

AMENDMENTS TO LB379

Introduced by Appropriations.

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

3           Section 1. DEFINITION OF APPROPRIATION PERIOD.

4           For purposes of this act and any other legislative bill passed by  
5 the One Hundred Seventh Legislature, First or Second Session, which  
6 appropriates funds, FY2019-20 means the period July 1, 2019, through June  
7 30, 2020; FY2020-21 means the period July 1, 2020, through June 30, 2021;  
8 FY2021-22 means the period July 1, 2021, through June 30, 2022; FY2022-23  
9 means the period July 1, 2022, through June 30, 2023; FY2023-24 means the  
10 period July 1, 2023, through June 30, 2024; and FY2024-25 means the  
11 period July 1, 2024, through June 30, 2025.

12           Sec. 2. APPROPRIATION LANGUAGE.

13           There are hereby appropriated, for FY2019-20 and FY2020-21, the sums  
14 set forth in this act to each agency for each program from the respective  
15 funds for the general operations of state government, postsecondary  
16 education, capital construction, and state aid, except as otherwise  
17 appropriated.

18           Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

19           All General Fund appropriations existing on June 30, 2019, in excess  
20 of expended and certified encumbrance amounts are hereby lapsed unless  
21 otherwise provided. All Cash Fund and Revolving Fund appropriations  
22 existing on June 30, 2019, in excess of expended and certified  
23 encumbrance amounts are hereby lapsed unless otherwise expressly  
24 provided. All certified encumbrance amounts on June 30, 2019, and June  
25 30, 2020, are hereby reappropriated for FY2019-20 and FY2020-21,  
26 respectively, which amounts shall be in addition to the amounts shown in  
27 this act.

1           Sec. 4. REAPPROPRIATION OF BALANCES, FY2019-20 to FY2020-21.

2           In addition to the appropriations set forth in this act, there are  
3 hereby reappropriated all unexpended appropriation balances existing on  
4 June 30, 2020, for FY2020-21 to the respective agencies, programs, and  
5 funds listed in this act, except as otherwise provided in this act.

6           Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

7           The definitions contained in the Nebraska Accounting System Manual,  
8 and any amendments thereto, on file with the Clerk of the Legislature are  
9 hereby adopted by the Legislature as the definitions for this act, except  
10 as provided in section 28 of this act.

11          Sec. 6. DRAWING AND PAYING WARRANTS.

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

17          Sec. 7. AGENCY NO. 12 – STATE TREASURER

18          Program No. 149 - Aid to Counties

	<u>FY2019-20</u>	<u>FY2020-21</u>
19		
20 <u>GENERAL FUND</u>	<u>-0-</u>	<u>3,379,472</u>
21 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,379,472</u>

22          There is included in the appropriation for this program for  
23 FY2020-21 \$3,379,472 General Funds, which shall only be used to reimburse  
24 counties for the loss of value in the 2020 property tax year due to the  
25 assessment of centrally assessed personal property prior to the  
26 implementation of Laws 2020, LB1107.

27          Sec. 8. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

28          Program No. 25 - Education, Administration, and Support

	<u>FY2019-20</u>	<u>FY2020-21</u>
29		
30 <u>CASH FUND</u>	<u>-0-</u>	<u>886,480</u>

1	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>886,480</u>
2	Sec. 9. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
3	<u>Program No. 614 - Professional Practices Commission</u>		
4		<u>FY2019-20</u>	<u>FY2020-21</u>
5	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>1,088</u>
6	Sec. 10. <u>AGENCY NO. 16 – DEPARTMENT OF REVENUE</u>		
7	<u>Program No. 108 - Homestead Exemption</u>		
8		<u>FY2019-20</u>	<u>FY2020-21</u>
9	<u>GENERAL FUND</u>	<u>-0-</u>	<u>2,000,000</u>
10	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>2,000,000</u>
11	<u>There is included in the appropriation to this program for FY2020-21</u>		
12	<u>\$2,000,000 General Funds for state aid, which shall only be used for such</u>		
13	<u>purpose.</u>		
14	Sec. 11. <u>AGENCY NO. 35 – NEBRASKA LIQUOR CONTROL COMMISSION</u>		
15	<u>Program No. 73 - Licensing and Regulation</u>		
16		<u>FY2019-20</u>	<u>FY2020-21</u>
17	<u>GENERAL FUND</u>	<u>-0-</u>	<u>3,632,597</u>
18	<u>CASH FUND</u>	<u>-0-</u>	<u>-0-</u>
19	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,632,597</u>
20	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
21	<u>The unexpended General Fund appropriation balance existing on June</u>		
22	<u>30, 2021, is hereby reappropriated.</u>		
23	Sec. 12. <u>AGENCY NO. 36 – STATE RACING COMMISSION</u>		
24	<u>Program No. 81 - Nebraska Racetrack Gaming Act</u>		
25		<u>FY2019-20</u>	<u>FY2020-21</u>
26	<u>GENERAL FUND</u>	<u>-0-</u>	<u>475,000</u>
27	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>475,000</u>
28	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>200,000</u>
29	<u>The unexpended General Fund appropriation balance existing on June</u>		

1 30, 2021, is hereby reappropriated.

2 Sec. 13. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES  
3 Program No. 594 - State Insurance

	<u>FY2019-20</u>	<u>FY2020-21</u>
4		
5 <u>GENERAL FUND</u>	<u>-0-</u>	<u>150,000</u>
6 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>150,000</u>

7 Sec. 14. Laws 2019, LB294, section 93, is amended to read:

8 Sec. 93. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
9 Program No. 38 - Behavioral Health Aid

	<u>FY2019-20</u>	<u>FY2020-21</u>
10		
11 GENERAL FUND	75,388,670	71,995,541
12 CASH FUND	14,599,660	13,799,660
13 FEDERAL FUND est.	10,504,971	10,504,971
14 PROGRAM TOTAL	100,493,301	96,300,172

15 The unexpended General Fund appropriation balance existing on June  
16 30, 2020, less \$2,000,000 is hereby reappropriated.

17 There is included in the appropriation to this program for FY2019-20  
18 \$75,388,670 General Funds, \$14,599,660 Cash Funds, and \$10,504,971  
19 Federal Funds estimate for state aid, which shall only be used for such  
20 purpose. There is included in the appropriation to this program for  
21 FY2020-21 \$71,995,541 General Funds, \$13,799,660 Cash Funds, and  
22 \$10,504,971 Federal Funds estimate for state aid, which shall only be  
23 used for such purpose.

24 There is included in the amount shown as Cash Fund aid in this  
25 program \$6,500,000 Cash Funds for FY2019-20 and \$6,500,000 Cash Funds for  
26 FY2020-21 from the Nebraska Health Care Cash Fund to be used for  
27 community-based mental health and substance abuse services, including  
28 intermediate-level residential mental health services. It is the intent  
29 of the Legislature that these funds shall be distributed to each of the  
30 six behavioral health regions based upon a formula determined by the

1 Department of Health and Human Services.

2 There is included in the amount shown as Cash Fund aid in this  
3 program \$2,599,660 Cash Funds for FY2019-20 and \$2,599,660 Cash Funds for  
4 FY2020-21 from the Nebraska Health Care Cash Fund to be used for rates  
5 paid to providers of mental health and substance abuse services.

6 There is included in the amount shown as Cash Fund aid in this  
7 program \$1,500,000 Cash Funds for FY2019-20 and \$1,500,000 Cash Funds for  
8 FY2020-21 from the Nebraska Health Care Cash Fund to be used for the cost  
9 of maintenance and treatment of persons in emergency protective custody  
10 under the Nebraska Mental Health Commitment Act.

11 Sec. 15. Laws 2019, LB294, section 106, is amended to read:

12 Sec. 106. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

13 Program No. 424 - Developmental Disability Aid

	FY2019-20	FY2020-21
14 GENERAL FUND	150,880,903	144,893,404
15 CASH FUND	6,312,000	6,312,000
16 PROGRAM TOTAL	157,192,903	151,205,404

17  
18 The unexpended General Fund appropriation balance existing on June  
19 30, 2020, less \$2,400,000, is hereby reappropriated.

20 There is included in the appropriation to this program for FY2019-20  
21 \$150,880,903 General Funds and \$6,312,000 Cash Funds for state aid, which  
22 shall only be used for such purpose. There is included in the  
23 appropriation to this program for FY2020-21 \$144,893,404 General Funds  
24 and \$6,312,000 Cash Funds for state aid, which shall only be used for  
25 such purpose.

26 There is included in the amount shown as Cash Fund aid in this  
27 program for FY2019-20 \$5,000,000 Cash Funds and for FY2020-21 \$5,000,000  
28 Cash Funds from the Nebraska Health Care Cash Fund to be used for  
29 services for persons with developmental disabilities (1) who were on the  
30 waiting list for such services prior to July 1, 2001, and began receiving

1 such services on and after such date and (2) who are on the waiting list  
2 for such services on and after July 1, 2019, beginning with those who  
3 have been on the waiting list for the greatest length of time past their  
4 date of need.

5 Sec. 16. Laws 2019, LB294, section 108, is amended to read:

6 Sec. 108. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

7 Program No. 514 - Health Aid

	FY2019-20	FY2020-21
8		
9 GENERAL FUND	6,114,407	6,114,407
10 CASH FUND	11,495,817	11,495,817
11 FEDERAL FUND est.	54,079,725	54,079,725
12 PROGRAM TOTAL	71,689,949	71,689,949

13 The unexpended General Fund appropriation balance existing on June  
14 30, 2020, less \$1,900,000, is hereby reappropriated.

15 There is included in the appropriation to this program for FY2019-20  
16 \$6,114,407 General Funds, \$11,495,817 Cash Funds, and \$54,079,725 Federal  
17 Funds estimate for state aid, which shall only be used for such purpose.

18 There is included in the appropriation to this program for FY2020-21  
19 \$6,114,407 General Funds, \$11,495,817 Cash Funds, and \$54,079,725 Federal  
20 Funds estimate for state aid, which shall only be used for such purpose.

21 There is included in the amount shown as aid for this program  
22 \$653,759 General Funds for FY2019-20 and \$653,759 General Funds for  
23 FY2020-21, which shall only be used for the following purposes:  
24 Reimbursement for the provision of pap smears, colposcopy, cervical  
25 biopsy, cryotherapy, loop electrosurgical excision procedure (LEEP), and  
26 such other treatments and procedures as may be developed for the followup  
27 of abnormal pap smears; the diagnosis and treatment of sexually  
28 transmitted diseases, including, but not limited to, chlamydia,  
29 gonorrhea, HPV (genital warts), and herpes; and associated laboratory and  
30 equipment costs and staff training costs relating to the use of

1 colposcopy equipment. None of the General Funds provided under this  
2 program shall be used to perform or facilitate the performance of  
3 abortion or to counsel or refer for abortion.

4       There is included in the amount shown as aid for this program for  
5 FY2019-20 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for  
6 the Poison Control Center at the University of Nebraska Medical Center,  
7 which shall only be used by the medical center for the Poison Control  
8 Center. There is included in the amount shown as aid for this program for  
9 FY2020-21 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for  
10 the Poison Control Center at the University of Nebraska Medical Center,  
11 which shall only be used by the medical center for the Poison Control  
12 Center.

13       There is included in the amount shown as aid for this program for  
14 FY2019-20 \$1,100,000 General Funds for evidence-based early intervention  
15 home visitation programs. There is included in the amount shown as aid  
16 for this program for FY2020-21 \$1,100,000 General Funds for evidence-  
17 based early intervention home visitation programs.

18       There is included in the amount shown as aid for this program for  
19 FY2019-20 up to \$100,000 General Funds to contract with the University of  
20 Nebraska Medical Center for the Nebraska Perinatal Quality Improvement  
21 Collaborative. There is included in the amount shown as aid for this  
22 program for FY2020-21 up to \$100,000 General Funds to contract with the  
23 University of Nebraska Medical Center for the Nebraska Perinatal Quality  
24 Improvement Collaborative.

25       There is included in the amount shown as aid for this program for  
26 FY2019-20 \$289,416 General Funds to contract for services for  
27 implementation of a statewide drug disposal project. There is included in  
28 the amount shown as aid for this program for FY2020-21 \$289,416 General  
29 Funds to contract for services for implementation of a statewide drug  
30 disposal project.

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

1 FY2019-20 up to \$292,000 General Funds for tuition reimbursement for  
2 emergency medical services responders' initial and ongoing training.  
3 There is included in the amount shown as aid for this program for  
4 FY2020-21 up to \$292,000 General Funds for tuition reimbursement for  
5 emergency medical services responders' initial and ongoing training.

6 Sec. 17. Laws 2019, LB294, section 159, is amended to read:

7 Sec. 159. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

8 Program No. 200 - Operations

9	FY2019-20	FY2020-21
10 <u>GENERAL FUND</u>	<u>218,099,530</u>	<u>187,970,648</u>
11 <del>GENERAL FUND</del>	<del>218,099,530</del>	<del>226,143,054</del>
12 CASH FUND	6,326,000	2,126,000
13 FEDERAL FUND est.	1,762,858	1,762,858
14 REVOLVING FUND est.	20,115,066	20,249,883
15 <u>PROGRAM TOTAL</u>	<u>246,303,454</u>	<u>212,109,389</u>
16 <del>PROGRAM TOTAL</del>	<del>246,303,454</del>	<del>250,281,795</del>
17 SALARY LIMIT	126,400,846	130,503,444

18 The unexpended General Fund appropriation balance existing on June  
19 30, 2019, is hereby reappropriated.

20 Included in the salary limitations provided by this section is  
21 \$4,338,270 for FY2019-20 and \$4,338,270 for FY2020-21 for Revolving Fund  
22 salaries for program classifications 390 and 563, that shall not be  
23 limited to the amounts shown.

24 The Department of Administrative Services shall monitor the  
25 appropriations and expenditures for this program according to the  
26 following program classifications:

27 No. 260 - Nebraska Correctional Youth Facility

28 No. 300 - Tecumseh Correctional Center

29 No. 368 - Lincoln Community Corrections Center

30 No. 369 - Omaha Community Corrections Center



- 1 No. 370 - Central Office
- 2 No. 372 - Nebraska State Penitentiary
- 3 No. 373 - Nebraska Center for Women - York
- 4 No. 375 - Diagnostic and Evaluation Center
- 5 No. 376 - Lincoln Correctional Center
- 6 No. 377 - Omaha Correctional Center
- 7 No. 386 - McCook Incarceration Work Camp
- 8 No. 390 - Federal Surplus Property
- 9 No. 495 - Department Central Warehouse
- 10 No. 563 - Correctional Industries

11 Revolving Fund expenditures shall not be limited to the amounts  
12 shown.

13 It is intended that the Department of Correctional Services shall  
14 maintain a Department Contingency Fund and a Department Equipment Fund.

15 Sec. 18. Laws 2019, LB294, section 181, is amended to read:

16 Sec. 181. AGENCY NO. 63 – NEBRASKA STATE BOARD OF PUBLIC ACCOUNTANCY  
17 Program No. 84 - Enforcement of Standards - Public Accountancy

18		FY2019-20	FY2020-21
19	CASH FUND	430,690	436,083
20	PROGRAM TOTAL	430,690	436,083
21	<u>SALARY LIMIT</u>	<u>191,654</u>	<u>202,165</u>
22	<del>SALARY LIMIT</del>	<del>191,654</del>	<del>195,665</del>

23 Sec. 19. Laws 2019, LB294, section 182, is amended to read:

24 Sec. 182. AGENCY NO. 64 – NEBRASKA STATE PATROL  
25 Program No. 100 - Public Protection

26		FY2019-20	FY2020-21
27	<u>GENERAL FUND</u>	<u>61,014,568</u>	<u>50,918,391</u>
28	<del>GENERAL FUND</del>	<del>61,014,568</del>	<del>62,628,282</del>
29	CASH FUND	6,929,219	7,032,094
30	FEDERAL FUND est.	423,110	423,110

1	<u>PROGRAM TOTAL</u>	<u>68,366,897</u>	<u>58,373,595</u>
2	<del>PROGRAM TOTAL</del>	<del>68,366,897</del>	<del>70,083,486</del>
3	SALARY LIMIT	41,877,790	43,572,057

4 The unexpended General Fund appropriation balance existing on June  
5 30, 2019, is hereby reappropriated.

6 The Department of Administrative Services shall monitor the  
7 appropriations and expenditures for this program according to the  
8 following program classifications:

- 9 No. 189 - Command and Support
- 10 No. 190 - Criminal Investigations
- 11 No. 195 - Road Operations

12 There is included in the appropriation to this program for FY2019-20  
13 \$150,000 General Funds and \$100,000 Federal Funds from the Byrne Criminal  
14 History Improvement set-aside funds, subject to available federal  
15 appropriation, which shall only be expended for criminal justice  
16 information systems improvements. There is included in the appropriation  
17 to this program for FY2020-21 \$150,000 General Funds and \$100,000 Federal  
18 Funds from the Byrne Criminal History Improvement set-aside funds,  
19 subject to available federal appropriation, which shall only be expended  
20 for criminal justice information systems improvements. Federal Funds  
21 transferred to the Nebraska State Patrol pursuant to this section shall  
22 be expended consistent with all applicable federal laws, rules, and  
23 regulations pertaining to Byrne Criminal History Improvement set-aside  
24 funds.

25 There is included in the appropriation to this program for FY2019-20  
26 \$489,979 Cash Funds and for FY2020-21 \$489,979 Cash Funds, which  
27 appropriation amounts shall only be expended to provide law enforcement  
28 coverage along state road construction zones. The Department of  
29 Transportation Roads shall contract with the Nebraska State Patrol for  
30 such law enforcement coverage and shall pay for such services from the

1 Roads Operations Cash Fund to the Nebraska State Patrol Cash Fund in four  
2 equal quarterly amounts to be transferred by the State Treasurer on or  
3 before July 15, October 15, January 15, and April 15, for both FY2019-20  
4 and FY2020-21.

5 Sec. 20. Laws 2020, LB1008, section 49, is amended to read:

6 Sec. 49. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

7 Program No. 158 - Education Aid

	FY2019-20	FY2020-21
8		
9 <u>GENERAL FUND</u>	<u>1,292,913,588</u>	<u>1,280,091,480</u>
10 <u>GENERAL FUND</u>	<u>1,292,913,588</u>	<u>1,281,781,018</u>
11 CASH FUND	3,790,938	3,790,938
12 <u>FEDERAL FUND est.</u>	<u>323,174,115</u>	<u>330,145,476</u>
13 <u>PROGRAM TOTAL</u>	<u>1,619,878,641</u>	<u>1,614,027,894</u>
14 <u>FEDERAL FUND est.</u>	<u>323,174,115</u>	<u>323,174,115</u>
15 <u>PROGRAM TOTAL</u>	<u>1,619,878,641</u>	<u>1,608,746,071</u>

16 The unexpended General Fund appropriation balance existing on June  
17 30, 2020, less \$319,400, is hereby reappropriated.

18 There is included in the appropriation to this program for FY2019-20  
19 \$1,292,913,588 General Funds, \$3,790,938 Cash Funds, and \$323,174,115  
20 Federal Funds estimate for state aid, which shall only be used for such  
21 purpose. There is included in the appropriation to this program for  
22 FY2020-21 \$1,280,091,480 ~~\$1,281,781,018~~ General Funds, \$3,790,938 Cash  
23 Funds, and \$330,145,476 ~~\$323,174,115~~ Federal Funds estimate for state  
24 aid, which shall only be used for such purpose.

25 There is included in the amount shown for FY2019-20 \$1,036,237,766  
26 General Funds which are hereby appropriated to the Tax Equity and  
27 Educational Opportunities Fund, which fund is hereby appropriated to  
28 provide state aid to public school districts pursuant to the Tax Equity  
29 and Educational Opportunities Support Act. There is included in the  
30 amount shown for FY2020-21 \$1,020,866,321 ~~\$1,022,555,859~~ General Funds

1 which are hereby appropriated to the Tax Equity and Educational  
2 Opportunities Fund, which fund is hereby appropriated to provide state  
3 aid to public school districts pursuant to the Tax Equity and Educational  
4 Opportunities Support Act.

5 There is included in the amount shown for this program \$228,791,851  
6 General Funds provided as state aid for FY2019-20 for special education  
7 reimbursement. There is included in the amount shown for this program  
8 \$231,079,770 General Funds provided as state aid for FY2020-21 for  
9 special education reimbursement.

10 There is included in the amount shown for this program \$465,500  
11 General Funds provided as state aid for FY2019-20 and \$465,500 General  
12 Funds provided as state aid for FY2020-21 to carry out the provisions of  
13 subsection (2) of section 79-734.

14 There is included in the amount shown for this program \$9,962,195  
15 General Funds provided as state aid for FY2019-20 and \$10,161,395 General  
16 Funds provided as state aid for FY2020-21 for core services for  
17 educational service units.

18 There is included in the amount shown for this program \$3,108,709  
19 General Funds provided as state aid for FY2019-20 and \$3,170,927 General  
20 Funds provided as state aid for FY2020-21 for technology infrastructure  
21 for educational service units.

22 There is included in the amount shown for this program \$281,654  
23 General Funds provided as state aid for FY2019-20 and \$281,654 General  
24 Funds provided as state aid for FY2020-21 for distance education aid to  
25 educational service units.

26 There is included in the amount shown for this program \$617,898  
27 General Funds provided as state aid for FY2019-20 and \$617,898 General  
28 Funds provided as state aid for FY2020-21 for the school breakfast  
29 program.

30 There is included in the amount shown for this program \$392,032  
31 General Funds provided as state aid for FY2019-20 and \$392,032 General

1 Funds provided as state aid for FY2020-21 for the school lunch program.

2 There is included in the amount shown for this program \$90,000  
3 General Funds provided as state aid for FY2019-20 and \$90,000 General  
4 Funds provided as state aid for FY2020-21 for the Summer Food Service  
5 Program.

6 There is included in the amount shown for this program \$214,664  
7 General Funds provided as state aid for FY2019-20 and \$214,664 General  
8 Funds provided as state aid for FY2020-21 for adult basic education  
9 programs.

10 There is included in the amount shown for this program \$750,000  
11 General Funds provided as state aid for FY2019-20 and \$750,000 General  
12 Funds provided as state aid for FY2020-21 for aid to institutions  
13 offering high school equivalency programs.

14 There is included in the amount shown for this program \$3,619,357  
15 General Funds provided as state aid for FY2019-20 and \$3,619,357 General  
16 Funds provided as state aid for FY2020-21 for early childhood education  
17 projects.

18 There is included in the amount shown for this program \$5,000,000  
19 General Funds provided as state aid for FY2019-20 and \$5,000,000 General  
20 Funds provided as state aid for FY2020-21 for the Early Childhood  
21 Education Grant Program for at-risk children from birth to age three. It  
22 is the intent of the Legislature that a maximum of five percent of  
23 General Funds appropriated each fiscal year for the Early Childhood  
24 Education Grant Program for at-risk children from birth to age three may  
25 be used for evaluation and technical assistance.

26 There is included in the amount shown for this program \$100,000  
27 General Funds provided as state aid for FY2019-20 and \$100,000 General  
28 Funds provided as state aid for FY2020-21 for scholarships for early  
29 childhood education providers.

30 There is included in the amount shown for this program \$69,000  
31 General Funds provided as state aid for FY2019-20 and \$69,000 General

1 Funds provided as state aid for FY2020-21 for incentive bonuses for  
2 providers of child care and early childhood education programs.

3 There is included in the amount shown for this program \$400,000  
4 General Funds provided as state aid for FY2019-20 and \$400,000 General  
5 Funds provided as state aid for FY2020-21 for the Nurturing Healthy  
6 Behaviors program.

7 There is included in the amount shown for this program \$470,000  
8 General Funds provided as state aid for FY2019-20 and \$470,000 General  
9 Funds provided as state aid for FY2020-21 for learning community aid.

10 There is included in the amount shown for this program \$2,342,962  
11 General Funds provided as state aid for FY2019-20 and \$2,342,962 General  
12 Funds provided as state aid for FY2020-21 for programs for learners with  
13 high ability.

14 Sec. 21. Laws 2020, LB1008, section 50, is amended to read:

15 Sec. 50. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

16 Program No. 33 - Administration

17		FY2019-20	FY2020-21
18	GENERAL FUND	143,783,542	145,782,020
19	CASH FUND	27,835,666	27,606,479
20	FEDERAL FUND est.	313,966,275	315,600,604
21	PROGRAM TOTAL	485,585,483	488,989,103
22	SALARY LIMIT	161,312,799	166,258,216

23 The unexpended General Fund appropriation balance existing on June  
24 30, 2020, less ~~\$6,100,000~~ ~~\$1,600,000~~, is hereby reappropriated.

25 (1) The Department of Administrative Services shall monitor the  
26 appropriations and expenditures for this program according to the  
27 following program classifications:

28 No. 249 - Medicaid Expansion Administration

29 No. 261 - General Operations

30 No. 262 - Public Health Administration

- 1           No. 263 - Medicaid and Long-Term Care Administration
- 2           No. 264 - Children and Family Services Administration
- 3           No. 265 - Protection and Safety
- 4           No. 266 - Economic and Family Support
- 5           No. 267 - Developmental Disabilities Service Coordination
- 6           No. 268 - Behavioral Health Administration
- 7           No. 269 - Developmental Disabilities Administration

8           There is included in the appropriation to this program for FY2020-21  
9 \$88,927 General Funds for the related administrative purposes for  
10 recruitment, training, and monitoring of outpatient facilities or  
11 individual providers who have contracts to provide alternative treatment  
12 plans.

13           (2) There is included in the appropriation to this program for  
14 FY2019-20 \$13,688 Cash Funds for regulatory support for out-of-hospital  
15 emergency care providers licensing from the Nebraska Health Care Cash  
16 Fund. There is included in the appropriation to this program for  
17 FY2020-21 \$13,688 Cash Funds for regulatory support for out-of-hospital  
18 emergency care providers licensing from the Nebraska Health Care Cash  
19 Fund.

20           (3) There is included in the appropriation to this program for  
21 FY2019-20 \$26,000 Cash Funds from the Nebraska Health Care Cash Fund to  
22 continue the Parkinson's Disease Registry. There is included in the  
23 appropriation to this program for FY2020-21 \$26,000 Cash Funds from the  
24 Nebraska Health Care Cash Fund to continue the Parkinson's Disease  
25 Registry.

26           (4) There is included in the appropriation to this program \$404,643  
27 Cash Funds for FY2019-20 and \$404,643 Cash Funds for FY2020-21 from the  
28 Nebraska Health Care Cash Fund for respite services in each of the  
29 service areas designated by the Department of Health and Human Services  
30 and for administrative costs, including personnel costs, associated with  
31 the Nebraska Lifespan Respite Services Program.

1 (5) There is included in the appropriation to this program for  
2 FY2019-20 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for  
3 costs of smoking cessation covered by medicaid. There is included in the  
4 appropriation to this program for FY2020-21 \$6,000 Cash Funds from the  
5 Nebraska Health Care Cash Fund for costs of smoking cessation covered by  
6 medicaid.

7 (6) There is included in the appropriation to this program for  
8 FY2019-20 \$1,000,000 General Funds for the electronic records initiative,  
9 to be used only for this purpose. There is included in the appropriation  
10 to this program for FY2020-21 \$1,000,000 General Funds for the electronic  
11 records initiative, to be used only for this purpose.

12 (7) There is included in the appropriation to this program for  
13 FY2019-20 \$220,000 Cash Funds to operate a satellite office of minority  
14 health in the second and third congressional districts to coordinate and  
15 administer state policy relating to minority health from the Nebraska  
16 Health Care Cash Fund. There is included in the appropriation to this  
17 program for FY2020-21 \$220,000 Cash Funds to operate a satellite office  
18 of minority health in the second and third congressional districts to  
19 coordinate and administer state policy relating to minority health from  
20 the Nebraska Health Care Cash Fund.

21 (8) There is included in the appropriation to this program for  
22 FY2019-20 \$100,000 Cash Funds for staff and operating expenses for public  
23 health from the Nebraska Health Care Cash Fund. There is included in the  
24 appropriation to this program for FY2020-21 \$100,000 Cash Funds for staff  
25 and operating expenses for public health from the Nebraska Health Care  
26 Cash Fund.

27 (9) There is included in the appropriation to this program for  
28 FY2019-20 \$321,182 Cash Funds from the Nebraska Health Care Cash Fund to  
29 carry out the provisions of the Aging and Disability Resource Center Act.  
30 There is included in the appropriation to this program for FY2020-21  
31 \$321,182 General Funds to carry out the provisions of the Aging and



1 Disability Resource Center Act.

2 (10) There is included in the appropriation to this program for  
3 FY2019-20 \$29,680 Cash Funds from the Nebraska Health Care Cash Fund to  
4 carry out provisions of the Assisted-Living Facility Act. There is  
5 included in the appropriation to this program for FY2020-21 \$29,680  
6 General Funds from the Nebraska Health Care Cash Fund to carry out  
7 provisions of the Assisted-Living Facility Act.

8 (11) It is the intent of the Legislature that the Department of  
9 Health and Human Services shall provide quarterly status reports  
10 electronically on the replacement and maintenance, including  
11 expenditures, of the Medicaid Medical Information System (MMIS).

12 (12) The Legislature finds that underfunding of the medical  
13 assistance program under the Medical Assistance Act has resulted in a  
14 growing financial chasm between the amount of money a service provider is  
15 reimbursed under the program and the actual cost of providing care.  
16 Combined with workforce shortages, the continued ability of long-term  
17 care providers to serve beneficiaries of the medical assistance program  
18 is increasingly at risk. The Legislature also recognizes that aging  
19 Nebraskans have made contributions throughout their lifetimes to the  
20 state and country and deserve to receive the care they need in  
21 recognition of this service.

22 (13) If federal funding is approved under this section, on or before  
23 December 31, 2020, the department shall study and report to the  
24 Appropriations Committee of the Legislature on statewide access to long-  
25 term care. The department shall contract with an independent entity with  
26 proven expertise in (a) data analysis and projections of future trends,  
27 (b) community planning, (c) innovative practices and best practices in  
28 long-term care services, and (d) the development of a long-term care  
29 sustainability plan. The department and contracted entity shall study the  
30 needs of Nebraska's aging population for facility-based and home and  
31 community-based long-term care services in close proximity to familial

1 and social support systems and shall make reasonable recommendations,  
2 supported by data, on changes to the policy and funding of long-term care  
3 services under the Medical Assistance Act.

4 (14) The department and the contracted entity shall:

5 (a) Review and summarize existing data sources;

6 (b) Provide the committee with a detailed analysis and projection of  
7 Nebraska's demographic trends by age and availability of informal long-  
8 term care support systems;

9 (c) Provide the committee with a detailed analysis of the current  
10 and projected future needs of aging Nebraskans and current gaps in  
11 facility-based and home and community-based long-term care services in  
12 all areas of the state and factors contributing to such gaps;

13 (d) Provide the committee with a detailed analysis of state  
14 regulations and processes that impede the flexibility for nursing  
15 facilities to provide home and community-based long-term care services  
16 when there is an identified community need;

17 (e) Provide the committee with a detailed analysis of the financial  
18 stability of long-term care providers that accept participants in the  
19 medical assistance program, especially nursing facilities, and  
20 contributing factors;

21 (f) Make recommendations to the committee for increased regulatory  
22 flexibility to allow a skilled nursing facility to provide home and  
23 community-based long-term care services to meet community needs and for  
24 strategic consolidation of facilities and services to use long-term care  
25 workforce resources more effectively;

26 (g) Identify changes to reimbursement under the medical assistance  
27 program to sustain access to long-term care services across the state;  
28 and

29 (h) Create a financially sustainable five-year plan for ensuring  
30 that aging Nebraskans continue to have access to long-term care services  
31 they need in close proximity to their familial and social support

1 systems.

2 (15) A status update on the report shall be delivered electronically  
3 to the Appropriations Committee of the Legislature by December 31, 2019.

4 The final report shall be delivered electronically to the  
5 Appropriations Committee of the Legislature by December 1, 2020.

6 (16) It is the intent of the Legislature that the Division of  
7 Medicaid and Long-Term Care of the Department of Health and Human  
8 Services shall request approval from the Secretary of the United States  
9 Department of Health and Human Services to use \$87,500 of Nebraska's  
10 Nursing Facility Penalty Cash Fund under section 1919(h)(3)(C)(ii)(IV)  
11 (ff) of the federal Social Security Act as the federal match to carry out  
12 the study described in this section. Such funds shall be used to research  
13 demographic trends, project current and future service needs, and provide  
14 recommendations for continued statewide access to long-term care  
15 services, including nursing facility care, for medicaid recipients.

16 There is included in the appropriation to this program the following  
17 amounts for Program 249:

18	FY2019-20	FY2020-21
19 GENERAL FUND	5,979,812	5,772,769
20 FEDERAL FUND est.	8,583,992	6,372,769
21 PROGRAM TOTAL	14,563,804	12,145,538
22 SALARY LIMIT	4,678,048	5,560,460

23 It is the intent of the Legislature that the department shall  
24 provide monthly status reports electronically to the Clerk of the  
25 Legislature and the Legislative Fiscal Analyst on Medicaid Expansion. The  
26 department shall include in the reports information on contracts,  
27 personnel, waiver applications, CMS decisions and directives, and  
28 implementation timelines.

29 Sec. 22. Laws 2020, LB1008, section 51, is amended to read:

30 Sec. 51. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

1	Program No. 344 - Children's Health Insurance		
2		FY2019-20	FY2020-21
3	GENERAL FUND	14,317,097	23,778,754
4	CASH FUND	7,085,700	7,085,700
5	FEDERAL FUND est.	102,296,102	93,898,774
6	PROGRAM TOTAL	123,698,899	124,763,228

7 The unexpended General Fund appropriation balance existing on June  
8 30, 2020, less ~~\$5,500,000~~ ~~\$2,000,000~~, is hereby reappropriated.

9 There is included in the appropriation to this program for FY2019-20  
10 \$14,317,097 General Funds, \$7,085,700 Cash Funds, and \$102,296,102  
11 Federal Funds estimate for state aid, which shall only be used for such  
12 purpose. There is included in the appropriation to this program for  
13 FY2020-21 \$23,778,754 General Funds, \$7,085,700 Cash Funds, and  
14 \$93,898,774 Federal Funds estimate for state aid, which shall only be  
15 used for such purpose.

16 There is included in the appropriation to this program for FY2019-20  
17 \$6,835,700 Cash Funds for state aid from the Nebraska Health Care Cash  
18 Fund. There is included in the appropriation to this program for  
19 FY2020-21 \$6,835,700 Cash Funds for state aid from the Nebraska Health  
20 Care Cash Fund.

21 There is included in the appropriation to this program for FY2020-21  
22 \$251,510 General Funds and \$565,612 Federal Funds estimate for rate  
23 increases paid to providers of mental health and behavioral health  
24 services prioritized for mental health and behavioral health services  
25 which were reimbursed at fifteen percent or more below such rates paid as  
26 of January 1, 2020, by the Division of Behavioral Health. Services  
27 include, but are not limited to, day rehabilitation services, mental  
28 health individual sessions, substance use disorder individual sessions,  
29 substance use disorder assessments, therapeutic community services, and  
30 psychiatric residential rehabilitation. It is the intent of the

1 Legislature that funds appropriated for mental health and behavioral  
2 health rate increases be utilized solely for mental health and behavioral  
3 health rate increases in a proportional manner.

4 There is included in the amount shown as aid for this program for  
5 FY2019-20 up to \$250,000 Cash Funds and for FY2020-21 up to \$250,000 Cash  
6 Funds from the Health and Human Services Cash Fund for the state match  
7 for utilization of the unused administrative cap as allowed under the  
8 Children's Health Insurance Program for payments to the Nebraska Regional  
9 Poison Center funded through the University of Nebraska Medical Center.  
10 The match is from Cash Funds transferred from the University of Nebraska  
11 Medical Center.

12 It is the intent of the Legislature that phased-down state  
13 contributions to the federal government as defined and required by the  
14 federal Medicare Prescription Drug, Improvement, and Modernization Act of  
15 2003 may be made from appropriations to this program.

16 Sec. 23. Laws 2020, LB1008, section 52, is amended to read:

17 Sec. 52. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

18 Program No. 347 - Public Assistance

	FY2019-20	FY2020-21
19 GENERAL FUND	91,609,328	86,756,257
20 CASH FUND	3,560,000	5,524,198
21 FEDERAL FUND est.	112,235,004	112,235,004
22 PROGRAM TOTAL	207,404,332	204,515,459

24 The unexpended General Fund appropriation balance existing on June  
25 30, 2020, less \$14,300,000 ~~\$4,000,000~~, is hereby reappropriated.

26 There is included in the appropriation to this program for FY2019-20  
27 \$91,609,328 General Funds, \$3,560,000 Cash Funds, and \$112,235,004  
28 Federal Funds estimate for state aid, which shall only be used for such  
29 purpose. There is included in the appropriation to this program for  
30 FY2020-21 \$86,756,257 General Funds, \$5,524,198 Cash Funds, and

1 \$112,235,004 Federal Funds estimate for state aid, which shall only be  
2 used for such purpose.

3 There is included in the amount shown as aid for this program for  
4 FY2019-20 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund to  
5 aid in carrying out the Nebraska Lifespan Respite Services Program and to  
6 provide payment to caregivers to purchase services under the respite  
7 subsidy program. There is included in the amount shown as aid for this  
8 program for FY2020-21 \$810,000 Cash Funds from the Nebraska Health Care  
9 Cash Fund to aid in carrying out the Nebraska Lifespan Respite Services  
10 Program and to provide payment to caregivers to purchase services under  
11 the respite subsidy program.

12 There is included in the appropriation to this program a one-time  
13 increase of \$1,964,198 Cash Funds for FY2020-21 for the Homeless Shelter  
14 Assistance Program because the balance in the Homeless Shelter Assistance  
15 Trust Fund is being depleted, and ongoing expenditures above the  
16 estimated revenue amount of \$2,900,000 are not sustainable beyond  
17 FY2020-21.

18 Sec. 24. Laws 2020, LB1008, section 53, is amended to read:

19 Sec. 53. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
20 Program No. 348 - Medical Assistance

	FY2019-20	FY2020-21
21 GENERAL FUND	860,304,131	921,250,222
22 CASH FUND	46,851,581	46,851,581
23 FEDERAL FUND est.	1,261,738,910	1,708,752,389
24 PROGRAM TOTAL	2,168,894,622	2,676,854,192

25  
26 The unexpended General Fund appropriation balance existing on June  
27 30, 2020, less \$7,500,000, is hereby reappropriated.

28 The Department of Administrative Services shall monitor the  
29 appropriations and expenditures for this program according to the  
30 following program classification:

1           No. 348 - Medical Assistance

2           No. 349 - Medicaid Expansion Aid

3           There is included in the appropriation to this program for FY2019-20  
4   \$860,304,131 General Funds, \$46,851,581 Cash Funds, and \$1,261,738,910  
5   Federal Funds estimate for state aid, which shall only be used for such  
6   purpose. There is included in the appropriation to this program for  
7   FY2020-21 \$921,250,222 General Funds, \$46,851,581 Cash Funds, and  
8   \$1,708,752,389 Federal Funds estimate 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   FY2019-20 \$4,765,896 Cash Funds for the continuation of the behavioral  
12   health provider rate increase and behavioral health provider rate  
13   increase for managed care, inpatient services, and residential treatment  
14   services provided with funds from the Nebraska Health Care Cash Fund.  
15   There is included in the amount shown as aid for this program for  
16   FY2020-21 \$4,765,896 Cash Funds for the continuation of the behavioral  
17   health provider rate increase and behavioral health provider rate  
18   increase for managed care, inpatient services, and residential treatment  
19   services provided with funds from the Nebraska Health Care Cash Fund.

20          There is included in the amount shown as aid for this program for  
21   FY2019-20 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for  
22   a state plan amendment covering tobacco-use cessation in compliance with  
23   Title XIX of the federal Social Security Act. There is included in the  
24   amount shown as aid for this program for FY2020-21 \$450,000 Cash Funds  
25   from the Nebraska Health Care Cash Fund for a state plan amendment  
26   covering tobacco-use cessation in compliance with Title XIX of the  
27   federal Social Security Act. The smoking cessation funding for FY2019-20  
28   and FY2020-21 is for the costs of tobacco-use cessation counseling and  
29   tobacco-use cessation pharmaceuticals approved by the federal Food and  
30   Drug Administration for such purpose.

31          The chief executive officer of the Department of Health and Human

1 Services shall certify to the budget administrator of the budget division  
2 of the Department of Administrative Services the portion of the FY2020-21  
3 General Fund appropriation available for transfer from Budget Program 349  
4 - Medicaid Expansion Aid to Budget Program 38 - Behavioral Health Aid  
5 within Agency 25 – Department of Health and Human Services. The transfer  
6 is authorized if any one of the following conditions are met: (1)  
7 Medicaid Expansion is delayed beyond the projected October 1, 2020,  
8 implementation date; (2) payment delays beyond the control of the  
9 Behavioral Health Regions would result in hardships meeting expenses  
10 incurred providing Medicaid-eligible services by the Behavioral Health  
11 Regions. Funding accessed under this condition shall be repaid once  
12 Medicaid payments are made in full to the Behavioral Health Regions for  
13 Medicaid-eligible services provided to Medicaid-eligible clients; and (3)  
14 enrollment of clients served by the Behavioral Health Regions is less  
15 than projected in the Medicaid Expansion budget calculations. The state  
16 budget administrator of the budget division of the Department of  
17 Administrative Services shall administratively transfer during FY2020-21  
18 the portion of the appropriation certified by the chief executive officer  
19 of the Department of Health and Human Services from Budget Program 349 -  
20 Medicaid Expansion Aid to Budget Program 38 - Behavioral Health Aid. The  
21 chief executive officer shall send a copy of the certification letter to  
22 the Legislative Fiscal Office at the same time it is presented to the  
23 state budget administrator. The state budget administrator shall notify  
24 the Legislative Fiscal Office of any transfers made under this section.

25 The certification authority granted in this section expires on March  
26 1, 2021.

27 There is included in the appropriation to this program in FY2020-21  
28 \$217,347 General Funds and \$276,624 Federal Funds estimate to bring rates  
29 for providers of halfway house services up to the rates paid by the  
30 Division of Behavioral Health.

31 There is included in the appropriation to this program for FY2020-21



1 \$3,888,739 General Funds and \$4,955,334 Federal Funds estimate for rate  
2 increases paid to providers of mental health and behavioral health  
3 services prioritized for mental health and behavioral health services  
4 which were reimbursed at fifteen percent or more below such rates paid as  
5 of January 1, 2020, by the Division of Behavioral Health. Services  
6 include, but are not limited to, day rehabilitation services, mental  
7 health individual sessions, substance use disorder individual sessions,  
8 substance use disorder assessments, therapeutic community services, and  
9 psychiatric residential rehabilitation. It is the intent of the  
10 Legislature that funds appropriated for mental health and behavioral  
11 health rate increases be utilized solely for mental health and behavioral  
12 health rate increases in a proportional manner.

13 There is included in the appropriation to this program \$336,349,731  
14 (\$154,081,812 General Funds and \$182,267,919 Federal Funds) for nursing  
15 facilities in FY2019-20, which includes a one-time payment increase of  
16 \$7,400,000 (\$3,389,940 General Funds and \$4,010,060 Federal Funds) and  
17 \$13,851,307 (\$6,345,284 General Funds and \$7,506,023 Federal Funds) for  
18 utilization changes and rate enhancement.

19 There is included in the appropriation in this section \$350,795,952  
20 (\$158,840,407 General Funds and \$191,955,545 Federal Funds) for nursing  
21 facilities in FY2020-21 which includes \$14,446,221 (\$6,541,249 General  
22 Funds and \$7,904,972 Federal Funds) for utilization changes and rate  
23 enhancement and this total amount shall be used in the FY2020-21 Medicaid  
24 nursing facility rate calculation.

25 It is the intent of the Legislature that the total nursing facility  
26 appropriation amount, including utilization changes and rate enhancement  
27 shall be used in Step 2 directives of the Legislature of the Inflation  
28 Factor calculation process, as described in 471 NAC 12-011.08D5, in  
29 effect on January 1, 2019, for FY2019-20 and FY2020-21.

30 The Department of Health and Human Services shall file a report with  
31 the Legislative Fiscal Office and the Clerk of the Legislature no later

1 than August 1, 2019, on how the Inflation Factor was calculated for  
2 FY2019-20 rates and no later than August 1, 2020, on how the Inflation  
3 Factor was calculated for FY2020-21 rates.

4 The Department of Health and Human Services shall file a report  
5 electronically with the Legislative Fiscal Analyst and the Clerk of the  
6 Legislature between December 15 and December 31, 2020, identifying the  
7 amount of any unspent remaining appropriation from the FY2019-20  
8 appropriations earmarked for nursing facility payments. The report shall  
9 include an identification of encumbrances and retroactive payments.

10 It is the intent of the Legislature that phased-down state  
11 contributions to the federal government as defined and required by the  
12 federal Medicare Prescription Drug, Improvement, and Modernization Act of  
13 2003 may be made from appropriations to this program.

14 The chief executive officer of the Department of Health and Human  
15 Services may certify to the budget administrator of the budget division  
16 of the Department of Administrative Services FY2019-20 and FY2020-21  
17 unexpended appropriation balances for Medical Assistance, Program No.  
18 348, available to transfer to Developmental Disabilities Aid, Program No.  
19 424, to be used only to maintain individuals with an intellectual or  
20 developmental disability in a medicaid program that best serves their  
21 needs at a cost that does not exceed the cost of services provided in an  
22 institution. The budget administrator of the budget division of the  
23 Department of Administrative Services shall administratively transfer  
24 during FY2019-20 and FY2020-21 available appropriations as certified by  
25 the chief executive officer of the Department of Health and Human  
26 Services from Medical Assistance, Program No. 348, to Developmental  
27 Disabilities Aid, Program No. 424.

28 For informational purposes only, there is included in the  
29 appropriation to this program the following aid amounts for Program 349:

30	FY2019-20	FY2020-21
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1	GENERAL FUND	-0-	43,863,305
2	FEDERAL FUND est.	-0-	373,260,870
3	PROGRAM TOTAL	-0-	417,124,175

4 It is the intent of the Legislature that the department shall  
5 provide monthly status reports electronically to the Clerk of the  
6 Legislature and the Legislative Fiscal Analyst on Medicaid Expansion. The  
7 department shall include in the report information on policy decisions on  
8 services, community engagement, wellness requirements, and rate setting.

9 Sec. 25. Laws 2020, LB1008, section 54, is amended to read:

10 Sec. 54. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

11 Program No. 354 - Child Welfare Aid

	FY2019-20	FY2020-21
12 GENERAL FUND	197,032,479	172,174,830
13 CASH FUND	2,734,444	2,734,444
14 FEDERAL FUND est.	30,873,288	32,211,149
15 PROGRAM TOTAL	230,640,211	207,120,423

16 The unexpended General Fund appropriation balance existing on June  
17 30, 2020, less \$28,000,000, is hereby reappropriated.

18 Of the remaining unexpended General Fund appropriation balance  
19 existing on June 30, 2020, \$6,000,000 is hereby reappropriated to Agency  
20 No. 25, Program 33.

21 There is included in the appropriation to this program for FY2019-20  
22 \$197,032,479 General Funds, \$2,734,444 Cash Funds, and \$30,873,288  
23 Federal Funds estimate for state aid, which shall only be used for such  
24 purpose. There is included in the appropriation to this program for  
25 FY2020-21 \$172,174,830 General Funds, \$2,734,444 Cash Funds, and  
26 \$32,211,149 Federal Funds estimate for state aid, which shall only be  
27 used for such purpose.

28 There is included in the amount shown as aid for this program for  
29 FY2019-20 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund  
30

1 for the continuation of the behavioral health provider rate increase.  
2 There is included in the amount shown as aid for this program for  
3 FY2020-21 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund  
4 for the continuation of the behavioral health provider rate increase.

5 Sec. 26. Laws 2020, LB1008, section 55, is amended to read:

6 Sec. 55. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

7 Program No. 421 - Beatrice State Developmental Center

	FY2019-20	FY2020-21
8 GENERAL FUND	14,936,566	13,363,473
9 CASH FUND	2,711,509	2,711,509
10 FEDERAL FUND est.	20,439,489	21,451,694
11 PROGRAM TOTAL	38,087,564	37,526,676
12 SALARY LIMIT	22,275,288	22,525,383

14 The unexpended General Fund appropriation balance existing on June  
15 30, 2020, less ~~\$2,200,000~~ ~~\$1,000,000~~, is hereby reappropriated.

16 The chief executive officer of the Department of Health and Human  
17 Services shall certify to the budget administrator of the budget division  
18 of the Department of Administrative Services the FY2019-20 and FY2020-21  
19 unexpended appropriation balances for the Beatrice State Developmental  
20 Center, Program 421, which are available to transition and maintain  
21 persons transferred from the Beatrice State Developmental Center to  
22 community-based developmental disability or other services. The budget  
23 administrator of the budget division of the Department of Administrative  
24 Services shall administratively transfer during FY2019-20 and FY2020-21  
25 available unexpended appropriation balances as certified by the chief  
26 executive officer of the Department of Health and Human Services from the  
27 Beatrice State Developmental Center, Program 421, to Developmental  
28 Disability Aid, Program 424, and Medical Assistance, Program 348.

29 Sec. 27. Laws 2019, LB294, section 261, is amended to read:

30 Sec. 261. FUND LAPSES AND TRANSFERS.

1           The State Treasurer shall make the transfers specified in this  
2 section between funds, in the amounts indicated. Unless otherwise noted,  
3 transfers for FY2019-20 shall occur on July 1, 2019, or as soon  
4 thereafter as administratively possible, and transfers for FY2020-21  
5 shall occur on July 1, 2020, or as soon thereafter as administratively  
6 possible. All agencies with administrative responsibilities for these  
7 funds shall assist the State Treasurer as needed in implementing the  
8 transfers.

9           (1) Transfers for FY2019-20 shall include:

10           (a) From the General Fund to the Nebraska State Patrol Cash Fund:  
11 \$115,000 less the unexpended balance existing on June 30, 2019, in (i)  
12 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash  
13 Fund, (iii) any special checking account or accounts used by the Nebraska  
14 State Patrol, and (iv) the possession of agency personnel involved in  
15 investigations, when the unexpended balances resulted from General Fund  
16 transfers to the Nebraska State Patrol Cash Fund or from General Fund  
17 appropriations. Any transfers made shall be subject to a final  
18 reconciliation of available investigation cash fund balances as of June  
19 30, 2019, by the Nebraska State Patrol.

20           It is the intent of the Legislature that the Nebraska State Patrol  
21 have available a total of \$115,000 from the General Fund for FY2019-20 to  
22 be used in making drug purchases, for enforcing Nebraska laws relating to  
23 felonies, for enforcing the Nebraska liquor laws, and for payment of  
24 investigative expenses;

25           (b) From the Tobacco Products Administration Cash Fund to the  
26 General Fund: \$9,000,000 on or before June 15, 2020, on such dates and in  
27 such amounts as directed by the budget administrator of the budget  
28 division of the Department of Administrative Services;

29           (c) From the Securities Act Cash Fund to the General Fund:  
30 \$6,750,000 on or before September 30, 2019, \$6,750,000 on or before  
31 December 31, 2019, \$6,750,000 on or before March 31, 2020, and \$6,750,000

1 on or before June 30, 2020, on such dates as directed by the budget  
2 administrator of the budget division of the Department of Administrative  
3 Services;

4 (d) From the Health and Human Services Cash Fund to the University  
5 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases  
6 Cash Fund: \$500,000, pursuant to section 81-638;

7 (e) From the Department of Insurance Cash Fund to the General Fund:  
8 \$6,250,000 on or before September 30, 2019, and \$6,250,000 on or before  
9 March 31, 2020, on such dates as directed by the budget administrator of  
10 the budget division of the Department of Administrative Services;

11 (f) From the Roads Operations Cash Fund to the Carrier Enforcement  
12 Cash Fund: \$8,960,476, less the unexpended balance existing on June 30,  
13 2019, in the Carrier Enforcement Cash Fund. Transfers shall be made in  
14 four equal quarterly amounts on or before July 15, October 15, January  
15 15, and April 15;

16 (g) From the Petroleum Release Remedial Action Cash Fund to the  
17 Underground Storage Tank Fund: \$50,000 on or before July 5, 2019;

18 (h) From the State Building Revolving Fund to the Capitol Security  
19 Revolving Fund: \$842,664. Transfers shall be made in four equal quarterly  
20 amounts on or before July 15, October 15, January 15, and April 15.

21 Transfers shall be made to pay non-General-Fund costs associated  
22 with the operation of the state capitol security division of the Nebraska  
23 State Patrol;

24 (i) From the Highway Trust Fund to the Motor Fuel Tax Enforcement  
25 and Collection Cash Fund: \$1,347,588. Transfers shall be made in twelve  
26 equal monthly amounts;

27 (j) From the Highway Trust Fund to the Motor Carrier Division Cash  
28 Fund: Up to a maximum of \$1,400,000. Transfers shall be made as required  
29 by the Department of Motor Vehicles to operate the Division of Motor  
30 Carrier Services;

31 (k) From the Civic and Community Center Financing Fund to the

1 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2019, or as  
2 soon thereafter as administratively possible, as provided for in sections  
3 13-2704 and 77-5601;

4 (l) From the Highway Trust Fund to the License Plate Cash Fund:  
5 \$2,400,000. Transfers shall be made as required by the Department of  
6 Motor Vehicles to meet the expenditures of plate and sticker production;

7 (m) From the Flexible Spending Trust Fund to the Health and Life  
8 Benefit Administration Cash Fund: \$140,000, except that if the total  
9 available unobligated balance of forfeitures in the Flexible Spending  
10 Trust Fund as of June 30, 2019, is less than \$140,000, then the State  
11 Treasurer shall transfer the difference, not to exceed \$140,000, from the  
12 State Employees Insurance Fund. Transfers shall be made to pay the costs  
13 associated with the administration of the Flexible Spending Account  
14 program;

15 (n) From the State Employees Insurance Fund to the Health and Life  
16 Benefit Administration Cash Fund: \$979,952, less the June 30, 2019,  
17 unobligated Health and Life Benefit Administration Cash Fund balance;

18 (o) From the Severance Tax Fund to the Municipal Rate Negotiations  
19 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

20 (p) From the Severance Tax Fund to the State Energy Cash Fund:  
21 \$300,000, pursuant to section 57-705. Transfers shall be made in twelve  
22 equal monthly amounts;

23 (q) From the Nebraska Training and Support Cash Fund to the Sector  
24 Partnership Program Fund: \$300,000 on or before July 15, 2019, on such  
25 date as directed by the budget administrator of the budget division of  
26 the Department of Administrative Services;

27 (r) The State Treasurer shall transfer up to \$1,500,000 from the  
28 Petroleum Release Remedial Action Cash Fund to the Superfund Cost Share  
29 Cash Fund on or before June 30, 2020, on such dates and in such amounts  
30 as directed by the budget administrator of the budget division of the  
31 Department of Administrative Services. Transfers shall be made as

1 required by the Department of Environment and Energy and used pursuant to  
2 subdivision (2)(i) of section 66-1519;

3 (s) From the Records Management Cash Fund to the Secretary of State  
4 Administration Cash Fund: \$58,294 on or before June 30, 2020, on such  
5 dates and in such amounts as directed by the budget administrator of the  
6 budget division of the Department of Administrative Services;

7 (t) From the Securities Settlement Fund to the Educational Savings  
8 Plan Administrative Fund: \$150,000 on or before July 15, 2019, on such  
9 date as directed by the budget administrator of the budget division of  
10 the Department of Administrative Services; and

11 (u) From the State Settlement Cash Fund to the General Fund:  
12 \$295,957 on or before June 30, 2020, on such dates and in such amounts as  
13 directed by the budget administrator of the budget division of the  
14 Department of Administrative Services.

15 (2) Transfers for FY2020-21 shall include:

16 (a) From the General Fund to the Nebraska State Patrol Cash Fund:  
17 \$115,000 less the unexpended balance existing on June 30, 2020, in (i)  
18 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash  
19 Fund, (iii) any special checking account or accounts used by the Nebraska  
20 State Patrol, and (iv) the possession of agency personnel involved in  
21 investigations, when the unexpended balances resulted from General Fund  
22 transfers to the Nebraska State Patrol Cash Fund or from General Fund  
23 appropriations. Any transfers made shall be subject to a final  
24 reconciliation of available investigation cash fund balances as of June  
25 30, 2020, by the Nebraska State Patrol.

26 It is the intent of the Legislature that the Nebraska State Patrol  
27 have available a total of \$115,000 from the General Fund for FY2020-21 to  
28 be used in making drug purchases, for enforcing Nebraska laws relating to  
29 felonies, for enforcing the Nebraska liquor laws, and for payment of  
30 investigative expenses;

31 (b) From the Tobacco Products Administration Cash Fund to the



1 General Fund: \$9,000,000 on or before June 15, 2021, on such dates and in  
2 such amounts as directed by the budget administrator of the budget  
3 division of the Department of Administrative Services;

4 (c) From the Securities Act Cash Fund to the General Fund:  
5 \$6,750,000 on or before September 30, 2020, \$6,750,000 on or before  
6 December 31, 2020, \$6,750,000 on or before March 31, 2021, and \$5,500,000  
7 ~~\$7,750,000~~ on or before June 30, 2021, on such dates as directed by the  
8 budget administrator of the budget division of the Department of  
9 Administrative Services;

10 (d) From the Health and Human Services Cash Fund to the University  
11 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases  
12 Cash Fund: \$500,000, pursuant to section 81-638;

13 (e) From the Department of Insurance Cash Fund to the General Fund:  
14 \$6,750,000 on or before September 30, 2020, and \$6,750,000 on or before  
15 March 31, 2021, on such dates as directed by the budget administrator of  
16 the budget division of the Department of Administrative Services;

17 (f) From the Roads Operations Cash Fund to the Carrier Enforcement  
18 Cash Fund: \$9,216,051. Transfers shall be made in four equal quarterly  
19 amounts on or before July 15, October 15, January 15, and April 15;

20 (g) From the Petroleum Release Remedial Action Cash Fund to the  
21 Underground Storage Tank Fund: \$50,000 on or before July 5, 2020;

22 (h) From the State Building Revolving Fund to the Capitol Security  
23 Revolving Fund: \$869,188. Transfers shall be made in four equal quarterly  
24 amounts on or before July 15, October 15, January 15, and April 15.  
25 Transfers shall be made to pay non-General-Fund costs associated with the  
26 operation of the state capitol security division of the Nebraska State  
27 Patrol;

28 (i) From the Highway Trust Fund to the Motor Fuel Tax Enforcement  
29 and Collection Cash Fund: \$1,443,670, less the unobligated balance in the  
30 Motor Fuel Tax Enforcement and Collection Cash Fund on June 30, 2020.  
31 Transfers shall be made in twelve equal monthly amounts;

1 (j) From the Highway Trust Fund to the Motor Carrier Division Cash  
2 Fund: Up to a maximum of \$1,400,000. Transfers shall be made as required  
3 by the Department of Motor Vehicles to operate the Division of Motor  
4 Carrier Services;

5 (k) From the Civic and Community Center Financing Fund to the  
6 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2020, or as  
7 soon thereafter as administratively possible, as provided for in sections  
8 13-2704 and 77-5601;

9 (l) From the Highway Trust Fund to the License Plate Cash Fund: Up  
10 to a maximum of \$2,400,000. Transfers shall be made as required by the  
11 Department of Motor Vehicles to meet the expenditures of plate and  
12 sticker production;

13 (m) From the Flexible Spending Trust Fund to the Health and Life  
14 Benefit Administration Cash Fund: \$140,000, except that if the total  
15 available unobligated balance of forfeitures in the Flexible Spending  
16 Trust Fund as of June 30, 2020, is less than \$140,000, then the State  
17 Treasurer shall transfer the difference, not to exceed \$140,000, from the  
18 State Employees Insurance Fund. Transfers shall be made to pay the costs  
19 associated with the administration of the Flexible Spending Account  
20 program;

21 (n) From the State Employees Insurance Fund to the Health and Life  
22 Benefit Administration Cash Fund: \$989,961;

23 (o) From the Severance Tax Fund to the Municipal Rate Negotiations  
24 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

25 (p) From the Severance Tax Fund to the State Energy Cash Fund:  
26 \$300,000, pursuant to section 57-705. Transfers shall be made in twelve  
27 equal monthly amounts;

28 (q) From the Nebraska Training and Support Cash Fund to the Sector  
29 Partnership Program Fund: \$300,000 on or before July 15, 2020, on such  
30 date as directed by the budget administrator of the budget division of  
31 the Department of Administrative Services;

1 (r) The State Treasurer shall transfer up to \$1,500,000 from the  
2 Petroleum Release Remedial Action Cash Fund to the Superfund Cost Share  
3 Cash Fund on or before June 30, 2021, on such dates and in such amounts  
4 as directed by the budget administrator of the budget division of the  
5 Department of Administrative Services. Transfers shall be made as  
6 required by the Department of Environment and Energy and used pursuant to  
7 subdivision (2)(i) of section 66-1519;

8 (s) From the Records Management Cash Fund to the Secretary of State  
9 Administration Cash Fund: \$61,130 on or before June 30, 2021, on such  
10 dates and in such amounts as directed by the budget administrator of the  
11 budget division of the Department of Administrative Services;

12 (t) From the Securities Settlement Fund to the Educational Savings  
13 Plan Administrative Fund: \$150,000 on or before July 15, 2020, on such  
14 date as directed by the budget administrator of the budget division of  
15 the Department of Administrative Services; and

16 (u) From the State Settlement Cash Fund to the General Fund:  
17 \$295,957 on or before June 30, 2021, on such dates and in such amounts as  
18 directed by the budget administrator of the budget division of the  
19 Department of Administrative Services.

20 Sec. 28. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

1           (2) Total expenditures for permanent and temporary salaries and per  
2 diems shall be limited to the amount shown except when federal funds in  
3 excess of the amount shown are available and approved by the Governor.  
4 Expenditures for permanent and temporary salaries and per diems from such  
5 grants shall be in addition to the limitation on permanent and temporary  
6 salaries and per diems otherwise shown in this act. No agency shall  
7 request any state funds for continuation or replacement of any such  
8 personnel or activities in future budget requests. To the extent  
9 feasible, requests for increases in the limitation on permanent and  
10 temporary salaries and per diems shall be addressed to the Appropriations  
11 Committee of the Legislature when the Legislature is in session.

12           (3) Expenditures for permanent and temporary salaries resulting from  
13 awards made to employees under sections 81-1346 to 81-1354 shall be in  
14 addition to the limitations on permanent and temporary salaries and per  
15 diems otherwise shown in this act.

16           (4) The limitation on expenditures for permanent and temporary  
17 salaries and per diems for FY2020-21 as enumerated in this act shall be  
18 the basis for continuation funding for each fiscal year of the succeeding  
19 biennium.

20           (5) The limitation on expenditures for permanent and temporary  
21 salaries and per diems for FY2019-20 shall be increased by certified  
22 encumbrance amounts from FY2018-19 for permanent and temporary salaries  
23 and per diems. The limitation on expenditures for permanent and temporary  
24 salaries and per diems for FY2020-21 shall be increased by certified  
25 encumbrance amounts from FY2019-20 for permanent and temporary salaries  
26 and per diems. Encumbered amounts shall be calculated in accordance with  
27 section 81-138.01.

28           (6) The limitation on expenditures for permanent and temporary  
29 salaries and per diems shall only apply to remuneration paid to state  
30 employees or per diem payments made to members of state boards or  
31 commissions.

1           (7) The budget administrator of the budget division of the  
2 Department of Administrative Services may administratively increase the  
3 limitation on expenditures for permanent and temporary salaries and per  
4 diems upon receipt of a request for such increase from the director of a  
5 state agency certifying the actual amount of the payment to a former  
6 employee of such agency, or his or her beneficiary upon the death of the  
7 employee, of accumulated vacation and sick leave pursuant to section  
8 81-1325 and the rules and regulations of the State Personnel System  
9 governing such payments.

10           Sec. 29. Original Laws 2019, LB294, sections 93, 96, 108, 159, 181,  
11 182, and 261; and Laws 2020, LB1008, sections 49, 50, 51, 52, 53, 54, and  
12 55, are repealed.

13           Sec. 30. Since an emergency exists, this act takes effect when  
14 passed and approved according to law.