

AMENDMENTS TO LB818

(Amendments to Standing Committee amendments, AM1172)

Introduced by McKinney, 11.

1 1. Insert the following new section:

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

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

1 Expansion Act and the Nebraska State Funds Investment Act.

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

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

10 3. Renumber the remaining sections and correct the repealer  
11 accordingly.