
31 of this act.

1 Sec. 34. AGENCY NO. 31 – MILITARY DEPARTMENT

2 Program No. 191 - Governor's Emergency Program - COVID-19

	<u>FY2021-22</u>	<u>FY2022-23</u>
4 <u>FEDERAL FUND est.</u>	<u>10,000,000</u>	<u>5,000,000</u>
5 <u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>5,000,000</u>

6 There is included in the appropriation to this program for FY2021-22
7 \$10,000,000 Federal Funds estimate and for FY2022-23 \$5,000,000 Federal
8 Funds estimate for all state agency, board, or commission operating and
9 administrative expenses associated with administering Federal Funds
10 allocated pursuant to the federal American Rescue Plan Act of 2021, 42
11 U.S.C. 802. Such funds shall be used to directly pay or reimburse state
12 agencies, boards, and commissions for operating and administrative
13 expenses associated with administering Federal Funds allocated pursuant
14 to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802.

15 There is included in the appropriation to this program for FY2021-22
16 up to \$5,000,000 Federal Funds estimate and for FY2022-23 up to
17 \$5,000,000 Federal Funds estimate to reimburse the Department of Health
18 and Human Services, Agency No. 25, Program No. 33, for information
19 technology utilization expenses incurred which are related to pandemic
20 relief processing and to equipment and operating a mobile workforce, from
21 March 3, 2021, through June 30, 2023.

22 The Military Department shall monitor and approve the expenditures
23 for this program.

24 Sec. 35. AGENCY NO. 33 – GAME AND PARKS COMMISSION

25 Program No. 901 - State Parks Facilities Deferred Maintenance

	<u>FY2021-22</u>	<u>FY2022-23</u>
27 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>8,100,000</u>
28 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>8,100,000</u>

29 There is included in the appropriation to this program for FY2022-23
30 \$8,100,000 Federal Funds for wastewater projects within the state park
31 system, which shall only be used for such purpose.

1 Expenditures from the appropriation to this program shall not be
2 restricted to state aid if operating and administrative expenditures are
3 necessary to administer the funding appropriated pursuant to this
4 section. In such instances, an agency, board, or commission shall be
5 reimbursed through the Federal Fund appropriation to the Military
6 Department, Agency No. 31, Program No. 191, as identified in section 34
7 of this act.

8 Sec. 36. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
9 EDUCATION

10 Program No. 697 - Community Colleges ARPA Grant

	<u>FY2021-22</u>	<u>FY2022-23</u>
11 <u>FEDERAL FUND</u>	<u>25,000,000</u>	<u>35,000,000</u>
12 <u>PROGRAM TOTAL</u>	<u>25,000,000</u>	<u>35,000,000</u>

14 There is included in the appropriation to this program for FY2021-22
15 \$25,000,000 Federal Funds for state aid, which shall only be used for
16 such purpose. There is included in the appropriation to this program for
17 FY2022-23 \$35,000,000 Federal Funds for state aid, which shall only be
18 used for such purpose.

19 The Coordinating Commission for Postsecondary Education shall
20 administer the Community Colleges ARPA Grant program. The commission
21 shall designate a subprogram for each community college as defined in
22 section 85-1503 in the following structure: Subprogram 011, Western
23 Community College; subprogram 012, Mid-Plains Community College;
24 subprogram 013, Central Community College; subprogram 014, Northeast
25 Community College; subprogram 015, Southeast Community College; and
26 subprogram 016, Metropolitan Community College. Each community college
27 shall not receive more than \$10,000,000 in total funding from the
28 appropriation to this program.

29 A community college shall make a grant application to the commission
30 for funding for a capital project or for offering a course or program
31 that meets the criteria established by the federal American Rescue Plan

1 Act of 2021 and the commission. A community college receiving funding
2 from this program shall meet all necessary federal and commission
3 compliance and reporting requirements. The grant funds shall not be used
4 to offset student or institutional costs for (1) individuals currently
5 enrolled in secondary school or (2) individuals enrolled in programs with
6 the primary purpose of earning general academic transfer credits
7 applicable toward a four-year degree.

8 Expenditures from the appropriation to this program shall not be
9 restricted to state aid if operating and administrative expenditures are
10 necessary to administer the funding appropriated pursuant to this
11 section. In such instances, an agency, board, or commission shall be
12 reimbursed through the Federal Fund appropriation to the Military
13 Department, Agency No. 31, Program No. 191, as identified in section 34
14 of this act.

15 Sec. 37. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
16 COLLEGES

17 Program No. 48 - Nebraska State Colleges - System Office

	<u>FY2021-22</u>	<u>FY2022-23</u>
18 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>8,000,000</u>
19 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>8,000,000</u>

21 There is included in the appropriation to this program for FY2022-23
22 \$8,000,000 Federal Funds for purchase of equipment and for water and
23 sewer upgrade projects, which shall only be used for such purpose. Of the
24 amount appropriated to this program, it is the intent of the Legislature
25 that \$2,000,000 Federal Funds be used to purchase needed equipment to
26 prepare health care professionals in combating the effects of COVID-19
27 and that \$6,000,000 Federal Funds be used to upgrade water and sewer
28 systems on the three state college campuses.

29 Sec. 38. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

30 Program No. 781 - University - Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>
--	------------------	------------------

1	<u>FEDERAL FUND</u>	<u>10,000,000</u>	<u>50,000,000</u>
2	<u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>50,000,000</u>

3 There is included in the appropriation to this program for FY2021-22
4 \$10,000,000 Federal Funds for state aid, which shall only be used for
5 such purpose. There is included in the appropriation to this program for
6 FY2022-23 \$50,000,000 Federal Funds for state aid, which shall only be
7 used for such purpose.

8 There is included in the amount shown as aid for this program for
9 FY2021-22 \$10,000,000 Federal Funds for startup costs related to the UNK-
10 UNMC Rural Health Complex in Kearney, Nebraska, which shall only be used
11 for such purpose. There is included in the amount shown as aid for this
12 program for FY2022-23 \$50,000,000 Federal Funds for construction costs of
13 the UNK-UNMC Rural Health Complex in Kearney, Nebraska, which shall only
14 be used for such purpose.

15 Sec. 39. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA
16 Program No. 781 - University - Administration

17		<u>FY2021-22</u>	<u>FY2022-23</u>
18	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>25,500,000</u>
19	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>25,500,000</u>

20 There is included in the appropriation to this program for FY2022-23
21 \$25,500,000 Federal Funds for the Behavioral Health Education Center for
22 the purposes described in section 71-830 to be spent by the Behavioral
23 Health Education Center in the following manner:

24 (1) \$13,000,000 for graduate and postgraduate training opportunities
25 such as internships, practicums, and fellowships;

26 (2) \$8,000,000 for the expansion of telebehavioral health services
27 in rural areas;

28 (3) \$2,500,000 for education and training opportunities for students
29 and behavioral health professionals related to behavioral health issues
30 caused or exacerbated by the COVID-19 public health emergency; and

31 (4) \$2,000,000 for stipends for provisionally licensed behavioral

1 health professionals employed in the field of behavioral health.

2 Sec. 40. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

3 Program No. 781 - University - Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>
4		
5 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>150,000</u>
6 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>150,000</u>

7 There is included in the appropriation to this program for FY2022-23
8 \$150,000 Federal Funds for the University of Nebraska Institute of
9 Agriculture and Natural Resources to update the Assessing Climate Change
10 report released in 2014.

11 The University of Nebraska Institute of Agriculture and Natural
12 Resources shall contract with a third-party, science-based organization
13 to develop an independent report that identifies and recommends specific
14 prescriptive measures to be taken by the State of Nebraska relating to
15 the updated Assessing Climate Change report. Such prescriptive measures
16 shall include (1) a conservation and management plan under section 320 of
17 the federal Clean Water Act and (2) plans for green infrastructure
18 investments and projects to improve resilience to climate change.

19 The University of Nebraska Institute of Agriculture and Natural
20 Resources shall electronically deliver both the updated Assessing Climate
21 Change report and independent report providing recommendations by the
22 third-party, science-based organization to the Governor and the
23 Legislature by December 1, 2024.

24 Sec. 41. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Program No. 560 - State Building Division

	<u>FY2021-22</u>	<u>FY2022-23</u>
26		
27 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>1,800,000</u>
28 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,800,000</u>

29 There is included in the appropriation to this program for FY2022-23
30 \$1,800,000 Federal Funds for a grant to a state-owned cemetery for
31 sediment control and stormwater projects.

1 Expenditures from the appropriation to this program shall not be
2 restricted to state aid if operating and administrative expenditures are
3 necessary to administer the funding appropriated pursuant to this
4 section. In such instances, an agency, board, or commission shall be
5 reimbursed through the Federal Fund appropriation to the Military
6 Department, Agency No. 31, Program No. 191, as identified in section 34
7 of this act.

8 Sec. 42. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
9 Program No. 601 - Community and Rural Development

	<u>FY2021-22</u>	<u>FY2022-23</u>
10		
11	<u>21,500,000</u>	<u>18,000,000</u>
12	<u>21,500,000</u>	<u>18,000,000</u>

13 (1) There is included in the appropriation to this program for
14 FY2021-22 \$21,500,000 Federal Funds for state aid, which shall only be
15 used for such purpose. There is included in the appropriation to this
16 program for FY2022-23 \$18,000,000 Federal Funds for state aid, which
17 shall only be used for such purpose.

18 (2)(a) There is included in the amount shown as aid for this program
19 for FY2021-22 \$6,000,000 Federal Funds for grants to prepare land parcels
20 pursuant to the Rural Workforce Housing Investment Act. There is included
21 in the amount shown as aid for this program for FY2022-23 \$4,000,000
22 Federal Funds for grants to prepare land parcels pursuant to the Rural
23 Workforce Housing Investment Act.

24 (b) For purposes of this subsection, preparing land parcels shall
25 include:

- 26 (i) Laying of drinking water transmission lines;
- 27 (ii) Rehabilitation, renovation, maintenance, or costs to secure
28 vacant or abandoned properties in disproportionately impacted
29 communities;
- 30 (iii) Costs associated with acquiring and securing legal title of
31 vacant or abandoned properties in disproportionately impacted communities

1 and other costs to position the property for current or future use for
2 the Rural Workforce Housing Investment Act;

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

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

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

13 (3) There is included in the amount shown as aid for this program
14 for FY2021-22 \$10,500,000 Federal Funds to contract with the Nebraska
15 Investment Finance Authority, as described in the Nebraska Investment
16 Finance Authority Act, for development of affordable housing units
17 eligible for federal four and nine percent low-income housing tax credit
18 programs. There is included in the amount shown as aid for this program
19 for FY2022-23 \$10,000,000 Federal Funds to contract with the Nebraska
20 Investment Finance Authority, as described in the Nebraska Investment
21 Finance Authority Act, for development of affordable housing units
22 eligible for federal four and nine percent low-income housing tax credit
23 programs.

24 (4)(a) There is included in the amount shown as aid for this program
25 for FY2021-22 \$4,000,000 Federal Funds for grants to nonprofit
26 organizations that develop affordable housing, including housing for
27 refugees and other such immigrants. There is included in the amount shown
28 as aid for this program for FY2022-23 \$4,000,000 Federal Funds for grants
29 to nonprofit organizations that develop affordable housing, including
30 housing for refugees and other such immigrants.

31 (b) The Department of Economic Development shall create a program in

1 accordance with the federal American Rescue Plan Act of 2021, 42 U.S.C.
 2 802, for the purpose of awarding grants to nonprofit organizations that
 3 develop affordable housing, including housing for refugees and other such
 4 immigrants. Housing developed under this program shall be for households
 5 with an income at or below 185% of the most recent poverty guidelines
 6 published by the United States Department of Health and Human Services
 7 and shall include housing located in disproportionately impacted
 8 geographies or directed towards disproportionately impacted populations
 9 or households, including, but not limited to, those in a qualified census
 10 tract, as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section
 11 existed on January 1, 2022.

12 (c) It is the intent of the Legislature that at least one-half of
 13 the funds distributed pursuant to this subsection (4) be awarded as
 14 grants to organizations located in counties with a population of fewer
 15 than 100,000 residents as determined by the most recent federal decennial
 16 census.

17 (5) There is included in the amount shown as aid for this program
 18 for FY2021-22 \$1,000,000 Federal Funds for job training and placement
 19 grants to nonprofit organizations for employment and employability
 20 services for refugees.

21 (6) Expenditures from the appropriation to this program shall not be
 22 restricted to state aid if operating and administrative expenditures are
 23 necessary to administer the funding appropriated pursuant to this
 24 section. In such instances, an agency, board, or commission shall be
 25 reimbursed through the Federal Fund appropriation to the Military
 26 Department, Agency No. 31, Program No. 191, as identified in section 34
 27 of this act.

28 Sec. 43. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
 29 Program No. 603 - Industrial Recruitment

	<u>FY2021-22</u>	<u>FY2022-23</u>
30		
31	<u>FEDERAL FUND</u>	<u>500,000</u>
		<u>-0-</u>

1 reimbursed through the Federal Fund appropriation to the Military
2 Department, Agency No. 31, Program No. 191, as identified in section 34
3 of this act.

4 Sec. 45. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

5 Program No. 603 - Industrial Recruitment

	<u>FY2021-22</u>	<u>FY2022-23</u>
6 <u>FEDERAL FUND</u>	<u>10,000,000</u>	<u>30,000,000</u>
7 <u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>30,000,000</u>

9 There is included in the appropriation to this program for FY2021-22
10 \$10,000,000 Federal Funds for state aid, which shall only be used for
11 such purpose. There is included in the appropriation to this program for
12 FY2022-23 \$30,000,000 Federal Funds for state aid, which shall only be
13 used for such purpose.

14 There is included in the amount shown as aid for this program for
15 FY2021-22 \$10,000,000 Federal Funds for capital construction grants to
16 build mental health care and education capacity, which shall only be used
17 for such purpose. There is included in the amount shown as aid for this
18 program for FY2022-23 \$30,000,000 Federal Funds for capital construction
19 grants to build mental health care and education capacity, which shall
20 only be used for such purpose.

21 Expenditures from the appropriation to this program shall not be
22 restricted to state aid if operating and administrative expenditures are
23 necessary to administer the funding appropriated pursuant to this
24 section. In such instances, an agency, board, or commission shall be
25 reimbursed through the Federal Fund appropriation to the Military
26 Department, Agency No. 31, Program No. 191, as identified in section 34
27 of this act.

28 Sec. 46. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

29 Program No. 603 - Industrial Recruitment

	<u>FY2021-22</u>	<u>FY2022-23</u>
30 <u>FEDERAL FUND</u>	<u>50,000,000</u>	<u>50,000,000</u>

1 section. In such instances, an agency, board, or commission shall be
2 reimbursed through the Federal Fund appropriation to the Military
3 Department, Agency No. 31, Program No. 191, as identified in section 34
4 of this act.

5 Sec. 47. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
6 Program No. 603 - Industrial Recruitment

	<u>FY2021-22</u>	<u>FY2022-23</u>
8 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>1,000,000</u>
9 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,000,000</u>

10 There is included in the appropriation to this program for FY2022-23
11 \$1,000,000 Federal Funds for state aid, which shall only be used for such
12 purpose.

13 There is included in the amount shown as aid for this program for
14 FY2022-23 \$1,000,000 Federal Funds for distribution to a political
15 subdivision that owns or operates a nuclear power plant in Nebraska. Such
16 political subdivision shall use the funds appropriated in this section to
17 conduct a feasibility study to assess (1) siting options for new advanced
18 nuclear reactors throughout Nebraska and (2) existing electric generation
19 facilities based on key compatibility assets for such advanced nuclear
20 reactors.

21 Expenditures from the appropriation to this program shall not be
22 restricted to state aid if operating and administrative expenditures are
23 necessary to administer the funding appropriated pursuant to this
24 section. In such instances, an agency, board, or commission shall be
25 reimbursed through the Federal Fund appropriation to the Military
26 Department, Agency No. 31, Program No. 191, as identified in section 34
27 of this act.

28 Sec. 48. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
29 CRIMINAL JUSTICE

30 Program No. 903 - Training Center Renovation

	<u>FY2021-22</u>	<u>FY2022-23</u>
31		

1	<u>FEDERAL FUND</u>	<u>47,700,000</u>	<u>-0-</u>
2	<u>PROGRAM TOTAL</u>	<u>47,700,000</u>	<u>-0-</u>

3 The appropriation in this section is intended to be used to enhance
4 and expand the law enforcement training capabilities of the Nebraska Law
5 Enforcement Training Center.

6 Sec. 49. AGENCY NO. 82 – COMMISSION FOR THE DEAF AND HARD OF
7 HEARING

8 Program No. 578 - Deaf and Hard of Hearing

9		<u>FY2021-22</u>	<u>FY2022-23</u>
10	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>500,000</u>
11	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>500,000</u>

12 There is included in the appropriation to this program for FY2022-23
13 \$500,000 Federal Funds for state aid, which shall only be used for such
14 purpose.

15 There is included in the amount shown as aid for this program for
16 FY2022-23 \$500,000 Federal Funds for the purpose of supporting (1) in-
17 person interpreting in rural areas and (2) legal communication access.

18 Expenditures from the appropriation to this program shall not be
19 restricted to state aid if operating and administrative expenditures are
20 necessary to administer the funding appropriated pursuant to this
21 section. In such instances, an agency, board, or commission shall be
22 reimbursed through the Federal Fund appropriation to the Military
23 Department, Agency No. 31, Program No. 191, as identified in section 34
24 of this act.

25 Sec. 50. AGENCY NO. 83 – AID TO COMMUNITY COLLEGES

26 Program No. 151 - Aid to Community Colleges

27		<u>FY2021-22</u>	<u>FY2022-23</u>
28	<u>FEDERAL FUND</u>	<u>-0-</u>	<u>15,000,000</u>
29	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>15,000,000</u>

30 There is included in the appropriation to this program for FY2022-23
31 \$15,000,000 Federal Funds for state aid for dual enrollment, which shall

1 only be used for such purpose.

2 The funds appropriated in this section for dual enrollment shall be
3 distributed to community college areas in direct proportion to the full-
4 time-equivalent enrollment in dual credit courses delivered by the
5 respective community college areas based upon dual enrollment credit hour
6 data reported to the Coordinating Commission for Postsecondary Education
7 by the respective community college areas for the year in which those
8 enrollments occurred.

9 There is included in the amount shown as aid for this program:

- 10 (1) \$5,000,000 for FY2022-23;
- 11 (2) \$5,000,000 for FY2023-24; and
- 12 (3) \$5,000,000 for FY2024-25.

13 For purposes of this section, dual enrollment course means a course
14 delivered to high school students for whom credit shall be reported on
15 the student's postsecondary educational institution transcript.

16 It is the intent of the Legislature that amounts distributed to each
17 community college area in proportion to enrollment in dual enrollment
18 courses be applied to support discounting of tuition assessed for
19 enrollment in such courses.

20 Sec. 51. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENT AND ENERGY

21 Program No. 513 - Environmental Quality

	<u>FY2021-22</u>	<u>FY2022-23</u>
22		
23	<u>-0-</u>	<u>4,000,000</u>
24	<u>-0-</u>	<u>4,000,000</u>

25 There is included in the appropriation to this program for FY2022-23
26 \$4,000,000 Federal Funds for state aid, which shall only be used for such
27 purpose.

28 There is included in the amount shown as aid for this program for
29 FY2022-23 \$4,000,000 Federal Funds for grants for reverse osmosis
30 systems, which shall only be used for such purpose.

31 The Department of Environment and Energy shall provide grants for

1 villages and cities of the second class to install reverse osmosis
2 systems in community water systems where drinking water test levels are
3 above ten parts per million of nitrate and, if appropriate, provide grant
4 funds for use to install reverse osmosis systems if test levels for
5 nitrate in drinking water pumped from private wells are above ten parts
6 per million.

7 Sec. 52. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENT AND ENERGY

8 Program No. 523 - Wastewater Loan Fund

	<u>FY2021-22</u>	<u>FY2022-23</u>
10 <u>FEDERAL FUND</u>	<u>-0-</u>	<u>20,000,000</u>
11 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>20,000,000</u>

12 There is included in the appropriation to this program for FY2022-23
13 \$20,000,000 Federal Funds for state aid, which shall only be used for
14 such purpose.

15 There is included in the amount shown as aid for this program for
16 FY2022-23 \$20,000,000 Federal Funds for wastewater and drainage system
17 updates at the state fair grounds, which shall only be used for such
18 purpose.

19 Sec. 53. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENT AND ENERGY

20 Program No. 528 - Drinking Water Facilities Loan Fund

	<u>FY2021-22</u>	<u>FY2022-23</u>
22 <u>FEDERAL FUND</u>	<u>1,000,000</u>	<u>6,000,000</u>
23 <u>PROGRAM TOTAL</u>	<u>1,000,000</u>	<u>6,000,000</u>

24 There is included in the appropriation to this program for FY2021-22
25 \$1,000,000 Federal Funds for state aid, which shall only be used for such
26 purpose. There is included in the appropriation to this program for
27 FY2022-23 \$6,000,000 Federal Funds for state aid, which shall only be
28 used for such purpose.

29 There is included in the amount shown as aid for this program for
30 FY2021-22 \$1,000,000 Federal Funds and for FY2022-23 \$6,000,000 Federal
31 Funds to provide grant assistance for a rural drinking water project that

1 serves rural water connections and at least four communities in two
2 contiguous counties in order to convert to ground water sources and to
3 provide for water system infrastructure and distribution, which shall
4 only be used for such purpose.

5 Sec. 54. Since an emergency exists, this act takes effect when
6 passed and approved according to law.