

# LEGISLATIVE BILL 656

Approved by the Governor May 20, 2015

Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2013, LB195, sections 34, 35, 44, 112, and 175; Laws 2014, LB905, sections 52, 54, 59, and 60; and Laws 2014, LB907A, section 3; to define terms; to provide, change, and eliminate provisions relating to appropriations; to repeal the original sections; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

For purposes of this act and any other legislative bill passed by the One Hundred Fourth Legislature, First or Second Session, which appropriates funds, FY2013-14 means the period July 1, 2013, through June 30, 2014; and FY2014-15 means the period July 1, 2014, through June 30, 2015.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2013-14 and FY2014-15, the sums set forth in this act to each agency for each program from the respective funds for the general operations of state government, postsecondary education, capital construction, and state aid, except as otherwise appropriated.

Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

The definitions contained in the Nebraska Accounting System Manual, and any amendments thereto, on file with the Clerk of the Legislature are hereby adopted by the Legislature as the definitions for this act, except as provided in section 31 of this act.

Sec. 4. DRAWING AND PAYING WARRANTS.

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

Sec. 5. The State Treasurer shall transfer \$806,146 from the Sports Arena Facility Support Fund to the Civic and Community Center Financing Fund within five days after the effective date of this act.

Sec. 6. AGENCY NO. 5 – SUPREME COURT

Program No. 436 - Juvenile Services Project Contingency

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>7,000,000</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>7,000,000</u>

There is included in the appropriation to this program for FY2014-15 \$7,000,000 General Funds set aside to reflect a potential shortfall in funds appropriated in Laws 2013, LB561A, for FY2014-15. No expenditures shall be made from this program. The probation administrator, or his or her designee, shall certify to the budget administrator of the budget division of the Department of Administrative Services the amounts necessary to supplement General Funds appropriated by Laws 2013, LB561A, to Program No. 435 - Probation Community Corrections, if such General Fund appropriation to Program No. 435 is insufficient. The budget administrator shall administratively transfer the available appropriation balances as certified by the probation administrator, or his or her designee, from appropriations contained in this section to Program No. 435 - Probation Community Corrections.

Sec. 7. AGENCY NO. 7 – GOVERNOR

Program No. 21 - Office of the Governor

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>54,300</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>54,300</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>8,100</u>

Sec. 8. AGENCY NO. 12 – STATE TREASURER

Program No. 665 - Convention Center Facility Financing Assistance

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>4,021,225</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>4,021,225</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

There is included in the appropriation to this program for FY2014-15

\$2,542,740 Cash Funds from the Convention Center Support Fund for state aid, which shall only be disbursed to a city of the metropolitan class for which an application for state assistance has been approved under the Convention Center Facility Financing Assistance Act.

There is included in the appropriation to this program for FY2014-15 \$1,478,485 Cash Funds from the Convention Center Support Fund for state aid, which shall only be disbursed to a city of the primary class for which an application for state assistance has been approved under the Convention Center Facility Financing Assistance Act.

The State Treasurer shall transfer \$1,723,382 from the Convention Center Support Fund to the Civic and Community Center Financing Fund within five days after the effective date of this act.

Sec. 9. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION  
Program No. 614 - Professional Practices Commission

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>38,147</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>38,147</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>32,046</u>

Sec. 10. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE  
Program No. 320 - Board of Parole Salaries

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>15,002</u>

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

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>3,886,152</u>
<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,886,152</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 12. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 354 - Child Welfare Aid

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>20,899,110</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>20,899,110</u>

There is included in the appropriation to this program for FY2014-15 \$20,899,110 General Funds for state aid, which shall only be used for such purpose.

Sec. 13. AGENCY NO. 31 – MILITARY DEPARTMENT  
Program No. 548 - Tuition Assistance

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>175,000</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>175,000</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

There is included in the appropriation to this program for FY2013-14 \$-0- General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2014-15 \$175,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 14. AGENCY NO. 41 – STATE REAL ESTATE COMMISSION  
Program No. 77 - Enforcement of Standards - Real Estate

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>28,906</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>28,906</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>25,103</u>

Sec. 15. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES  
Program No. 200 - Operations

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	-0-	16,955,556
<u>CASH FUND</u>	-0-	384,500
<u>PROGRAM TOTAL</u>	-0-	17,340,056
<u>SALARY LIMIT</u>	-0-	2,427,475

Sec. 16. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION  
Program No. 533 - Network Operations

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	-0-	385,000
<u>CASH FUND</u>	-0-	-0-
<u>PROGRAM TOTAL</u>	-0-	385,000
<u>SALARY LIMIT</u>	-0-	-0-

The funds appropriated in this section are for the Nebraska Educational Telecommunication Commission's television antenna at KTNE (Alliance) that fell from the tower on April 9, 2015, and related costs. Funds appropriated are for both the temporary and permanent solution for the restoration of the loss of over-the-air television service to the panhandle region.

It is the intent of the Legislature that any funds recovered from insurance coverage or from the manufacturer's financial liability be remitted to the General Fund.

Sec. 17. AGENCY NO. 53 – REAL PROPERTY APPRAISER BOARD  
Program No. 79 - Appraiser Licensing

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>CASH FUND</u>	-0-	25,000
<u>PROGRAM TOTAL</u>	-0-	25,000
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 18. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES  
Program No. 592 - Indemnification Claims

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>GENERAL FUND</u>	-0-	125,000
<u>PROGRAM TOTAL</u>	-0-	125,000
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 19. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES  
Program No. 664 - Republican River Compact Litigation Contingency Cash Fund

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>CASH FUND</u>	-0-	5,500,000
<u>PROGRAM TOTAL</u>	-0-	5,500,000
<u>SALARY LIMIT</u>	-0-	-0-

There is included in the appropriation to this program from the Republican River Compact Litigation Contingency Cash Fund for FY2014-15 \$5,500,000 Cash Funds, which shall only be used to pay any court-ordered payments pursuant to Kansas v. Nebraska, No. 126 Original.

Sec. 20. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES  
Program No. 987 - Parking Property Acquisition

	<u>FY2013-14</u>	<u>FY2014-15</u>
<u>REVOLVING FUND</u>	-0-	180,000
<u>PROGRAM TOTAL</u>	-0-	180,000

There is included in the appropriation to this program for FY2014-15 \$180,000 from the Capitol Buildings Parking Revolving Fund. Subject to section 81-1107, the state building division of the Department of Administrative

Services is hereby authorized to acquire property within the Nebraska State Capitol Environs District or within blocks adjacent to the district for state employee parking.

The unexpended Revolving Fund appropriation balance existing on June 30, 2015, is hereby reappropriated for FY2015-16 and FY2016-17.

Sec. 21. Laws 2013, LB195, section 34, is amended to read:  
Sec. 34. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS  
Program No. 506 - State Agency and County Post Audits

	FY2013-14	FY2014-15
GENERAL FUND	<del>1,977,317</del>	<del>2,001,254</del>
<u>GENERAL FUND</u>	<u>1,977,317</u>	<u>2,016,246</u>
<u>PROGRAM TOTAL</u>	<u>1,977,317</u>	<u>2,001,254</u>
<u>PROGRAM TOTAL</u>	<u>1,977,317</u>	<u>2,016,246</u>
SALARY LIMIT	1,524,124	1,558,407
<u>SALARY LIMIT</u>	<u>1,524,124</u>	<u>1,569,429</u>

The unexpended General Fund appropriation balance existing on June 30, 2013, is hereby reappropriated.

Sec. 22. Laws 2013, LB195, section 35, is amended to read:  
Sec. 35. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS  
Program No. 525 - Cooperative Audits

	FY2013-14	FY2014-15
CASH FUND	<del>1,363,012</del>	<del>1,392,105</del>
<u>CASH FUND</u>	<u>1,363,012</u>	<u>1,426,386</u>
<u>PROGRAM TOTAL</u>	<u>1,363,012</u>	<u>1,392,105</u>
<u>PROGRAM TOTAL</u>	<u>1,363,012</u>	<u>1,426,386</u>
SALARY LIMIT	1,132,151	1,157,617
<u>SALARY LIMIT</u>	<u>1,132,151</u>	<u>1,183,334</u>

Sec. 23. Laws 2013, LB195, section 44, is amended to read:  
Sec. 44. AGENCY NO. 12 – STATE TREASURER  
Program No. 659 - Long-Term Care Savings Program

	FY2013-14	FY2014-15
GENERAL FUND	<del>60,703</del>	<del>61,329</del>
<u>PROGRAM TOTAL</u>	<u>60,703</u>	<u>61,329</u>
<u>GENERAL FUND</u>	<u>60,703</u>	<u>41,329</u>
<u>PROGRAM TOTAL</u>	<u>60,703</u>	<u>41,329</u>
SALARY LIMIT	12,633	13,176

The unexpended General Fund appropriation balance existing on June 30, 2013, is hereby reappropriated.

The unexpended General Fund appropriation balance existing on June 30, 2014, less \$150,000, is hereby reappropriated.

Sec. 24. Laws 2013, LB195, section 112, is amended to read:  
Sec. 112. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 519 - Nebraska Veterans' Homes

	FY2013-14	FY2014-15
GENERAL FUND	24,789,548	25,200,616
CASH FUND	12,795,999	12,844,034
FEDERAL FUND est.	18,954,263	19,388,787
PROGRAM TOTAL	56,539,810	57,433,437
SALARY LIMIT	29,636,869	30,246,060

The unexpended General Fund appropriation balance existing on June 30, 2013, is hereby reappropriated.

The unexpended General Fund appropriation balance existing on June 30, 2014, less \$2,761,800, is hereby reappropriated.

The Department of Administrative Services shall monitor the appropriations

and expenditures for this program according to the following program classifications:

- No. 510 - Veterans' Home System Administration
- No. 519 - Grand Island Veterans' Home
- No. 520 - Norfolk Veterans' Home
- No. 521 - Western Nebraska Veterans' Home
- No. 522 - Eastern Nebraska Veterans' Home
- Sec. 25. Laws 2013, LB195, section 175, is amended to read:
- Sec. 175. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY
- Program No. 648 - Nebraska State Historical Society

	FY2013-14	FY2014-15
GENERAL FUND	4,042,916	4,101,737
<u>GENERAL FUND</u>	<u>4,042,916</u>	<u>4,117,737</u>
CASH FUND	2,275,068	2,302,695
FEDERAL FUND est.	821,709	829,274
PROGRAM TOTAL	7,139,693	7,233,706
<u>PROGRAM TOTAL</u>	<u>7,139,693</u>	<u>7,249,706</u>
SALARY LIMIT	3,653,533	3,733,039
<u>SALARY LIMIT</u>	<u>3,653,533</u>	<u>3,754,039</u>

The unexpended General Fund appropriation balance on June 30, 2013, is hereby reappropriated.

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

- No. 43 - Departmental Administration
- No. 258 - Library/Archives Division
- No. 541 - Museum Operation
- No. 542 - Branch Museums
- No. 543 - Archeology Division
- No. 552 - Historic Preservation
- No. 632 - Hall of Fame Commission
- No. 647 - Skeletal Remains Protection
- No. 653 - Gerald R. Ford Conservation Center

There is included in the appropriation to this program for FY2013-14 \$100,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2014-15 \$100,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2013-14 \$25,000 General Funds and for FY2014-15 \$25,000 General Funds to carry out obligations of the agency under the Unmarked Human Burial Sites and Skeletal Remains Protection Act, which shall only be used for such purpose.

It is the intent of the Legislature that the Nebraska State Historical Society shall continue to budget and account for each of the branch museums at the subprogram level within this program.

Appropriations shall only be expended for the operation, construction, maintenance, or repair of a gift of real property after that property has been approved for acceptance by the Governor and the Legislature as required under section 81-1108.33.

- Sec. 26. Laws 2014, LB905, section 52, is amended to read:
- Sec. 52. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION
- Program No. 158 - Education Aid

	FY2013-14	FY2014-15
GENERAL FUND	1,110,823,561	1,120,477,237
<u>GENERAL FUND</u>	<u>1,110,823,561</u>	<u>1,119,347,863</u>
CASH FUND	3,240,938	3,240,938
FEDERAL FUND est.	290,889,138	290,889,138
PROGRAM TOTAL	1,404,953,637	1,414,607,313
<u>PROGRAM TOTAL</u>	<u>1,404,953,637</u>	<u>1,413,477,939</u>

There is included in the appropriation to this program for FY2013-14 \$1,110,823,561 General Funds, \$3,240,938 Cash Funds, and \$290,889,138 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2014-15 ~~\$1,120,477,237~~ \$1,119,347,863 General Funds, \$3,240,938 Cash Funds, and \$290,889,138 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown for FY2013-14 \$884,888,317 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act. There is included in the amount shown for FY2014-15 ~~\$879,460,393~~ ~~\$880,642,147~~ General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act.

There is included in the amount shown for this program \$203,588,534 General Funds provided as state aid for FY2013-14 for special education reimbursement. There is included in the amount shown for this program \$213,767,961 General Funds provided as state aid for FY2014-15 for special education reimbursement.

There is included in the amount shown for this program \$465,500 General Funds provided as state aid for FY2013-14 and \$465,500 General Funds provided as state aid for FY2014-15 to carry out the provisions of subsection (2) of section 79-734.

There is included in the amount shown for this program \$10,488,509 General Funds provided as state aid for FY2013-14 and \$10,488,509 General Funds provided as state aid for FY2014-15 for core services for educational service units.

There is included in the amount shown for this program \$3,272,887 General Funds provided as state aid for FY2013-14 and \$3,272,887 General Funds provided as state aid for FY2014-15 for technology infrastructure for educational service units.

There is included in the amount shown for this program \$290,365 General Funds provided as state aid for FY2013-14 and \$290,365 General Funds provided as state aid for FY2014-15 for distance education aid to educational service units.

There is included in the amount shown for this program \$547,589 General Funds provided as state aid for FY2013-14 and ~~\$505,388~~ ~~\$453,008~~ General Funds provided as state aid for FY2014-15 for the school breakfast program.

There is included in the amount shown for this program \$392,032 General Funds provided as state aid for FY2013-14 and \$392,032 General Funds provided as state aid for FY2014-15 for the school lunch program.

There is included in the amount shown for this program \$214,664 General Funds provided as state aid for FY2013-14 and \$214,664 General Funds provided as state aid for FY2014-15 for adult basic education programs.

There is included in the amount shown for this program \$725,000 General Funds provided as state aid for FY2013-14 and \$725,000 General Funds provided as state aid for FY2014-15 for learning community aid.

There is included in the amount shown for this program \$1,820,164 General Funds provided as state aid for FY2013-14 and \$1,820,164 General Funds provided as state aid for FY2014-15 for early childhood education projects.

There is included in the amount shown for this program \$3,415,000 General Funds provided as one-time state aid for FY2014-15 for early childhood education projects. The unexpended General Fund appropriation balance existing on June 30, 2015, from this appropriation, is hereby reappropriated.

There is included in the amount shown for this program \$130,000 General Funds provided as state aid for FY2013-14 and \$130,000 General Funds provided as state aid for FY2014-15 for the Summer Food Service Program.

There is included in the amount shown for this program \$4,000,000 General Funds provided as state aid for FY2013-14 and \$4,000,000 General Funds provided as state aid for FY2014-15 for the Early Childhood Education Grant Program for at-risk children from birth to age three. It is the intent of the Legislature that a maximum of five percent of the \$4,000,000 of General Funds appropriated each fiscal year for the Early Childhood Education Grant Program for at-risk children from birth to age three may be used for evaluation and technical assistance.

There is included in the amount shown for this program \$400,000 General Funds provided as state aid for FY2014-15 to expand the Nurturing Healthy Behaviors program. It is the intent of the Legislature that a portion of the funds provided shall be used for at least one new program in the third congressional district.

On or before October 1 of each year, the Department of Health and Human Services and the State Department of Education shall jointly certify to the budget administrator of the budget division of the Department of Administrative Services the amount of federal medicaid funds paid to school districts pursuant to the Early Intervention Act for special education services for children age five years and older. The General Fund appropriation to the State Department of Education, Program 158, for state special education aid shall be decreased by an amount equal to the amount that would have been reimbursed with state General Funds to the school districts through the special education reimbursement process for special education services for children age five years and older that was paid to school districts or approved cooperatives with federal medicaid funds. There is hereby appropriated from the General Fund an amount equal to the amount certified to the budget administrator for FY2013-14 and FY2014-15 to the Department of Health and Human Services to aid in carrying out the provisions of Laws 1991, LB 701. The budget administrator shall distribute the amount appropriated between budget programs according to percentages certified by the Department of Health and Human Services.

Sec. 27. Laws 2014, LB905, section 54, is amended to read:

Sec. 54. AGENCY NO. 16 – DEPARTMENT OF REVENUE  
Program No. 108 - Homestead Exemption

	FY2013-14	FY2014-15
GENERAL FUND	65,100,000	68,900,000
PROGRAM TOTAL	65,100,000	68,900,000
<u>GENERAL FUND</u>	<u>65,100,000</u>	<u>62,779,000</u>
<u>PROGRAM TOTAL</u>	<u>65,100,000</u>	<u>62,779,000</u>

There is included in the appropriation to this program for FY2013-14 \$65,100,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2014-15 ~~\$68,900,000~~ \$62,779,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 28. Laws 2014, LB905, section 59, is amended to read:

Sec. 59. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 347 - Public Assistance

	FY2013-14	FY2014-15
GENERAL FUND	103,359,868	108,244,583
<u>GENERAL FUND</u>	<u>103,359,868</u>	<u>99,244,583</u>
CASH FUND	3,560,000	3,560,000
FEDERAL FUND est.	103,059,571	102,574,856
PROGRAM TOTAL	209,979,439	214,379,439
<u>PROGRAM TOTAL</u>	<u>209,979,439</u>	<u>205,379,439</u>

There is included in the appropriation to this program for FY2013-14 \$103,359,868 General Funds, \$3,560,000 Cash Funds, and \$103,059,571 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2014-15 ~~\$108,244,583~~ \$99,244,583 General Funds, \$3,560,000 Cash Funds, and \$102,574,856 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2013-14 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to aid in carrying out the Nebraska Lifespan Respite Services Program and to provide payment to caregivers to purchase services under the respite subsidy program. There is included in the appropriation to this program for FY2014-15 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to aid in carrying out the Nebraska Lifespan Respite Services Program and to provide payment to caregivers to purchase services under the respite subsidy program.

There is included in the appropriation to this program for FY2013-14 \$660,000 General Funds and for FY2014-15 \$660,000 General Funds which shall be used solely to increase the reimbursement rate paid to providers of adult day services under the Title XX Program.

Sec. 29. Laws 2014, LB905, section 60, is amended to read:

Sec. 60. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 348 - Medical Assistance

	FY2013-14	FY2014-15
GENERAL FUND	703,688,424	775,093,326
<u>GENERAL FUND</u>	<u>703,688,424</u>	<u>753,093,326</u>
CASH FUND	38,681,662	46,381,662
FEDERAL FUND est.	1,104,116,011	1,163,014,792
<u>FEDERAL FUND est.</u>	<u>1,104,116,011</u>	<u>1,138,014,792</u>
PROGRAM TOTAL	1,846,486,097	1,984,489,780
<u>PROGRAM TOTAL</u>	<u>1,846,486,097</u>	<u>1,937,489,780</u>

There is included in the appropriation to this program for FY2013-14 \$703,688,424 General Funds, \$38,681,662 Cash Funds, and \$1,104,116,011 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2014-15 ~~\$775,093,326~~ \$753,093,326 General Funds, \$46,381,662 Cash Funds, and ~~\$1,163,014,792~~ \$1,138,014,792 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2013-14

\$4,765,896 Cash Funds for state aid for the continuation of the behavioral health provider rate increase and behavioral health provider rate increase for managed care, inpatient services, and residential treatment services provided with funds from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2014-15 \$4,765,896 Cash Funds for state aid for the continuation of the behavioral health provider rate increase and behavioral health provider rate increase for managed care, inpatient services, and residential treatment services provided with funds from the Nebraska Health Care Cash Fund.

There is included in the appropriation to this program for FY2013-14 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for a state plan amendment covering tobacco-use cessation in compliance with Title XIX of the federal Social Security Act. There is included in the appropriation to this program for FY2014-15 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for a state plan amendment covering tobacco-use cessation in compliance with Title XIX of the federal Social Security Act. The smoking cessation funding for FY2013-14 and FY2014-15 is for the costs of tobacco-use cessation counseling and tobacco-use cessation pharmaceuticals approved by the federal Food and Drug Administration for such purpose.

The Department of Health and Human Services shall send to the Appropriations Committee of the Legislature the quarterly network access report from the behavioral health managed care provider as required by the contract. Additionally, on October 1, January 1, April 1, and July 1 of each year, the department shall report such rates of initial service authorizations, reauthorizations subsequent to initial service authorizations, and denials for behavioral health services broken out by the following age groups: Children under the age of 19; adults ages 19 to 64; and adults age 65 and older. The reports required to be submitted to the Appropriations Committee of the Legislature by this section shall be submitted electronically.

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

There is included in the appropriation to this program for FY2014-15 \$7,700,000 Cash Funds from funds transferred from the University of Nebraska Medical Center and an estimated \$9,200,000 federal funds for supplemental payments to the University of Nebraska Medical Center. The payments are allowed pending the approval of a Medicaid State Plan Amendment by the Centers for Medicare and Medicaid.

There is included in the appropriation to this program for FY2014-15 \$0-Cash Funds from the Health and Human Services Cash Fund (Fund 22555) for FY2014-15.

Sec. 30. Laws 2014, LB907A, section 3, is amended to read:

Sec. 3. There is hereby appropriated (1) ~~\$2,773,488~~ ~~\$5,000,000~~ from the General Fund for FY2014-15 and (2) \$5,000,000 from the General Fund for FY2015-16 to the Department of Correctional Services, for Program 214 - Vocational and Life Skills Program, to aid in carrying out the provisions of Legislative Bill 907, One Hundred Third Legislature, Second Session, 2014.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed \$1,109,100 for FY2014-15 or \$1,129,100 for FY2015-16.

There is included in the appropriation to this program for FY2014-15 ~~\$1,750,000~~ ~~\$3,500,000~~ General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2015-16 \$3,500,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 31. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

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

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

(4) The limitation on expenditures for permanent and temporary salaries

and per diems for FY2014-15 as established by the Legislature shall be the basis for continuation funding for each fiscal year of the succeeding biennium.

(5) The limitation on expenditures for permanent and temporary salaries and per diems for FY2014-15 shall be increased by certified encumbrance amounts from FY2013-14 for permanent and temporary salaries and per diems. Encumbered amounts shall be calculated in accordance with section 81-138.01.

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

Sec. 32. Original Laws 2013, LB195, sections 34, 35, 44, 112, and 175; Laws 2014, LB905, sections 52, 54, 59, and 60; and Laws 2014, LB907A, section 3, are repealed.

Sec. 33. Since an emergency exists, this act takes effect when passed and approved according to law.