

LEGISLATIVE BILL 1014

Approved by the Governor April 13, 2022

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

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to appropriate funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

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

Sec. 2. APPROPRIATION LANGUAGE.

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

Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

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

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

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

It is the intent of the Legislature that all unexpended appropriation balances of the Federal Funds appropriated in this act existing on June 30, 2023, be reappropriated for FY2023-24 to the respective agencies, programs, and funds listed in this act.

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

Sec. 5. OPERATING AND ADMINISTRATIVE EXPENSES.

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

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

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

Sec. 6. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

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

(1) For purposes of this act, (a) SALARY LIMIT shall mean total expenditures for permanent and temporary salaries and per diems and (b) total expenditures for permanent and temporary salaries and per diems shall mean all remuneration paid to employees treated as taxable compensation by the Internal Revenue Service or subject to social security coverage, specifically including payments accounted for as vacation, holidays, sick leave, military leave, funeral leave, maternity leave, administrative leave, compensatory time, deferred compensation, or any other similar form, and amounts withheld pursuant to law, but excluding state contributions for social security, retirement, and employee insurance plans.

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

Sec. 8. BUDGET STATUS REPORTS.

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

Sec. 9. DRAWING AND PAYING WARRANTS.

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

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

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

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

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

Sec. 12. PUBLIC HEALTH AND SAFETY PREMIUM PAY.

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

AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 33 - Administration

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

AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 250 - Juvenile Services Operations

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

AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 359 - Bridge to Independence

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>12,041</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>12,041</u>	<u>-0-</u>

AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 365 - Mental Health Operations

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>7,047,420</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>7,047,420</u>	<u>-0-</u>

AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 421 - Beatrice State Development Center

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>762,616</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>762,616</u>	<u>-0-</u>

AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS
Program No. 511 - Veterans' Affairs

	<u>FY2021-22</u>	<u>FY2022-23</u>
FEDERAL FUND	3,546,602	-0-
PROGRAM TOTAL	3,546,602	-0-

AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES
Program No. 200 - Operations

	<u>FY2021-22</u>	<u>FY2022-23</u>
FEDERAL FUND	20,262,543	-0-
PROGRAM TOTAL	20,262,543	-0-

AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES
Program No. 214 - Vocational and Life Skills

	<u>FY2021-22</u>	<u>FY2022-23</u>
FEDERAL FUND	132,921	-0-
PROGRAM TOTAL	132,921	-0-

Sec. 13. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION
Program No. 401 - Services for the Deaf and Hard of Hearing

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

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

The State Department of Education shall spend the funds appropriated in this section exclusively for programs and interpreters that provide services to students who are deaf or hard of hearing in the following manner:

- (1) \$300,000 for equipment;
- (2) \$300,000 for service; and
- (3) \$400,000 for an enhanced education interpreter training and mentoring program.

Sec. 14. AGENCY NO. 18 – DEPARTMENT OF AGRICULTURE
Program No. 78 - Department of Agriculture

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

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

There is included in the amount shown as aid for this program for FY2021-22 \$9,875,000 Federal Funds for the Independent Processor Assistance Program, which shall only be used for such purpose.

There is included in the amount shown as aid for this program for FY2021-22 \$125,000 Federal Funds for a dairy industry study, which shall only be used for such purpose.

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

Sec. 15. AGENCY NO. 23 – DEPARTMENT OF LABOR
Program No. 31 - Division of Employment

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

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

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

Expenditures from the appropriation to this program shall not be

restricted to state aid if operating and administrative expenditures are necessary to administer the funding appropriated pursuant to this section. In such instances, an agency, board, or commission shall be reimbursed through the Federal Fund appropriation to the Military Department, Agency No. 31, Program No. 191, as identified in section 34 of this act.

Sec. 16. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 38 - Behavioral Health Aid

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

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

There is included in the amount shown as aid for this program for FY2022-23 \$1,800,000 Federal Funds for funding for a pediatric trauma center in Nebraska to purchase technology that will support statewide pediatric mental health services through telehealth and telemonitoring, which shall only be used for such purpose.

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

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

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

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

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

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

Sec. 18. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 176 - Nursing Incentives

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

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

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

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

Sec. 19. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 347 - Public Assistance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 21. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 354 - Child Welfare Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>10,000,000</u>	<u>15,000,000</u>
<u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>15,000,000</u>

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

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

FY2023-24.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) \$20,000,000 for FY2022-23;

(2) \$15,000,000 for FY2023-24; and

(3) \$12,500,000 for FY2024-25.

Sec. 24. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 502 - Public Health Aid

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

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

There is included in the amount shown as aid for this program for FY2022-23 \$10,000,000 Federal Funds for the local public health departments that receive aid pursuant to section 71-1628.08, which shall be distributed

evenly to the local public health departments for one-time infrastructure needs and any other costs, including testing, personal protective equipment, and other preventive measures, to combat the COVID-19 virus and any of its mutations.

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

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

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

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

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

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

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

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

The model system of care shall be a comprehensive program to address persistent COVID-19 symptoms and include the following activities:

- (1) Post-COVID-19 research;
- (2) Post-COVID-19 clinics;
- (3) Mental health services expanded to address cognitive and psychiatric needs of post-COVID-19 patients; and
- (4) Educational materials for health care providers and the public.

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

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

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

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

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

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

- (a) Incentives for staff members employed by the licensed assisted-living facility in order to enhance employee recruitment and retention; or
- (b) Assistance with costs for supplies and equipment purchased by the licensed assisted-living facility.

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

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

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

(2) The Department of Health and Human Services shall provide money to

licensed and medicaid-certified nursing facilities in the following manner:

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

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

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

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

(a) \$20,000,000 total for FY2022-23;

(b) \$15,000,000 total for FY2023-24; and

(c) \$12,500,000 total for FY2024-25.

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

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

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

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

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

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

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

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

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

There is included in the amount shown as aid to this program for FY2022-23 \$5,000,000 Federal Funds for grants to licensed emergency medical services programs, which shall only be used for such purpose.

It is the intent of the Legislature that the grants be used for the one-time purchase of equipment, including, but not limited to, power cots, defibrillators, and other similar lifesaving equipment, and that priority in awarding grants be given to an emergency medical services program which is volunteer-based, which is located in a community with a population of fewer than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, and which has high needs, as determined by the Department of Health and Human Services in consultation with a statewide organization dedicated to supporting providers of prehospital emergency medical care in Nebraska.

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

Sec. 31. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 514 - Health Aid

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>-0-</u>	<u>2,500,000</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>2,500,000</u>

There is included in the appropriation to this program for FY2022-23 \$2,500,000 Federal Funds for state aid, which shall only be used for such purpose.

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

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

Sec. 32. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES
Program No. 314 - Critical Infrastructure Facilities

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

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

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

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

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

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

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

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

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

Sec. 34. AGENCY NO. 31 – MILITARY DEPARTMENT
Program No. 191 - Governor's Emergency Program - COVID-19

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

There is included in the appropriation to this program for FY2021-22 \$10,000,000 Federal Funds estimate and for FY2022-23 \$5,000,000 Federal Funds

estimate for all state agency, board, or commission operating and administrative expenses associated with administering Federal Funds allocated pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802. Such funds shall be used to directly pay or reimburse state agencies, boards, and commissions for operating and administrative expenses associated with administering Federal Funds allocated pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802.

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

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

Sec. 35. AGENCY NO. 33 – GAME AND PARKS COMMISSION
Program No. 901 - State Parks Facilities Deferred Maintenance

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

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

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

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

Program No. 697 - Community Colleges ARPA Grant

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

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

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

A community college shall make a grant application to the commission for funding for a capital project or for offering a course or program that meets the criteria established by the federal American Rescue Plan Act of 2021 and the commission. A community college receiving funding from this program shall meet all necessary federal and commission compliance and reporting requirements. The grant funds shall not be used to offset student or institutional costs for (1) individuals currently enrolled in secondary school or (2) individuals enrolled in programs with the primary purpose of earning general academic transfer credits applicable toward a four-year degree.

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

Sec. 37. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES
Program No. 48 - Nebraska State Colleges - System Office

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

There is included in the appropriation to this program for FY2022-23 \$8,000,000 Federal Funds for purchase of equipment and for water and sewer upgrade projects, which shall only be used for such purpose. Of the amount

appropriated to this program, it is the intent of the Legislature that \$2,000,000 Federal Funds be used to purchase needed equipment to prepare health care professionals in combating the effects of COVID-19 and that \$6,000,000 Federal Funds be used to upgrade water and sewer systems on the three state college campuses.

Sec. 38. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA
Program No. 781 - University - Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>10,000,000</u>	<u>50,000,000</u>
<u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>50,000,000</u>

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

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

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

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

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

- (1) \$13,000,000 for graduate and postgraduate training opportunities such as internships, practicums, and fellowships;
- (2) \$8,000,000 for the expansion of telebehavioral health services in rural areas;
- (3) \$2,500,000 for education and training opportunities for students and behavioral health professionals related to behavioral health issues caused or exacerbated by the COVID-19 public health emergency; and
- (4) \$2,000,000 for stipends for provisionally licensed behavioral health professionals employed in the field of behavioral health.

Sec. 40. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA
Program No. 781 - University - Administration

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

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

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

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

Sec. 41. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
Program No. 560 - State Building Division

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

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

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

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

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>21,500,000</u>	<u>18,000,000</u>
<u>PROGRAM TOTAL</u>	<u>21,500,000</u>	<u>18,000,000</u>

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

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

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

(i) Laying of drinking water transmission lines;

(ii) Rehabilitation, renovation, maintenance, or costs to secure vacant or abandoned properties in disproportionately impacted communities;

(iii) Costs associated with acquiring and securing legal title of vacant or abandoned properties in disproportionately impacted communities and other costs to position the property for current or future use for the Rural Workforce Housing Investment Act;

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

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

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

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

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

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

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

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

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

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

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

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

There is included in the amount shown as aid for this program for FY2021-22 \$500,000 Federal Funds for the purpose of awarding major sponsorship grants for international competitions to be hosted in Nebraska that are recognized by an international governing body.

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

Sec. 44. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Program No. 603 - Industrial Recruitment

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

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

There is included in the amount shown as aid for this program for FY2022-23 \$20,000,000 Federal Funds for wastewater pretreatment and runoff control for meat processing plant site development, which shall only be used for such purpose.

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

Sec. 45. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Program No. 603 - Industrial Recruitment

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

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

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

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

Sec. 46. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Program No. 603 - Industrial Recruitment

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

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

There is included in the amount shown as aid for this program for FY2021-22 \$50,000,000 Federal Funds for grants to capital projects eligible under the Shovel-Ready Capital Recovery and Investment Act, which shall only be used for such purpose. There is included in the amount show as aid for this program for FY2022-23 \$50,000,000 Federal Funds for grants to capital projects eligible under the Shovel-Ready Capital Recovery and Investment Act, which shall only be used for such purpose.

It is the intent of the Legislature that, in addition to the requirements of the Shovel-Ready Capital Recovery and Investment Act, the Department of Economic Development shall divide total appropriations, including any General Fund appropriations, for grants to capital projects eligible under the act equally by each congressional district and give priority to grant requests less than or equal to \$5,000,000. After eligible grantees with priority status have been awarded grant funds, remaining funds may be awarded on a statewide basis with the department considering each project based on the overall economic impact of the project to the respective community and the overall benefit to the State of Nebraska. It is the intent of the Legislature that the department make reasonable adjustments to dates and deadlines and request additional documentation pursuant to any requirements for use of Federal Funds received pursuant to the federal American Rescue Plan Act of 2021.

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

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

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

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

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

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

Sec. 48. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE
Program No. 903 - Training Center Renovation

	<u>FY2021-22</u>	<u>FY2022-23</u>
<u>FEDERAL FUND</u>	<u>47,700,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>47,700,000</u>	<u>-0-</u>

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

Sec. 49. AGENCY NO. 82 – COMMISSION FOR THE DEAF AND HARD OF HEARING
Program No. 578 - Deaf and Hard of Hearing

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

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

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

Expenditures from the appropriation to this program shall not be restricted to state aid if operating and administrative expenditures are necessary to administer the funding appropriated pursuant to this section. In such instances, an agency, board, or commission shall be reimbursed through the Federal Fund appropriation to the Military Department, Agency No. 31, Program

No. 191, as identified in section 34 of this act.

Sec. 50. AGENCY NO. 83 – AID TO COMMUNITY COLLEGES
Program No. 151 - Aid to Community Colleges

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

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

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

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

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

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

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

Sec. 51. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENT AND ENERGY
Program No. 513 - Environmental Quality

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

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

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

The Department of Environment and Energy shall provide grants for villages and cities of the second class to install reverse osmosis systems in community water systems where drinking water test levels are above ten parts per million of nitrate and, if appropriate, provide grant funds for use to install reverse osmosis systems if test levels for nitrate in drinking water pumped from private wells are above ten parts per million.

Sec. 52. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENT AND ENERGY
Program No. 523 - Wastewater Loan Fund

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

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

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

Sec. 53. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENT AND ENERGY
Program No. 528 - Drinking Water Facilities Loan Fund

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

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

There is included in the amount shown as aid for this program for FY2021-22 \$1,000,000 Federal Funds and for FY2022-23 \$6,000,000 Federal Funds to provide grant assistance for a rural drinking water project that serves rural water connections and at least four communities in two contiguous counties in order to convert to ground water sources and to provide for water

system infrastructure and distribution, which shall only be used for such purpose.

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