

AMENDMENTS TO LB 311

Introduced by Appropriations.

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

3 Section 1. DEFINITION OF APPROPRIATION PERIOD.

4 For purposes of this act and any other legislative bill
5 passed by the One Hundred First Legislature, First or Second
6 Session, which appropriates funds, FY2007-08 means the period July
7 1, 2007, through June 30, 2008; FY2008-09 means the period July 1,
8 2008, through June 30, 2009; FY2009-10 means the period July 1,
9 2009, through June 30, 2010; and FY2010-11 means the period July 1,
10 2010, through June 30, 2011.

11 Sec. 2. APPROPRIATION LANGUAGE.

12 There are hereby appropriated, for FY2007-08 and
13 FY2008-09, the sums set forth in this act to each agency for each
14 program from the respective funds for the general operations of
15 state government, postsecondary education, and state aid, except
16 as otherwise appropriated.

17 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

18 All General Fund appropriations existing on June 30,
19 2007, in excess of expended and certified encumbrance amounts
20 are hereby lapsed unless otherwise provided. All Cash Fund
21 and Revolving Fund appropriations existing on June 30, 2007,
22 in excess of expended and certified encumbrance amounts are
23 hereby lapsed unless otherwise expressly provided. All certified

1	<u>GENERAL FUND</u>	<u>-0-</u>	<u>511,000</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>511,000</u>
3	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

4 Sec. 8. AGENCY NO. 11 - ATTORNEY GENERAL

5 Program No. 507 - Interpretation and Application of Law

6		<u>FY2007-08</u>	<u>FY2008-09</u>
7	<u>GENERAL FUND</u>	<u>-0-</u>	<u>118,555</u>
8	<u>CASH FUND</u>	<u>-0-</u>	<u>60,000</u>
9	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>178,555</u>
10	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>92,000</u>

11 There is included in the appropriation to this program
12 for FY2008-09 \$118,555 General Funds, which appropriations shall
13 only be administratively transferred to program classification
14 number 273.

15 There is included in the appropriation to this program
16 for FY2008-09 \$60,000 Cash Funds, which appropriations shall only
17 be administratively transferred to program classification number
18 274, and such appropriations shall only be expended directly from
19 the Nebraska Health Care Cash Fund from budget subprogram 4 for
20 purposes of enforcing the tobacco settlement agreement.

21 Sec. 9. AGENCY NO. 12 - STATE TREASURER

22 Program No. 505 - Educational Savings Unit

23		<u>FY2007-08</u>	<u>FY2008-09</u>
24	<u>CASH FUND</u>	<u>-0-</u>	<u>8,737</u>
25	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>8,737</u>
26	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

27 Sec. 10. AGENCY NO. 12 - STATE TREASURER

1 Program No. 665 - Convention Center Facility Financing

2 Assistance

	<u>FY2007-08</u>	<u>FY2008-09</u>
4 <u>CASH FUND</u>	<u>-0-</u>	<u>2,644,521</u>
5 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>2,644,521</u>
6 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

7 There is included in the appropriation to this program
8 from the Convention Center Support Fund for FY2008-09 \$2,644,521
9 Cash Funds, which shall only be disbursed to a city of the
10 metropolitan class for which an application for state assistance
11 has been approved under the Convention Center Facility Financing
12 Assistance Act.

13 The State Treasurer shall transfer \$1,133,366 from the
14 Convention Center Support Fund to the Local Civic, Cultural,
15 and Convention Center Financing Fund within five days after the
16 effective date of this act.

17 Sec. 11. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
18 Program No. 25 - Education, Administration, and Support

	<u>FY2007-08</u>	<u>FY2008-09</u>
20 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>96,810</u>

21 Sec. 12. AGENCY NO. 16 - DEPARTMENT OF REVENUE
22 Program No. 13 - Tax Commissioner

	<u>FY2007-08</u>	<u>FY2008-09</u>
24 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>9,000</u>

25 Sec. 13. AGENCY NO. 23 - DEPARTMENT OF LABOR
26 Program No. 31 - Division of Employment

	<u>FY2007-08</u>	<u>FY2008-09</u>
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1	<u>CASH FUND</u>	<u>-0-</u>	<u>1,300,000</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,300,000</u>
3	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

4 Sec. 14. AGENCY NO. 23 - DEPARTMENT OF LABOR
5 Program No. 194 - Division for Protection of People and
6 Property

7		<u>FY2007-08</u>	<u>FY2008-09</u>
8	<u>CASH FUND</u>	<u>-0-</u>	<u>700,000</u>
9	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>700,000</u>
10	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

11 Sec. 15. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
12 SERVICES
13 Program No. 33 - Administration

14		<u>FY2007-08</u>	<u>FY2008-09</u>
15	<u>GENERAL FUND</u>	<u>-0-</u>	<u>100,250</u>
16	<u>CASH FUND</u>	<u>-0-</u>	<u>100,000</u>
17	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>100,250</u>
18	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>300,500</u>
19	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>148,496</u>

20 There is included in the appropriation to this program
21 for FY2008-09 \$100,000 Cash Funds from the Nebraska Health Care
22 Cash Fund for a study to evaluate options to privatize the
23 operation of the Beatrice State Developmental Center.

24 Notwithstanding the provisions of Laws 2007, LB 321,
25 section 100, the appropriations in this section shall be allocated
26 by the chief executive officer of the Department of Health
27 and Human Services according to the following budget program

1 classifications for the purpose of program monitoring, accounting,
2 and reporting:

- 3 No. 261 - General Operations
- 4 No. 262 - Public Health Administration
- 5 No. 263 - Medicaid and Long-Term Care Administration
- 6 No. 264 - Children and Family Services Administration
- 7 No. 265 - Protection and Safety
- 8 No. 266 - Economic and Family Support
- 9 No. 267 - Developmental Disabilities Service Coordination
- 10 No. 268 - Behavioral Health Administration
- 11 No. 269 - Developmental Disabilities Administration
- 12 Sec. 16. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
- 13 SERVICES - BEHAVIORAL HEALTH
- 14 Program No. 38 - Behavioral Health Aid

	<u>FY2007-08</u>	<u>FY2008-09</u>
15		
16 <u>GENERAL FUND</u>	<u>-0-</u>	<u>3,500,000</u>
17 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,500,000</u>

18 There is included in the appropriation to this program
19 for FY2008-09 \$3,500,000 General Funds for state aid, which shall
20 only be used for such purpose.

- 21 Sec. 17. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
- 22 SERVICES - CHILDREN AND FAMILY SERVICES
- 23 Program No. 250 - Juvenile Services Operations

	<u>FY2007-08</u>	<u>FY2008-09</u>
24		
25 <u>CASH FUND</u>	<u>-0-</u>	<u>36,706</u>
26 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>36,706</u>
27 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>31,876</u>

1 The Department of Administrative Services shall monitor
2 the appropriations and expenditures for this program according to
3 the following program classifications:

4 No. 315 - Office of Juvenile Services

5 No. 345 - Juvenile Community-Based Services

6 No. 364 - Juvenile Parole Administration

7 No. 371 - Youth Rehabilitation and Treatment

8 Center-Geneva

9 No. 374 - Youth Rehabilitation and Treatment

10 Center-Kearney

11 Sec. 18. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
12 SERVICES - DEVELOPMENTAL DISABILITIES

13 Program No. 421 - Beatrice State Developmental Center

	<u>FY2007-08</u>	<u>FY2008-09</u>
14 <u>GENERAL FUND</u>	<u>-0-</u>	<u>6,936,784</u>
15 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>6,936,784</u>
16 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>5,332,162</u>

17 Sec. 19. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
18 SERVICES - VETERANS' HOMES

19 Program No. 519 - Veterans' Homes

	<u>FY2007-08</u>	<u>FY2008-09</u>
20 <u>GENERAL FUND</u>	<u>-0-</u>	<u>111,102</u>
21 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>111,102</u>
22 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>96,484</u>

23 Sec. 20. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
24 SERVICES - BEHAVIORAL HEALTH

25 Program No. 870 - Norfolk Sex Offender Treatment

	<u>FY2007-08</u>	<u>FY2008-09</u>	
1			
2	<u>GENERAL FUND</u>	<u>-0-</u>	<u>27,952</u>
3	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>27,952</u>
4	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>24,274</u>

5 Sec. 21. AGENCY NO. 30 - STATE ELECTRICAL BOARD
6 Program No. 197 - Public Protection

	<u>FY2007-08</u>	<u>FY2008-09</u>	
7			
8	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>6,323</u>

9 Sec. 22. AGENCY NO. 31 - MILITARY DEPARTMENT
10 Program No. 192 - Governor's Emergency Aid

	<u>FY2007-08</u>	<u>FY2008-09</u>	
11			
12	<u>CASH FUND</u>	<u>-0-</u>	<u>7,500,000</u>
13	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>7,500,000</u>

14 Sec. 23. AGENCY NO. 33 - GAME AND PARKS COMMISSION
15 Program No. 336 - Wildlife Conservation

	<u>FY2007-08</u>	<u>FY2008-09</u>	
16			
17	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>614,231</u>

18 Sec. 24. AGENCY NO. 33 - GAME AND PARKS COMMISSION
19 Program No. 975 - Emergency Repairs to State Park System

20 Areas

	<u>FY2007-08</u>	<u>FY2008-09</u>	
21			
22	<u>CASH FUND</u>	<u>-0-</u>	<u>55,554</u>
23	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>55,554</u>

24 The Game and Parks Commission is hereby authorized to
25 repair flood damage at the Champion Mill State Historical Park.

26 Sec. 25. AGENCY NO. 33 - GAME AND PARKS COMMISSION
27 Program No. 976 - Emergency Repairs - Fish and Wildlife

1 Facilities

	<u>FY2007-08</u>	<u>FY2008-09</u>
3 <u>CASH FUND</u>	<u>-0-</u>	<u>165,000</u>
4 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>165,000</u>

5 The Game and Parks Commission is hereby authorized to
6 repair flood damage at the Blue Bluffs Wildlife Management Area.

7 Sec. 26. AGENCY NO. 35 - LIQUOR CONTROL COMMISSION

8 Program No. 73 - Licensing and Regulation

	<u>FY2007-08</u>	<u>FY2008-09</u>
10 <u>GENERAL FUND</u>	<u>-0-</u>	<u>10,448</u>
11 <u>CASH FUND</u>	<u>-0-</u>	<u>-0-</u>
12 <u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>-0-</u>
13 <u>REVOLVING FUND</u>	<u>-0-</u>	<u>-0-</u>
14 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>-0-</u>
15 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>9,075</u>

16 This is a deficit request to cover the vacation and sick
17 leave pay of a retiring employee.

18 Sec. 27. AGENCY NO. 41 - STATE REAL ESTATE COMMISSION

19 Program No. 77 - Enforcement of Standards - Real Estate

	<u>FY2007-08</u>	<u>FY2008-09</u>
21 <u>CASH FUND</u>	<u>-0-</u>	<u>30,620</u>
22 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>30,620</u>
23 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>35,910</u>

24 Sec. 28. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL
25 SERVICES

26 Program No. 200 - Operations

	<u>FY2007-08</u>	<u>FY2008-09</u>
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1	<u>GENERAL FUND</u>	<u>-0-</u>	<u>7,702,752</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>7,702,752</u>
3	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>134,000</u>

4 Sec. 29. AGENCY NO. 47 - NEBRASKA EDUCATIONAL

5 TELECOMMUNICATIONS COMMISSION

6 Program No. 912 - KLNE HD RADIO

7		<u>FY2007-08</u>	<u>FY2008-09</u>
8	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>66,260</u>
9	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>66,260</u>

10 The Nebraska Educational Telecommunications Commission is
11 hereby authorized to add digital radio transmission capability at
12 KLNE in Lexington, Nebraska.

13 Sec. 30. AGENCY NO. 47 - NEBRASKA EDUCATIONAL

14 TELECOMMUNICATIONS COMMISSION

15 Program No. 917 - KHNE HD RADIO

16		<u>FY2007-08</u>	<u>FY2008-09</u>
17	<u>CASH FUND</u>	<u>-0-</u>	<u>80,000</u>
18	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>80,000</u>

19 The Nebraska Educational Telecommunications Commission is
20 hereby authorized to add digital radio transmission capability at
21 KHNE in Hastings, Nebraska.

22 Sec. 31. AGENCY NO. 47 - NEBRASKA EDUCATIONAL

23 TELECOMMUNICATIONS COMMISSION

24 Program No. 925 - BEATRICE TRANSLATOR TOWER

25		<u>FY2007-08</u>	<u>FY2008-09</u>
26	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>258,925</u>
27	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>258,925</u>

1 The Nebraska Educational Telecommunications Commission is
2 hereby authorized to replace the television translator tower in
3 Beatrice, Nebraska.

4 Sec. 32. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
5 SERVICES
6 Program No. 592 - Indemnification Claims

	<u>FY2007-08</u>	<u>FY2008-09</u>
8 <u>GENERAL FUND</u>	<u>-0-</u>	<u>803,000</u>
9 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>803,000</u>
10 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

11 Sec. 33. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
12 SERVICES
13 Program No. 608 - Employee Relations Division

	<u>FY2007-08</u>	<u>FY2008-09</u>
14 <u>GENERAL FUND</u>	<u>-0-</u>	<u>50,000</u>
15 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>50,000</u>
16 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

17 Sec. 34. AGENCY NO. 75 - NEBRASKA INVESTMENT COUNCIL
18 Program No. 610 - Investment Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
19 <u>CASH FUND</u>	<u>-0-</u>	<u>481,000</u>
20 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>481,000</u>
21 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

22 Sec. 35. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
23 RELATIONS
24 Program No. 490 - Commissioner Expenses

	<u>FY2007-08</u>	<u>FY2008-09</u>
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1	<u>GENERAL FUND</u>	<u>-0-</u>	<u>6,114</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>6,114</u>
3	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

4 Sec. 36. AGENCY NO. 81 - COMMISSION FOR THE BLIND AND
5 VISUALLY IMPAIRED
6 Program No. 357 - Blind and Visually Impaired

7		<u>FY2007-08</u>	<u>FY2008-09</u>
8	<u>CASH FUND</u>	<u>-0-</u>	<u>32,400</u>
9	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>32,400</u>
10	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

11 This is included in the appropriation to this program for
12 FY2008-09 \$32,400 Cash Funds for state aid, which shall only be
13 used for such purpose.

14 Sec. 37. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT
15 BOARD
16 Program No. 41 - Administration of Retirement Systems and
17 Deferred Compensation

18		<u>FY2007-08</u>	<u>FY2008-09</u>
19	<u>CASH FUND</u>	<u>-0-</u>	<u>25,000</u>
20	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>25,000</u>
21	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

22 Sec. 38. AGENCY NO. 87 - NEBRASKA ACCOUNTABILITY AND
23 DISCLOSURE COMMISSION
24 Program No. 94 - Nebraska Political Accountability

25		<u>FY2007-08</u>	<u>FY2008-09</u>
26	<u>GENERAL FUND</u>	<u>-0-</u>	<u>12,321</u>
27	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>12,321</u>

1 Sec. 34. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
2 NEBRASKA STATE COLLEGES

3 Program No. 998 - Peru State College Library/Old Gym
4 Renovation and Wayne State College Power Plant Construction

5		FY2007-08	FY2008-09	FUTURE
6	NEBRASKA CAPITAL			
7	CONSTRUCTION FUND	2,009,360	2,009,360	-0-
8	PROGRAM TOTAL	2,009,360	2,009,360	-0-
9	<u>NEBRASKA CAPITAL</u>			
10	<u>CONSTRUCTION FUND</u>	<u>2,009,360</u>	<u>1,926,360</u>	<u>-0-</u>
11	<u>PROGRAM TOTAL</u>	<u>2,009,360</u>	<u>1,926,360</u>	<u>-0-</u>

12 The Legislature hereby acknowledges and reaffirms the
13 directive made by Laws 1999, LB 878, section 33, which authorizes
14 the Board of Trustees of the Nebraska State Colleges to design,
15 renovate, and construct as is necessary to provide quality library
16 stack, circulation, classroom, and office space in the combined
17 and connected Library and Old Gym facilities on the Peru State
18 College campus. The total project cost to be supported from state
19 funds is estimated as \$6,630,419. Nonstate tax funds may be used to
20 supplement the project.

21 The Board of Trustees of the Nebraska State Colleges is
22 hereby authorized to design and construct a plant to produce steam
23 and chilled water to meet heating and cooling requirements of the
24 Wayne State College campus. Should it prove to be in the greater
25 long-term financial interest of the State of Nebraska and Wayne
26 State College, the Board of Trustees is alternatively authorized
27 to purchase and improve an existing steam and chilled water

1 production facility to meet heating and cooling requirements of the
2 Wayne State College campus. Prior to exercising its authority to
3 undertake either alternative under provisions of this section, the
4 Board of Trustees shall secure the approval of the Governor. The
5 total project cost to be supported from state funds is estimated
6 as \$3,803,877. Nonstate tax funds may be used to supplement the
7 project.

8 The Board of Trustees may enter into long-term financing
9 contracts with any person, firm, or corporation for purposes of the
10 Peru State College Library/Old Gym Renovation and Addition project
11 and the Wayne State College Power Plant Construction project. The
12 payments of costs of the renovation may occur over a contract
13 period not to extend beyond June 30, 2009. The Board of Trustees
14 shall not pledge the credit of the State of Nebraska for the
15 payment of any sum owing on account of such contracts, except
16 that there may be pledged for payment of any such contracts
17 any appropriations made by the Legislature for such purpose.
18 No contracts shall be entered into pursuant to this section
19 without prior approval by resolution of the Board of Trustees. The
20 Board of Trustees may schedule contractual payments on a monthly,
21 quarterly, or semiannual basis consistent with the state fiscal
22 year. ~~On or before August 31, 2009, any funds appropriated from~~
23 ~~the State Building Fund and the Nebraska Capital Construction Fund~~
24 ~~for the projects held in the state treasury and held by any~~
25 ~~trustee which are not necessary to meet the terms of any long-term~~
26 ~~financing agreements entered into pursuant to this section shall be~~
27 ~~transferred to the General Fund.~~

1 Sec. 42. Laws 2007, LB 321, section 111, is amended to
2 read:

3 Sec. 111. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES – MEDICAID AND LONG-TERM CARE

5 Program No. 348 - Medical Assistance

	FY2007-08	FY2008-09
6		
7	GENERAL FUND 576,765,451	590,252,985
8	<u>GENERAL FUND</u> 576,765,451	<u>544,521,881</u>
9	CASH FUND 19,657,896	19,657,896
10	FEDERAL FUND est. 922,961,711	952,315,556
11	<u>FEDERAL FUND est.</u> 922,961,711	<u>883,964,062</u>
12	PROGRAM TOTAL 1,519,385,058	1,562,226,437
13	<u>PROGRAM TOTAL</u> 1,519,385,058	<u>1,448,143,839</u>

14 There is included in the appropriation to this
15 program for FY2007-08 \$576,765,451 General Funds, \$19,657,896
16 Cash Funds, and \$922,961,711 Federal Funds estimate for state
17 aid, which shall only be used for such purpose. There is
18 included in the appropriation to this program for FY2008-09
19 ~~\$590,252,985~~ \$544,521,881 General Funds, \$19,657,896 Cash Funds,
20 and ~~\$952,315,556~~ \$883,964,062 Federal Funds estimate for state aid,
21 which shall only be used for such purpose.

22 There is included in the appropriation to this program
23 for FY2007-08 \$4,765,896 Cash Funds for state aid for the
24 continuation of the behavioral health provider rate increase
25 and behavioral health provider rate increase for managed care,
26 inpatient services, and residential treatment services provided
27 with funds from the Nebraska Health Care Cash Fund. There

1 is included in the appropriation to this program for FY2008-09
2 \$4,765,896 Cash Funds for state aid for the continuation of the
3 behavioral health provider rate increase and behavioral health
4 provider rate increase for managed care, inpatient services,
5 and residential treatment services provided with funds from the
6 Nebraska Health Care Cash Fund.

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

12 Sec. 43. Laws 2007, LB 321, section 117, is amended to
13 read:

14 Sec. 117. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
15 SERVICES - CHILDREN AND FAMILY SERVICES

16 Program No. 347 - Public Assistance

	FY2007-08	FY2008-09
17		
18	234,638,533	241,873,264
19	<u>234,638,533</u>	<u>218,973,140</u>
20	6,044,444	6,044,444
21	118,641,094	119,188,279
22	359,324,071	367,105,987
23	<u>359,324,071</u>	<u>344,205,863</u>

24 Of the unexpended General Fund balance remaining on June
25 30, 2007, \$600,000 is hereby reappropriated to Agency 25, Program
26 39, for continuation and expansion of home visitation programs
27 established under the provisions of section 68-1202.

1 There is included in the appropriation to this program
2 for FY2007-08 \$234,638,533 General Funds, \$6,044,444 Cash Funds,
3 and \$118,641,094 Federal Funds estimate for state aid, which
4 shall only be used for such purpose. There is included in
5 the appropriation to this program for FY2008-09 ~~\$241,873,264~~
6 \$218,973,140 General Funds, \$6,044,444 Cash Funds, and \$119,188,279
7 Federal Funds estimate for state aid, which shall only be used for
8 such purpose.

9 There is included in the appropriation to this program
10 for FY2007-08 \$810,000 Cash Funds from the Nebraska Health Care
11 Cash Fund for state aid to aid in carrying out the Nebraska
12 Lifespan Respite Services Program and to provide payment to
13 caregivers to purchase services under the respite subsidy program.
14 There is included in the appropriation to this program for
15 FY2008-09 \$810,000 Cash Funds from the Nebraska Health Care Cash
16 Fund for state aid to aid in carrying out the Nebraska Lifespan
17 Respite Services Program and to provide payment to caregivers to
18 purchase services under the respite subsidy program.

19 There is included in the appropriation to this program
20 for FY2007-08 \$2,734,444 Cash Funds from the Nebraska Health Care
21 Cash Fund for state aid for the continuation of the behavioral
22 health provider rate increase provided. There is included in
23 the appropriation to this program for FY2008-09 \$2,734,444 Cash
24 Funds from the Nebraska Health Care Cash Fund for state aid for
25 the continuation of the behavioral health provider rate increase
26 provided.

27 Sec. 44. Laws 2008, LB 959, section 57, is amended to

1 read:

2 Sec. 57. AGENCY NO. 93 - TAX EQUALIZATION AND REVIEW
3 COMMISSION

4 Program No. 115 - Operations

5	FY2007-08	FY2008-09
6 GENERAL FUND	-0-	73,025
7 CASH FUND	11,884	70,000
8 PROGRAM TOTAL	11,884	143,025
9 SALARY LIMIT	1,011	30,000
10 <u>GENERAL FUND</u>	<u>-0-</u>	<u>38,025</u>
11 <u>CASH FUND</u>	<u>11,884</u>	<u>35,000</u>
12 <u>PROGRAM TOTAL</u>	<u>11,884</u>	<u>73,025</u>
13 <u>SALARY LIMIT</u>	<u>1,011</u>	<u>15,000</u>

14 There is included in the appropriation to this program
15 for FY2008-09 ~~\$73,025~~ \$38,025 General Funds and ~~\$70,000~~ \$30,000
16 Cash Funds for the Tax Equalization and Review Commission to
17 contract for mediation of the purpose of resolving valuation
18 appeals, which shall only be used for such purpose.

19 Sec. 45. Laws 2008, LB 959, section 72, is amended to
20 read:

21 Sec. 72. AGENCY NO. 16 - DEPARTMENT OF REVENUE

22 Program No. 108 - Homestead Exemption

23	FY2007-08	FY2008-09
24 GENERAL FUND	63,056,960	76,120,104
25 PROGRAM TOTAL	63,056,960	76,120,104
26 <u>GENERAL FUND</u>	<u>63,056,960</u>	<u>61,250,000</u>
27 <u>PROGRAM TOTAL</u>	<u>63,056,960</u>	<u>61,250,000</u>

1 There is included in the appropriation to this program
2 for FY2007-08 \$63,056,960 General Funds for state aid, which
3 shall only be used for such purpose. There is included in the
4 appropriation to this program for FY2008-09 ~~\$76,120,104~~ \$61,250,000
5 General Funds for state aid, which shall only be used for such
6 purpose.

7 Sec. 46. Laws 2008, LB 959, section 74, is amended to
8 read:

9 Sec. 74. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
10 SERVICES - PUBLIC HEALTH

11 Program No. 514 - Health Aid

	FY2007-08	FY2008-09
12		
13	3,944,700	4,124,776
14	<u>3,944,700</u>	<u>4,034,155</u>
15	8,904,897	9,172,044
16	<u>8,904,897</u>	<u>10,672,044</u>
17	34,687,255	34,687,255
18	47,536,852	47,984,075
19	<u>47,536,852</u>	<u>49,393,454</u>

20 There is included in the appropriation to this program
21 for FY2007-08 \$3,944,700 General Funds, \$8,904,897 Cash Funds, and
22 \$34,687,255 Federal Funds estimate for state aid, which shall only
23 be used for such purpose. There is included in the appropriation
24 to this program for FY2008-09 ~~\$4,124,776~~ \$4,034,155 General Funds,
25 ~~\$9,172,044~~ \$10,672,044 Cash Funds, and \$34,687,255 Federal Funds
26 estimate for state aid, which shall only be used for such purpose.

27 There is included in the appropriation to this program

1 \$530,420 General Funds for FY2007-08 and \$640,894 General Funds for
2 FY2008-09, which shall only be used for the following purposes:
3 Reimbursement for the provision of pap smears, colposcopy, cervical
4 biopsy, cryotherapy, loop electrosurgical excision procedure
5 (LEEP), and such other treatments and procedures as may be
6 developed for the followup of abnormal pap smears; the diagnosis
7 and treatment of sexually transmitted diseases, including, but not
8 limited to, chlamydia, gonorrhea, HPV (genital warts), and herpes;
9 and associated laboratory and equipment costs and staff training
10 costs relating to the use of colposcopy equipment. None of the
11 General Funds provided under this program shall be used to perform
12 or facilitate the performance of abortion or to counsel or refer
13 for abortion.

14 Sec. 47. Laws 2008, LB 959, section 76, is amended to
15 read:

16 Sec. 76. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
17 SERVICES - BEHAVIORAL HEALTH

18 Program No. 365 - Mental Health Operations

19	FY2007-08	FY2008-09
20 GENERAL FUND	32,185,734	37,366,082
21 <u>GENERAL FUND</u>	<u>32,185,734</u>	<u>33,966,313</u>
22 CASH FUND	3,569,762	3,569,762
23 FEDERAL FUND est.	7,865,530	7,865,530
24 <u>PROGRAM TOTAL</u>	<u>43,621,026</u>	<u>48,801,374</u>
25 <u>PROGRAM TOTAL</u>	<u>43,621,026</u>	<u>45,401,605</u>
26 <u>SALARY LIMIT</u>	<u>28,276,752</u>	<u>28,939,254</u>
27 <u>SALARY LIMIT</u>	<u>28,276,752</u>	<u>29,026,298</u>

1 Pursuant to Laws 2004, LB 1083, all funding related to
2 the provision of regional center services that are reduced or
3 discontinued shall be reallocated and expended for purposes related
4 to the statewide development and provision of community-based
5 behavioral health services. The budget administrator of the
6 budget division of the Department of Administrative Services shall
7 administratively transfer during FY2007-08 and FY2008-09 available
8 appropriation balances as determined by the chief executive officer
9 of the Department of Health and Human Services from the Department
10 of Health and Human Services - Behavioral Health, Program 365,
11 Mental Health Operations, to the Department of Health and Human
12 Services, Program 33, Administration, and the Department of Health
13 and Human Services - Behavioral Health, Program 38, Behavioral
14 Health Aid.

15 Sec. 48. Laws 2008, LB 959, section 90, is amended to
16 read:

17 Sec. 90. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
18 RELATIONS

19 Program No. 531 - Administration

	FY2007-08	FY2008-09
20		
21 GENERAL FUND	282,770	193,589
22 PROGRAM TOTAL	282,770	193,589
23 SALARY LIMIT	166,448	80,728
24 GENERAL FUND	<u>282,770</u>	<u>187,475</u>
25 PROGRAM TOTAL	<u>282,770</u>	<u>187,475</u>
26 SALARY LIMIT	<u>166,448</u>	<u>81,208</u>

27 Sec. 49. Laws 2008, LB 988A, section 1, is amended to

1 read:

2 Section 1. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

3 Program No. 158 - Education Aid

4	FY2007-08	FY2008-09
5 GENERAL FUND	952,197,997	1,027,559,109
6 <u>GENERAL FUND</u>	<u>952,197,997</u>	<u>1,029,088,723</u>
7 CASH FUND	2,282,938	2,282,938
8 FEDERAL FUND est.	254,923,780	262,443,987
9 PROGRAM TOTAL	1,209,404,715	1,292,286,034
10 <u>PROGRAM TOTAL</u>	<u>1,209,404,715</u>	<u>1,293,815,648</u>

11 There is included in the appropriation to this
12 program for FY2007-08 \$952,197,997 General Funds, \$2,282,938
13 Cash Funds, and \$254,923,780 Federal Funds estimate for state
14 aid, which shall only be used for such purpose. There is
15 included in the appropriation to this program for FY2008-09
16 ~~\$1,027,559,109~~ \$1,029,088,723 General Funds, \$2,282,938 Cash Funds,
17 and \$262,443,987 Federal Funds estimate for state aid, which shall
18 only be used for such purpose.

19 There is included in the amount shown for FY2007-08
20 \$753,555,548 General Funds which are hereby appropriated to
21 the Tax Equity and Educational Opportunities Fund, which
22 fund is hereby appropriated to provide state aid to public
23 school districts pursuant to the Tax Equity and Educational
24 Opportunities Support Act. There is included in the amount shown
25 for FY2008-09 ~~\$823,527,243~~ \$825,056,857 General Funds which are
26 hereby appropriated to the Tax Equity and Educational Opportunities
27 Fund, which fund is hereby appropriated to provide state aid to

1 public school districts pursuant to the Tax Equity and Educational
2 Opportunities Support Act.

3 There is included in the amount shown for this program
4 \$179,508,584 General Funds provided as state aid for FY2007-08 for
5 special education reimbursement. There is included in the amount
6 shown for this program \$184,893,842 General Funds provided as state
7 aid for FY2008-09 for special education reimbursement.

8 There is included in the amount shown for this program
9 \$435,000 General Funds provided as state aid for FY2007-08 and
10 \$450,000 General Funds provided as state aid for FY2008-09 to carry
11 out the provisions of subsection (2) of section 79-734.

12 There is included in the amount shown for this program
13 \$3,626,267 General Funds provided as state aid for FY2007-08 and
14 \$3,615,426 General Funds provided as state aid for FY2008-09 for
15 early childhood education projects.

16 There is included in the amount shown for this program
17 \$8,266,325 General Funds provided as state aid for FY2007-08 and
18 \$8,266,325 General Funds provided as state aid for FY2008-09 for
19 core services for educational service units.

20 There is included in the amount shown for this program
21 \$2,566,013 General Funds provided as state aid for FY2007-08 and
22 \$2,566,013 General Funds provided as state aid for FY2008-09 for
23 technology infrastructure for educational service units.

24 There is included in the amount shown for this program
25 \$530,300 General Funds provided as state aid for FY2007-08 and
26 \$530,300 General Funds provided as state aid for FY2008-09 for
27 distance education aid to educational service units.

1 There is included in the amount shown for this program
2 \$2,336,921 General Funds provided as state aid for FY2007-08 and
3 \$2,336,921 General Funds provided as state aid for FY2008-09 for
4 programs for learners with high ability.

5 There is included in the amount shown for this program
6 \$271,378 General Funds provided as state aid for FY2007-08 and
7 \$271,378 General Funds provided as state aid for FY2008-09 for the
8 school breakfast program.

9 There is included in the amount shown for this program
10 \$421,087 General Funds provided as state aid for FY2007-08 and
11 \$421,087 General Funds provided as state aid for FY2008-09 for the
12 school lunch program.

13 There is included in the amount shown for this program
14 \$230,574 General Funds provided as state aid for FY2007-08 and
15 \$230,574 General Funds provided as state aid for FY2008-09 for
16 adult basic education programs.

17 There is included in the amount shown for this program
18 \$450,000 General Funds provided as state aid for FY2007-08 and
19 \$450,000 General Funds provided as state aid for FY2008-09 for the
20 Career Education Partnership Act.

21 The unexpended appropriation balance of the \$2,000,000
22 Cash Funds appropriated from the School District Reorganization
23 Fund for base year reorganization incentives existing on June 30,
24 2007, is hereby reappropriated.

25 On or before October 1 of each year, the Department of
26 Health and Human Services and the State Department of Education
27 shall jointly certify to the budget administrator of the budget

1 division of the Department of Administrative Services the amount
2 of federal medicaid funds paid to school districts pursuant to
3 the Early Intervention Act for special education services for
4 children age five years and older. The General Fund appropriation
5 to the State Department of Education, Program 158, for state
6 special education aid shall be decreased by an amount equal to
7 the amount that would have been reimbursed with state General
8 Funds to the school districts through the special education
9 reimbursement process for special education services for children
10 age five years and older that was paid to school districts or
11 approved cooperatives with federal medicaid funds. There is hereby
12 appropriated from the General Fund an amount equal to the amount
13 certified to the budget administrator for FY2007-08 and FY2008-09
14 to the Department of Health and Human Services to aid in carrying
15 out the provisions of Laws 1991, LB 701. The budget administrator
16 shall distribute the amount appropriated between budget programs
17 according to percentages certified by the Department of Health and
18 Human Services.

19 It is the intent of the Legislature that the changes made
20 by Legislative Bill 959, section 69, to Laws 2007, LB321, section
21 49, are null and void and are superseded by the changes made by
22 this legislative bill.

23 Sec. 50. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

24 (1) For purposes of this act, (a) SALARY LIMIT shall mean
25 total expenditures for permanent and temporary salaries and per
26 diems and (b) total expenditures for permanent and temporary
27 salaries and per diems shall mean all remuneration paid to

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

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

21 (3) Expenditures for permanent and temporary salaries
22 resulting from awards made to employees under sections 81-1346 to
23 81-1354 shall be in addition to the limitations on permanent and
24 temporary salaries and per diems otherwise shown in this act.

25 (4) The limitation on expenditures for permanent and
26 temporary salaries and per diems for FY2008-09 as established by
27 the Legislature shall be the basis for continuation funding for

1 each fiscal year of the succeeding biennium.

2 (5) The limitation on expenditures for permanent and
3 temporary salaries and per diems for FY2008-09 shall be increased
4 by certified encumbrance amounts from FY2007-08 for permanent and
5 temporary salaries and per diems. Encumbered amounts shall be
6 calculated in accordance with section 81-138.01.

7 (6) The limitation on expenditures for permanent and
8 temporary salaries and per diems shall only apply to remuneration
9 paid to state employees or per diem payments made to members of
10 state boards or commissions.

11 Sec. 51. Original Laws 2007, LB 320, sections 32 and
12 34, Laws 2007, LB 321, sections 111 and 117, Laws 2008, LB 959,
13 sections 57, 72, 74, 76, and 90, and Laws 2008, LB 988A, section 1,
14 are repealed.

15 52. Since an emergency exists, this act takes effect when
16 passed and approved according to law.