

AMENDMENTS TO LB813

Introduced by Appropriations.

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new 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 Eighth Legislature, First or Second Session, which  
6 appropriates funds, FY2021-22 means the period July 1, 2021, through June  
7 30, 2022; FY2022-23 means the period July 1, 2022, through June 30, 2023;  
8 FY2023-24 means the period July 1, 2023, through June 30, 2024; FY2024-25  
9 means the period July 1, 2024, through June 30, 2025; FY2025-26 means the  
10 period July 1, 2025, through June 30, 2026; and FY2026-27 means the  
11 period July 1, 2026, through June 30, 2027.

12           Sec. 2. APPROPRIATION LANGUAGE.

13           There are hereby appropriated, for FY2021-22 and FY2022-23, 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, 2021, 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, 2021, in excess of expended and certified  
23 encumbrance amounts are hereby lapsed unless otherwise expressly  
24 provided. All certified encumbrance amounts on June 30, 2021, and June  
25 30, 2022, are hereby reappropriated for FY2021-22 and FY2022-23,  
26 respectively, which amounts shall be in addition to the amounts shown in  
27 this act.

1           Sec. 4. REAPPROPRIATION OF BALANCES, FY2021-22 to FY2022-23.

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, 2022, for FY2022-23 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 40 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. 9 – SECRETARY OF STATE

18          Program No. 45 - Election Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>	
19			
20	<u>GENERAL FUND</u>	<u>-0-</u>	<u>77,956</u>
21	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>77,956</u>
22	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>46,875</u>

23          Sec. 8. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS

24          Program No. 506 - State Agency and County Post Audits

	<u>FY2021-22</u>	<u>FY2022-23</u>	
25			
26	<u>GENERAL FUND</u>	<u>-0-</u>	<u>126,652</u>
27	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>126,652</u>
28	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>110,000</u>

29          Sec. 9. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

30          Program No. 25 - Departmental Administration

1		<u>FY2021-22</u>	<u>FY2022-23</u>
2	<u>GENERAL FUND</u>	<u>-0-</u>	<u>451,749</u>
3	<u>CASH FUND</u>	<u>-0-</u>	<u>39,691</u>
4	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>619,025</u>
5	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,110,465</u>
6	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>102,583</u>
7	Sec. 10. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
8	<u>Program No. 161 - Education Innovation</u>		
9		<u>FY2021-22</u>	<u>FY2022-23</u>
10	<u>CASH FUND</u>	<u>-0-</u>	<u>187</u>
11	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>187</u>
12	Sec. 11. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
13	<u>Program No. 351 - Vocational Rehabilitation</u>		
14		<u>FY2021-22</u>	<u>FY2022-23</u>
15	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>73,530</u>
16	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>73,530</u>
17	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>48,768</u>
18	Sec. 12. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
19	<u>Program No. 352 - Disability Determination</u>		
20		<u>FY2021-22</u>	<u>FY2022-23</u>
21	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>22,421</u>
22	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>22,421</u>
23	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>14,701</u>
24	Sec. 13. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
25	<u>Program No. 401 - Deaf/Hard of Hearing Services</u>		
26		<u>FY2021-22</u>	<u>FY2022-23</u>
27	<u>GENERAL FUND</u>	<u>-0-</u>	<u>14</u>
28	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>14</u>
29	Sec. 14. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		

1	<u>Program No. 402 - School for the Visually Impaired</u>		
2		<u>FY2021-22</u>	<u>FY2022-23</u>
3	<u>GENERAL FUND</u>	<u>-0-</u>	<u>166,724</u>
4	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>166,724</u>
5	Sec. 15. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
6	<u>Program No. 614 - Professional Practices Commission</u>		
7		<u>FY2021-22</u>	<u>FY2022-23</u>
8	<u>GENERAL FUND</u>	<u>-0-</u>	<u>73</u>
9	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>73</u>
10	Sec. 16. <u>AGENCY NO. 14 – PUBLIC SERVICE COMMISSION</u>		
11	<u>Program No. 60 - Grain Warehouse Surveillance</u>		
12		<u>FY2021-22</u>	<u>FY2022-23</u>
13	<u>CASH FUND</u>	<u>-0-</u>	<u>49,500</u>
14	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>49,500</u>
15	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>29,109</u>
16	Sec. 17. <u>AGENCY NO. 14 – PUBLIC SERVICE COMMISSION</u>		
17	<u>Program No. 686 - Nebraska Telecommunications Universal Service Fund</u>		
18		<u>FY2021-22</u>	<u>FY2022-23</u>
19	<u>CASH FUND</u>	<u>-0-</u>	<u>10,049,356</u>
20	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>10,049,356</u>
21	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>32,500</u>
22	<u>There is included in the appropriation to this program for FY2022-23</u>		
23	<u>\$10,000,000 Cash Funds for state aid, which shall only be used for such</u>		
24	<u>purpose.</u>		
25	Sec. 18. <u>AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>		
26	<u>Program No. 33 - Administration</u>		
27		<u>FY2021-22</u>	<u>FY2022-23</u>
28	<u>GENERAL FUND</u>	<u>-0-</u>	<u>23,809,082</u>
29	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>698,587</u>

1	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>24,507,669</u>
2	Sec. 19. <u>AGENCY NO. 27 – DEPARTMENT OF TRANSPORTATION</u>		
3	<u>Program No. 569 - Construction</u>		
4		<u>FY2021-22</u>	<u>FY2022-23</u>
5	<u>CASH FUND</u>	<u>-0-</u>	<u>159,000,000</u>
6	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>159,000,000</u>
7	Sec. 20. <u>AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES</u>		
8	<u>Program No. 200 - Operations</u>		
9		<u>FY2021-22</u>	<u>FY2022-23</u>
10	<u>GENERAL FUND</u>	<u>-0-</u>	<u>24,925,453</u>
11	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>24,925,453</u>
12	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>10,498,311</u>
13	Sec. 21. <u>AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS</u>		
14	<u>COMMISSION</u>		
15	<u>Program No. 919 - Emergency Alert System Project</u>		
16		<u>FY2021-22</u>	<u>FY2022-23</u>
17	<u>NEBRASKA CAPITAL</u>		<u>FUTURE</u>
18	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>170,000</u>
19	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>170,000</u>
20	<u>The Nebraska Educational Telecommunications Commission is hereby</u>		
21	<u>authorized to update the emergency alert system.</u>		
22	Sec. 22. <u>AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS</u>		
23	<u>COMMISSION</u>		
24	<u>Program No. 920 - Translator Sites</u>		
25		<u>FY2021-22</u>	<u>FY2022-23</u>
26	<u>NEBRASKA CAPITAL</u>		<u>FUTURE</u>
27	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>210,000</u>
28	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>210,000</u>
29	<u>The Nebraska Educational Telecommunications Commission is hereby</u>		

1 authorized to purchase two tower sites in the community of Max in Dundy  
2 County, Nebraska, and the village of Culbertson, Nebraska.

3 Sec. 23. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE  
4 COLLEGES

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

	<u>FY2021-22</u>	<u>FY2022-23</u>
6		
7 <u>GENERAL FUND</u>	<u>-0-</u>	<u>1,335,197</u>
8 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,335,197</u>

9 Sec. 24. AGENCY NO. 53 – REAL PROPERTY APPRAISER BOARD

10 Program No. 79 - Appraiser Licensing

	<u>FY2021-22</u>	<u>FY2022-23</u>
11		
12 <u>CASH FUND</u>	<u>-0-</u>	<u>3,783</u>
13 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,783</u>
14 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

15 Sec. 25. AGENCY NO. 63 – NEBRASKA STATE BOARD OF PUBLIC ACCOUNTANCY

16 Program No. 84 - Enforcement of Standards - Public Accountancy

	<u>FY2021-22</u>	<u>FY2022-23</u>
17		
18 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>2,500</u>

19 Sec. 26. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

20 Program No. 173 - Communications

	<u>FY2021-22</u>	<u>FY2022-23</u>
21		
22 <u>REVOLVING FUND</u>	<u>-0-</u>	<u>3,500,000</u>
23 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,500,000</u>

24 Sec. 27. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

25 Program No. 601 - Community Development

	<u>FY2021-22</u>	<u>FY2022-23</u>
26		
27 <u>CASH FUND</u>	<u>-0-</u>	<u>10,000,000</u>
28 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>10,000,000</u>

29 There is included in the appropriation to this program for FY2021-22

1 \$-0- Cash Funds and for FY2022-23 \$10,000,000 Cash Funds for state aid,  
2 which shall only be used for such purpose.

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

4 Program No. 603 - Industrial Recruitment

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

8 There is included in the appropriation to this program for FY2021-22  
9 \$-0- Cash Funds and for FY2022-23 \$4,000,000 Cash Funds for state aid,  
10 which shall only be used for such purpose.

11 Sec. 29. Laws 2021, LB380, section 57, is amended to read:

12 Sec. 57. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

13 Program No. 54 - Enforcement of Standards - Common Carriers

	<u>FY2021-22</u>	<u>FY2022-23</u>
14		
15 <u>GENERAL FUND</u>	<u>1,546,001</u>	<u>1,531,268</u>
16 <u>GENERAL FUND</u>	<u>1,546,001</u>	<u>1,580,768</u>
17 <u>CASH FUND</u>	<u>66,647</u>	<u>68,152</u>
18 <u>PROGRAM TOTAL</u>	<u>1,612,648</u>	<u>1,599,420</u>
19 <u>SALARY LIMIT</u>	<u>1,199,656</u>	<u>1,194,539</u>
20 <u>PROGRAM TOTAL</u>	<u>1,612,648</u>	<u>1,648,920</u>
21 <u>SALARY LIMIT</u>	<u>1,199,656</u>	<u>1,223,648</u>

22 Sec. 30. Laws 2021, LB380, section 68, is amended to read:

23 Sec. 68. AGENCY NO. 16 – DEPARTMENT OF REVENUE

24 Program No. 111 - Motor Fuels

	<u>FY2021-22</u>	<u>FY2022-23</u>
25		
26 <u>CASH FUND</u>	<u>1,727,408</u>	<u>1,550,120</u>
27 <u>PROGRAM TOTAL</u>	<u>1,727,408</u>	<u>1,550,120</u>
28 <u>SALARY LIMIT</u>	<u>1,196,853</u>	<u>1,111,267</u>
29 <u>CASH FUND</u>	<u>1,727,408</u>	<u>1,750,120</u>

1	PROGRAM TOTAL	1,727,408	1,750,120
2	SALARY LIMIT	1,196,853	1,211,267
3	Sec. 31. Laws 2021, LB380, section 83, is amended to read:		
4	Sec. 83. AGENCY NO. 23 – DEPARTMENT OF LABOR		
5	Program No. 31 - Division of Employment		
6		FY2021-22	FY2022-23
7	CASH FUND	2,980,461	2,995,874
8	<u>FEDERAL FUND est.</u>	<u>41,159,897</u>	<u>43,532,919</u>
9	<u>PROGRAM TOTAL</u>	<u>44,140,358</u>	<u>46,528,793</u>
10	<del>FEDERAL FUND est.</del>	<del>41,159,897</del>	<del>41,532,919</del>
11	<del>PROGRAM TOTAL</del>	<del>44,140,358</del>	<del>44,528,793</del>
12	SALARY LIMIT	19,188,699	19,412,730

13 There is included in the appropriation to this program for FY2021-22  
14 \$1,600,000 Cash Funds for state aid, which shall only be used for such  
15 purpose. There is included in the appropriation to this program for  
16 FY2022-23 \$1,600,000 Cash Funds for state aid, which shall only be used  
17 for such purpose.

18 There is included in the appropriation to this program for FY2021-22  
19 \$7,904,743 Federal Funds estimate for state aid, which shall only be used  
20 for such purpose. There is included in the appropriation to this program  
21 for FY2022-23 \$7,904,743 Federal Funds estimate for state aid, which  
22 shall only be used for such purpose.

23 There is included in the appropriation to this program Federal Funds  
24 made available to the state under section 903(d) and 903(f) of the  
25 federal Social Security Act, as amended, of \$2,000,000 in FY2022-23 or so  
26 much thereof as may be necessary, to be used for the administration of  
27 the Employment Security Law and public employment offices, including the  
28 administration of one-stop career centers to the extent authorized under  
29 the federal Social Security Act and the Wagner-Peyser Act and the rules  
30 and regulations adopted pursuant thereto. The expenditure or other

1 disposition of section 903(d) and 903(f) money appropriated in this  
2 section shall be accounted for in accordance with standards established  
3 by the United States Secretary of Labor. Except as provided in this  
4 section, all provisions of subsection (2) of section 48-621, except  
5 subdivision (2)(a)(i) of such section, shall apply to this appropriation.

6 Sec. 32. Laws 2021, LB383, section 25, is amended to read:

7 Sec. 25. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS  
8 COMMISSION

9 Program No. 908 - Tower Lighting Project

	FY2021-22	FY2022-23	FUTURE
11 GENERAL FUND	180,000	120,000	-0-
12 <u>NEBRASKA CAPITAL</u>			
13 <u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>160,000</u>	<u>-0-</u>
14 <u>PROGRAM TOTAL</u>	<u>180,000</u>	<u>280,000</u>	<u>-0-</u>
15 <u>PROGRAM TOTAL</u>	<u>180,000</u>	<u>120,000</u>	<u>-0-</u>

16 The Nebraska Educational Telecommunications Commission is hereby  
17 authorized to replace the tower lighting system at KRNE Merriman, and  
18 K33AC Pawnee City, and KLNE Lexington.

19 Sec. 33. Laws 2022, LB1011, section 56, is amended to read:

20 Sec. 56. AGENCY NO. 16 – DEPARTMENT OF REVENUE

21 Program No. 108 - Homestead Exemption

	FY2021-22	FY2022-23
23 <u>GENERAL FUND</u>	<u>7,900,000</u>	<u>9,900,000</u>
24 <u>PROGRAM TOTAL</u>	<u>7,900,000</u>	<u>9,900,000</u>
25 <u>GENERAL FUND</u>	<u>7,900,000</u>	<u>11,700,000</u>
26 <u>PROGRAM TOTAL</u>	<u>7,900,000</u>	<u>11,700,000</u>

27 There is included in the appropriation to this program for FY2021-22  
28 \$7,900,000 General Funds for state aid, which shall only be used for such  
29 purpose. There is included in the appropriation to this program for  
30 FY2022-23 \$9,900,000 ~~\$11,700,000~~ General Funds for state aid, which shall

1 only be used for such purpose.

2 Sec. 34. Laws 2022, LB1011, section 187, is amended to read:

3 Sec. 187. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

4 Program No. 158 - Education Aid

	FY2021-22	FY2022-23
6 <u>GENERAL FUND</u>	<u>1,279,814,262</u>	<u>1,301,934,795</u>
7 <del>GENERAL FUND</del>	<del>1,279,814,262</del>	<del>1,306,056,097</del>
8 CASH FUND	3,790,938	3,790,938
9 FEDERAL FUND est.	592,183,782	401,155,053
10 <u>PROGRAM TOTAL</u>	<u>1,875,788,982</u>	<u>1,706,880,786</u>
11 <del>PROGRAM TOTAL</del>	<del>1,875,788,982</del>	<del>1,711,002,088</del>

12 There is included in the appropriation to this program for FY2021-22  
13 \$1,279,814,262 General Funds, \$3,790,938 Cash Funds, and \$592,183,782  
14 Federal Funds estimate for state aid, which shall only be used for such  
15 purpose. There is included in the appropriation to this program for  
16 FY2022-23 \$1,301,934,795 ~~\$1,306,056,097~~ General Funds, \$3,790,938 Cash  
17 Funds, and \$401,155,053 Federal Funds estimate for state aid, which shall  
18 only be used for such purpose.

19 There is included in the amount shown for FY2021-22 \$1,014,778,305  
20 General Funds which are hereby appropriated to the Tax Equity and  
21 Educational Opportunities Fund, which fund is hereby appropriated to  
22 provide state aid to public school districts pursuant to the Tax Equity  
23 and Educational Opportunities Support Act. There is included in the  
24 amount shown for FY2022-23 \$1,034,512,641 ~~\$1,038,686,234~~ General Funds  
25 which are hereby appropriated to the Tax Equity and Educational  
26 Opportunities Fund, which fund is hereby appropriated to provide state  
27 aid to public school districts pursuant to the Tax Equity and Educational  
28 Opportunities Support Act.

29 There is included in the amount shown for this program \$233,390,568  
30 General Funds provided as state aid for FY2021-22 for special education

1 reimbursement. There is included in the amount shown for this program  
2 \$235,724,474 General Funds provided as state aid for FY2022-23 for  
3 special education reimbursement.

4 There is included in the amount shown for this program \$1,465,500  
5 General Funds provided as state aid for FY2021-22 and \$1,465,500 General  
6 Funds provided as state aid for FY2022-23 to carry out the provisions of  
7 subsection (2) of section 79-734.

8 There is included in the amount shown for this program \$10,161,395  
9 General Funds provided as state aid for FY2021-22 and \$10,161,395 General  
10 Funds provided as state aid for FY2022-23 for core services for  
11 educational service units.

12 There is included in the amount shown for this program \$3,170,927  
13 General Funds provided as state aid for FY2021-22 and \$3,170,927 General  
14 Funds provided as state aid for FY2022-23 for technology infrastructure  
15 for educational service units.

16 There is included in the amount shown for this program \$281,654  
17 General Funds provided as state aid for FY2021-22 and \$281,654 General  
18 Funds provided as state aid for FY2022-23 for distance education aid to  
19 educational service units.

20 There is included in the amount shown for this program \$617,898  
21 General Funds provided as state aid for FY2021-22 and \$670,189 ~~\$617,898~~  
22 General Funds provided as state aid for FY2022-23 for the school  
23 breakfast program.

24 There is included in the amount shown for this program \$392,032  
25 General Funds provided as state aid for FY2021-22 and \$392,032 General  
26 Funds provided as state aid for FY2022-23 for the school lunch program.

27 There is included in the amount shown for this program \$90,000  
28 General Funds provided as state aid for FY2021-22 and \$90,000 General  
29 Funds provided as state aid for FY2022-23 for the Summer Food Service  
30 Program.

31 There is included in the amount shown for this program \$214,664

1 General Funds provided as state aid for FY2021-22 and \$214,664 General  
2 Funds provided as state aid for FY2022-23 for adult basic education  
3 programs.

4 There is included in the amount shown for this program \$750,000  
5 General Funds provided as state aid for FY2021-22 and \$750,000 General  
6 Funds provided as state aid for FY2022-23 for aid to institutions  
7 offering high school equivalency programs.

8 There is included in the amount shown for this program \$3,619,357  
9 General Funds provided as state aid for FY2021-22 and \$3,619,357 General  
10 Funds provided as state aid for FY2022-23 for early childhood education  
11 projects.

12 There is included in the amount shown for this program \$7,500,000  
13 General Funds provided as state aid for FY2021-22 and \$7,500,000 General  
14 Funds provided as state aid for FY2022-23 for the Early Childhood  
15 Education Grant Program for at-risk children from birth to age three. It  
16 is the intent of the Legislature that a maximum of five percent of  
17 General Funds appropriated each fiscal year for the Early Childhood  
18 Education Grant Program for at-risk children from birth to age three may  
19 be used for evaluation and technical assistance.

20 There is included in the amount shown for this program \$100,000  
21 General Funds provided as state aid for FY2021-22 and \$100,000 General  
22 Funds provided as state aid for FY2022-23 for scholarships for early  
23 childhood education providers.

24 There is included in the amount shown for this program \$69,000  
25 General Funds provided as state aid for FY2021-22 and \$69,000 General  
26 Funds provided as state aid for FY2022-23 for incentive bonuses for  
27 providers of child care and early childhood education programs.

28 There is included in the amount shown for this program \$400,000  
29 General Funds provided as state aid for FY2021-22 and \$400,000 General  
30 Funds provided as state aid for FY2022-23 for the Nurturing Healthy  
31 Behaviors program.

1           There is included in the amount shown for this program \$470,000  
2 General Funds provided as state aid for FY2021-22 and \$470,000 General  
3 Funds provided as state aid for FY2022-23 for learning community aid.

4           There is included in the amount shown for this program \$2,342,962  
5 General Funds provided as state aid for FY2021-22 and \$2,342,962 General  
6 Funds provided as state aid for FY2022-23 for programs for learners with  
7 high ability.

8           Sec. 35. Laws 2022, LB1011, section 189, is amended to read:

9           Sec. 189. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

10          Program No. 38 - Behavioral Health Aid

	FY2021-22	FY2022-23
11		
12	<u>77,956,716</u>	<u>68,811,162</u>
13	<del>77,956,716</del>	<del>74,311,162</del>
14	13,200,000	26,200,000
15	10,504,971	10,504,971
16	<u>101,661,687</u>	<u>105,516,133</u>
17	<del>101,661,687</del>	<del>111,016,133</del>

18          There is included in the appropriation to this program for FY2021-22  
19 \$77,956,716 General Funds, \$13,200,000 Cash Funds, and \$10,504,971  
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 FY2022-23 \$68,811,162 ~~\$74,311,162~~ General Funds, \$26,200,000 Cash Funds,  
23 and \$10,504,971 Federal Funds estimate for state aid, which shall only be  
24 used for such purpose.

25          There is included in the amount shown as aid for this program for  
26 FY2022-23 \$10,305,951 General Funds for behavioral health provider rate  
27 increases, which shall only be used for such purpose.

28          There is included in the appropriation to this program for FY2021-22  
29 \$2,000,000 Cash Funds for state aid for the distribution of national  
30 opioid settlement funds, which shall only be used for such purpose. There

1 is included in the appropriation to this program for FY2022-23  
2 \$15,000,000 Cash Funds for state aid for the distribution of national  
3 opioid settlement funds, which shall only be used for such purpose.

4 There is included in the amount shown as aid for this program for  
5 FY2021-22 \$442,527 General Funds, which is to be used for purposes of the  
6 outpatient competency restoration program. There is included in the  
7 amount shown as aid for this program for FY2022-23 \$1,248,947 General  
8 Funds, which is to be used for purposes of the outpatient competency  
9 restoration program.

10 There is included in the amount shown as Cash Fund aid in this  
11 program \$6,500,000 Cash Funds for FY2021-22 and \$6,500,000 Cash Funds for  
12 FY2022-23 from the Nebraska Health Care Cash Fund to be used for  
13 community-based mental health and substance abuse services, including  
14 intermediate-level residential mental health services. It is the intent  
15 of the Legislature that these funds shall be distributed to each of the  
16 six behavioral health regions based upon a formula determined by the  
17 Department of Health and Human Services.

18 There is included in the amount shown as Cash Fund aid in this  
19 program \$1,500,000 Cash Funds for FY2021-22 and \$1,500,000 Cash Funds for  
20 FY2022-23 from the Nebraska Health Care Cash Fund to be used for the cost  
21 of maintenance and treatment of persons in emergency protective custody  
22 under the Nebraska Mental Health Commitment Act.

23 It is the intent of the Legislature that any appropriation to the  
24 department for behavioral health aid and designated as funding to be  
25 allocated to the regional behavioral health authorities in behavioral  
26 health regions shall be utilized to provide activities pursuant to the  
27 approved annual budgets of the regional behavioral health authorities or  
28 activities identified through demonstrated need.

29 Whenever circumstances occur during the budget year that impact the  
30 initial projected regional behavioral health authority budgets, the  
31 Director of Behavioral Health shall allow for reallocation of funding to

1 accommodate emerging needs identified by the regional behavioral health  
2 authorities to maximize the ability of the behavioral health regions to  
3 implement new behavioral health services and supports. The Director of  
4 Behavioral Health shall determine whether to approve the reallocation of  
5 funding within thirty days after receiving a request by a regional  
6 behavioral health authority. Any request for reallocation of funding  
7 under this section shall be deemed approved thirty days after receipt by  
8 the Director of Behavioral Health unless sooner approved or denied.

9 Sec. 36. Laws 2022, LB1011, section 190, is amended to read:

10 Sec. 190. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

11 Program No. 347 - Public Assistance

	FY2021-22	FY2022-23
12		
13 <u>GENERAL FUND</u>	<u>87,950,162</u>	<u>81,868,718</u>
14 <del>GENERAL FUND</del>	<del>87,950,162</del>	<del>89,156,005</del>
15 CASH FUND	4,160,000	4,160,000
16 <u>FEDERAL FUND est.</u>	<u>115,044,870</u>	<u>117,577,006</u>
17 <u>PROGRAM TOTAL</u>	<u>207,155,032</u>	<u>203,605,724</u>
18 <del>FEDERAL FUND est.</del>	<del>115,044,870</del>	<del>118,275,593</del>
19 <del>PROGRAM TOTAL</del>	<del>207,155,032</del>	<del>211,591,598</del>

20 There is included in the appropriation to this program for FY2021-22  
21 \$87,950,162 General Funds, \$4,160,000 Cash Funds, and \$115,044,870  
22 Federal Funds estimate for state aid, which shall only be used for such  
23 purpose. There is included in the appropriation to this program for  
24 FY2022-23 \$81,868,718 ~~\$89,156,005~~ General Funds, \$4,160,000 Cash Funds,  
25 and \$117,577,006 ~~\$118,275,593~~ Federal Funds estimate for state aid, which  
26 shall only be used for such purpose.

27 There is included in the amount shown as aid for this program for  
28 FY2021-22 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund to  
29 aid in carrying out the Nebraska Lifespan Respite Services Program and to  
30 provide payment to caregivers to purchase services under the respite

1 subsidy program. There is included in the amount shown as aid for this  
2 program for FY2022-23 \$810,000 Cash Funds from the Nebraska Health Care  
3 Cash Fund to aid in carrying out the Nebraska Lifespan Respite Services  
4 Program and to provide payment to caregivers to purchase services under  
5 the respite subsidy program.

6 For the period beginning July 1, 2022, through June 30, 2023, funds  
7 provided to the State of Nebraska pursuant to the federal Child Care and  
8 Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such act  
9 and sections existed on March 24, 2021, shall be used to increase child  
10 care provider rates at the seventy-fifth percentile of the Market Rate  
11 Survey. If the available amount of such funds is insufficient to pay such  
12 costs, then funds provided to the state for the Temporary Assistance for  
13 Needy Families program established in 42 U.S.C. 601 et seq. may also be  
14 used. It is the intent of the Legislature to continue to pay child care  
15 providers at the seventy-fifth percentile in FY2023-24 and FY2024-25  
16 using the same federal funding sources.

17 Sec. 37. Laws 2022, LB1014, section 34, is amended to read:

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

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

	FY2021-22	FY2022-23
20		
21 <u>FEDERAL FUND est.</u>	<u>10,000,000</u>	<u>9,000,000</u>
22 <u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>9,000,000</u>
23 <del>FEDERAL FUND est.</del>	<del>10,000,000</del>	<del>5,000,000</del>
24 <del>PROGRAM TOTAL</del>	<del>10,000,000</del>	<del>5,000,000</del>

25 There is included in the appropriation to this program for FY2021-22  
26 \$10,000,000 Federal Funds estimate and for FY2022-23 \$9,000,000  
27 ~~\$5,000,000~~ Federal Funds estimate for all state agency, board, or  
28 commission operating and administrative expenses associated with  
29 administering Federal Funds allocated pursuant to the federal American  
30 Rescue Plan Act of 2021, 42 U.S.C. 802. Such funds shall be used to

1 directly pay or reimburse state agencies, boards, and commissions for  
2 operating and administrative expenses associated with administering  
3 Federal Funds allocated pursuant to the federal American Rescue Plan Act  
4 of 2021, 42 U.S.C. 802.

5 There is included in the appropriation to this program for FY2021-22  
6 up to \$5,000,000 Federal Funds estimate and for FY2022-23 up to  
7 ~~\$9,000,000~~ ~~\$5,000,000~~ Federal Funds estimate to reimburse the Department  
8 of Health and Human Services, Agency No. 25, Program No. 33, for  
9 information technology utilization expenses incurred which are related to  
10 pandemic relief processing and to equipment and operating a mobile  
11 workforce, from March 3, 2021, through June 30, 2023.

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

14 Sec. 38. Laws 2022, LB1014, section 49, is amended to read:

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

17	FY2021-22	FY2022-23
18 FEDERAL FUND	-0-	500,000
19 PROGRAM TOTAL	-0-	500,000

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

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

26 Expenditures from the appropriation to this program shall not be  
27 restricted to state aid if operating and administrative expenditures are  
28 necessary to administer the funding appropriated pursuant to this  
29 section. In such instances, an agency, board, or commission shall be  
30 reimbursed through the Federal Fund appropriation to the Military

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

3 Sec. 39. Laws 2022, LB1024A, section 3, is amended to read:

4 Sec. 3. There is hereby appropriated (1) \$1,000,000 Federal Funds  
5 for FY2021-22 and (2) ~~\$69,800,000~~ ~~\$249,000,000~~ Federal Funds for  
6 FY2022-23 to the Department of Economic Development, for Program 611, to  
7 aid in carrying out the provisions of Legislative Bill 1024, One Hundred  
8 Seventh Legislature, Second Session, 2022. The Federal Funds appropriated  
9 in this section are from the funds allocated to the State of Nebraska  
10 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the  
11 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.

12 Total expenditures for permanent and temporary salaries and per  
13 diems from funds appropriated in this section shall not exceed \$200,000  
14 for FY2021-22 or \$1,200,000 for FY2022-23.

15 The unexpended balance of Federal Funds appropriated to this program  
16 in this section for FY2021-22 is hereby reappropriated for FY2022-23.

17 It is the intent of the Legislature that the unexpended balance of  
18 amounts appropriated to this program in this section for FY2022-23 be  
19 reappropriated for FY2023-24 and for FY2024-25.

20 Sec. 40. 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 FY2022-23 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 FY2021-22 shall be increased by certified  
22 encumbrance amounts from FY2020-21 for permanent and temporary salaries  
23 and per diems. The limitation on expenditures for permanent and temporary  
24 salaries and per diems for FY2022-23 shall be increased by certified  
25 encumbrance amounts from FY2021-22 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 such employee's beneficiary upon the death of  
7 the 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. 41. Original Laws 2021, LB380, sections 57, 68, and 83; Laws  
11 2021, LB383, section 25; Laws 2022, LB1011, sections 56, 187, 189, and  
12 190; Laws 2022, LB1014, sections 34 and 49; and Laws 2022, LB1024A,  
13 section 3, are repealed.

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