

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 959

Introduced by Speaker Flood; at the request of the Governor.

Read first time January 15, 2008

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2007, LB
2 319, section 9; Laws 2007, LB 320, sections 29, 30, and
3 49; Laws 2007, LB 321, sections 32, 37, 48, 49, 50,
4 55, 69, 88, 124, 177, 180, 183, 184, 187, 215, 244, and
5 245; to define terms; to provide, change, and eliminate
6 provisions relating to appropriations; to repeal the
7 original sections; and to declare an emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

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

9 Sec. 2. APPROPRIATION LANGUAGE.

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

15 Sec. 3. REAPPROPRIATION OF BALANCES, FY2007-08 to
16 FY2008-09.

17 In addition to the appropriations set forth in this
18 act, there are hereby reappropriated all unexpended appropriation
19 balances existing on June 30, 2008, for FY2008-09 to the respective
20 agencies, programs, and funds listed in this act, except as
21 otherwise provided in this act.

22 Sec. 4. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

23 All General Fund appropriations existing on June 30,
24 2007, in excess of expended and certified encumbrance amounts
25 are hereby lapsed unless otherwise provided. All Cash Fund

1 and Revolving Fund appropriations existing on June 30, 2007,
 2 in excess of expended and certified encumbrance amounts are
 3 hereby lapsed unless otherwise expressly provided. All certified
 4 encumbrance amounts on June 30, 2007, and June 30, 2008, are hereby
 5 reappropriated for FY2007-08 and FY2008-09, respectively, which
 6 amounts shall be in addition to the amounts shown in this act.

7 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

8 The definitions contained in the Nebraska Information
 9 System Manual, and any amendments thereto, on file with the Clerk
 10 of the Legislature are hereby adopted by the Legislature as the
 11 definitions for this act, except as provided in section 48 of this
 12 act.

13 Sec. 6. DRAWING AND PAYING WARRANTS.

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

19 Sec. 7. AGENCY NO. 5 - SUPREME COURT

20 Program No. 6 - District and Juvenile Court Judges'
 21 Salaries

	<u>FY2007-08</u>	<u>FY2008-09</u>
22		
23	<u>124,877</u>	<u>129,190</u>
24	<u>124,877</u>	<u>129,190</u>
25	<u>117,317</u>	<u>121,568</u>

1 Sec. 8. AGENCY NO. 5 - SUPREME COURT2 Program No. 52 - Operations

	<u>FY2007-08</u>	<u>FY2008-09</u>
4 <u>GENERAL FUND</u>	126,862	63,431
5 <u>CASH FUND</u>	-0-	280,000
6 <u>PROGRAM TOTAL</u>	126,862	343,431
7 <u>SALARY LIMIT</u>	70,167	76,729

8 Sec. 9. AGENCY NO. 5 - SUPREME COURT9 Program No. 420 - State Specialized Court Operations

	<u>FY2007-08</u>	<u>FY2008-09</u>
11 <u>SALARY LIMIT</u>	163,710	185,369

12 Sec. 10. AGENCY NO. 5 - SUPREME COURT13 Program No. 570 - Court Automation

	<u>FY2007-08</u>	<u>FY2008-09</u>
15 <u>CASH FUND</u>	260,922	43,680
16 <u>PROGRAM TOTAL</u>	260,922	43,680
17 <u>SALARY LIMIT</u>	-0-	-0-

18 Sec. 11. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS19 Program No. 10 - Salary - Auditor of Public Accounts

	<u>FY2007-08</u>	<u>FY2008-09</u>
21 <u>GENERAL FUND</u>	700	1,415
22 <u>PROGRAM TOTAL</u>	700	1,415
23 <u>SALARY LIMIT</u>	-0-	-0-

24 Sec. 12. AGENCY NO. 11 - ATTORNEY GENERAL

1	<u>Program No. 508 - School Finance Litigation</u>		
2		<u>FY2007-08</u>	<u>FY2008-09</u>
3	<u>GENERAL FUND</u>	<u>1,200,000</u>	<u>-0-</u>
4	<u>PROGRAM TOTAL</u>	<u>1,200,000</u>	<u>-0-</u>
5	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

6 Sec. 13. AGENCY NO. 12 - STATE TREASURER

7 Program No. 503 - Treasury Management

8		<u>FY2007-08</u>	<u>FY2008-09</u>
9	<u>CASH FUND</u>	<u>15,000</u>	<u>-0-</u>
10	<u>PROGRAM TOTAL</u>	<u>15,000</u>	<u>-0-</u>
11	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

12 There is included in the appropriation to this program
 13 for FY2007-08 \$10,000 Cash Funds for the cost of federally required
 14 check processing equipment programming updates, which shall only
 15 be used for such purpose. There is included in the appropriation
 16 to this program for FY2007-08 \$5,000 Cash Funds for the cost
 17 of programming related to the daily Nebraska Information System
 18 reconciliation process, which shall only be used for such purpose.

19 Sec. 14. AGENCY NO. 12 - STATE TREASURER

20 Program No. 505 - Educational Savings Unit

21		<u>FY2007-08</u>	<u>FY2008-09</u>
22	<u>CASH FUND</u>	<u>57,833</u>	<u>95,102</u>
23	<u>PROGRAM TOTAL</u>	<u>57,833</u>	<u>95,102</u>
24	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

1 Sec. 15. AGENCY NO. 16 - DEPARTMENT OF REVENUE

2 Program No. 102 - Revenue Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
4 <u>GENERAL FUND</u>	<u>500,000</u>	<u>-0-</u>
5 <u>PROGRAM TOTAL</u>	<u>500,000</u>	<u>-0-</u>
6 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

7 There is included in the appropriation to this program
8 for FY2007-08 \$500,000 General Funds for the purpose of acquiring
9 lists, software, programming, computer equipment, and other
10 technological methods for enforcing the tax laws. The Department
11 of Revenue shall include an explanation of the enforcement efforts
12 undertaken as a result of the funds appropriated in this section
13 in the annual report required under subdivision (6)(b) of section
14 77-5601.

15 Sec. 16. AGENCY NO. 21 - STATE FIRE MARSHAL

16 Program No. 340 - Training Division

	<u>FY2007-08</u>	<u>FY2008-09</u>
18 <u>GENERAL FUND</u>	<u>26,670</u>	<u>-0-</u>
19 <u>PROGRAM TOTAL</u>	<u>26,670</u>	<u>-0-</u>
20 <u>SALARY LIMIT</u>	<u>12,000</u>	<u>-0-</u>

21 Sec. 17. AGENCY NO. 22 - DEPARTMENT OF INSURANCE

22 Program No. 69 - Enforcement of Standards - Insurance

	<u>FY2007-08</u>	<u>FY2008-09</u>
24 <u>CASH FUND</u>	<u>-0-</u>	<u>434,430</u>

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1	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>434,430</u>
2	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>320,000</u>
3	Sec. 18. <u>AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS</u>		
4	<u>Program No. 36 - Departmental Administration</u>		
5		<u>FY2007-08</u>	<u>FY2008-09</u>
6	<u>GENERAL FUND</u>	<u>-0-</u>	<u>74,510</u>
7	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>74,510</u>
8	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>34,000</u>
9	Sec. 19. <u>AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL</u>		
10	<u>SERVICES</u>		
11	<u>Program No. 200 - Operations</u>		
12		<u>FY2007-08</u>	<u>FY2008-09</u>
13	<u>GENERAL FUND</u>	<u>35,000</u>	<u>-0-</u>
14	<u>CASH FUND</u>	<u>239,879</u>	<u>-0-</u>
15	<u>FEDERAL FUND est.</u>	<u>215,000</u>	<u>-0-</u>
16	<u>PROGRAM TOTAL</u>	<u>489,879</u>	<u>-0-</u>
17	<u>SALARY LIMIT</u>	<u>532,414</u>	<u>1,101,783</u>
18	Sec. 20. <u>AGENCY NO. 53 - REAL PROPERTY APPRAISER BOARD</u>		
19	<u>Program No. 79 - Appraiser Licensing</u>		
20		<u>FY2007-08</u>	<u>FY2008-09</u>
21	<u>CASH FUND</u>	<u>75,000</u>	<u>-0-</u>
22	<u>PROGRAM TOTAL</u>	<u>75,000</u>	<u>-0-</u>
23	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
24	Sec. 21. <u>AGENCY NO. 64 - NEBRASKA STATE PATROL</u>		

1	<u>Program No. 100 - Public Protection</u>		
2		<u>FY2007-08</u>	<u>FY2008-09</u>
3	<u>GENERAL FUND</u>	<u>177,755</u>	<u>119,575</u>
4	<u>PROGRAM TOTAL</u>	<u>177,755</u>	<u>119,575</u>
5	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
6	Sec. 22. <u>AGENCY NO. 77 - COMMISSION OF INDUSTRIAL</u>		
7	<u>RELATIONS</u>		
8	<u>Program No. 490 - Commissioner Expenses</u>		
9		<u>FY2007-08</u>	<u>FY2008-09</u>
10	<u>GENERAL FUND</u>	<u>-0-</u>	<u>110,447</u>
11	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>110,447</u>
12	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>89,300</u>
13	Sec. 23. <u>AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW</u>		
14	<u>ENFORCEMENT AND CRIMINAL JUSTICE</u>		
15	<u>Program No. 220 - Community Corrections Council Office</u>		
16		<u>FY2007-08</u>	<u>FY2008-09</u>
17	<u>CASH FUND</u>	<u>383,854</u>	<u>-0-</u>
18	<u>PROGRAM TOTAL</u>	<u>383,854</u>	<u>-0-</u>
19	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
20	Sec. 24. <u>AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT</u>		
21	<u>BOARD</u>		
22	<u>Program No. 41 - Administration of Retirement Systems and</u>		
23	<u>Deferred Compensation</u>		
24		<u>FY2007-08</u>	<u>FY2008-09</u>

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1	<u>CASH FUND</u>	<u>83,500</u>	<u>-0-</u>
2	<u>PROGRAM TOTAL</u>	<u>83,500</u>	<u>-0-</u>
3	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

4 Sec. 25. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT

5 BOARD

6 Program No. 515 - Public Employees Retirement

7		<u>FY2007-08</u>	<u>FY2008-09</u>
8	<u>GENERAL FUND</u>	<u>-0-</u>	<u>196,658</u>
9	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>196,658</u>

10 Sec. 26. AGENCY NO. 93 - TAX EQUALIZATION AND REVIEW

11 COMMISSION

12 Program No. 115 - Operations

13		<u>FY2007-08</u>	<u>FY2008-09</u>
14	<u>GENERAL FUND</u>	<u>-0-</u>	<u>73,025</u>
15	<u>CASH FUND</u>	<u>-0-</u>	<u>70,000</u>
16	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>143,025</u>
17	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>30,000</u>

18 There is included in the appropriation to this program
19 for FY2008-09 \$73,025 General Funds and \$70,000 Cash Funds for the
20 Tax Equalization and Review Commission to contract for mediation of
21 valuation appeals, which shall only be used for such purpose.

22 Sec. 27. Laws 2007, LB 319, section 9, is amended to
23 read:

24 Sec. 9. AGENCY NO. 5 - SUPREME COURT

1 Program No. 7 - County Court Judges' Salaries

2		FY2007-08	FY2008-09
3	GENERAL FUND	7,707,290	7,765,659
4	PROGRAM TOTAL	7,707,290	7,765,659
5	SALARY LIMIT	6,735,566	6,735,566
6		<u>FY2007-08</u>	<u>FY2008-09</u>
7	GENERAL FUND	7,586,015	7,644,384
8	PROGRAM TOTAL	7,586,015	7,644,384
9	SALARY LIMIT	6,621,396	6,621,396

10 Sec. 28. Laws 2007, LB 320, section 29, is amended to
 11 read:

12 Sec. 29. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
 13 TELECOMMUNICATIONS COMMISSION

14 Program No. 913 - Carpenter Telecommunications Center
 15 Renovation

16		FY2007-08	FY2008-09	FUTURE
17	NEBRASKA CAPITAL			
18	CONSTRUCTION FUND	1,738,671	1,488,671	-0-
19	PROGRAM TOTAL	1,738,671	1,488,671	-0-

20 The Legislature hereby acknowledges and reaffirms the
 21 directive made by Laws 2001, First Special Session, LB 1, section
 22 15, which authorizes the Nebraska Educational Telecommunications
 23 Commission to renovate the Terry M. Carpenter Telecommunications
 24 Center. Funds are provided to upgrade the heating, ventilating, and

1 air conditioning systems; to upgrade the mechanical and electrical
2 systems; to address fire and life safety problems; and to address
3 handicapped accessibility problems. The funding also provides
4 renovation of some areas of the building that are currently of
5 limited use and function, to include network operations space and
6 dressing room reconfiguration; minor renovation of studios 3 and
7 4; and level 2 infill over studio 2 and the north side of the
8 facility. The total project cost shall not exceed \$13,439,605,
9 exclusive of financing costs. An estimated \$464,000 of excess
10 Nebraska Capital Construction Fund appropriation in FY2008-09
11 may be redirected by the Nebraska Educational Telecommunications
12 Commission from the Carpenter Telecommunications Center Building
13 Renovation Project, to the Public Media at the Capitol Project.

14 Pursuant to provisions of this section and prior to May
15 23, 2005, the total project cost authorization has been increased
16 by \$250,000. Within additional project expenditure authority
17 granted, the commission may accommodate any current building
18 renewal class 1 requests, the upgrade of stairwells, energy
19 efficient lighting, exterior railings, the upgrade of first floor
20 restrooms, wall treatments, storage space, classroom equipment, and
21 lockable overhead storage space and files for employee workspaces.
22 It is intended that current building renewal class 1 requests
23 be given first priority in use of additional project expenditure
24 authority granted pursuant to this section.

25 The commission may enter into long-term financing

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1	CONSTRUCTION FUND	-0-	250,000	900,000
2	CASH FUND	31,500	1,165,000	-0-
3	FEDERAL FUNDS est.	116,150	-0-	-0-
4	PROGRAM TOTAL	147,650	1,415,000	900,000
5	<u>CASH FUND</u>	<u>1,609,000</u>	<u>1,165,000</u>	<u>-0-</u>
6	<u>FEDERAL FUND est.</u>	<u>405,000</u>	<u>-0-</u>	<u>-0-</u>
7	<u>PROGRAM TOTAL</u>	<u>2,014,000</u>	<u>1,415,000</u>	<u>900,000</u>

8 The Nebraska Educational Telecommunications Commission
9 is hereby authorized to complete the conversion of the existing
10 NETC system to the new DTV system through upgrades to existing
11 statewide transmission systems, translators, transmitters, and
12 through the removal of antennas, transmission lines, and other
13 outdated equipment associated with the conversion process.

14 There is included in the appropriation to this program
15 for FY2007-08 ~~\$31,500~~ \$1,609,000 from cash funds and ~~\$116,150~~
16 \$405,000 from federal funds and for FY2008-09 \$250,000 from the
17 Nebraska Capital Construction Fund and \$1,165,000 from cash funds.
18 In addition to the amounts appropriated in this section, it is
19 intended that \$450,000 be appropriated from the Nebraska Capital
20 Construction Fund for FY2009-10 and \$450,000 be appropriated from
21 the Nebraska Capital Construction Fund for FY2010-11 to complete
22 the project.

23 Sec. 30. Laws 2007, LB 320, section 49, is amended to
24 read:

25 Sec. 49. There is hereby appropriated, unless otherwise

1 specified, for FY2007-08 and for FY2008-09 from undisbursed
2 balances existing on June 30, 2007, and on June 30, 2008,
3 respectively, to each agency for each program from the respective
4 funds for capital construction as follows:

5 (1) Agency No. 25 - Department of Health and Human
6 Services

7 Program Nos. 906, 922, 923, 924, and 931.

8 (2) Agency No. 27 - Department of Roads

9 Program No. 901, except that the unobligated biennium
10 appropriation balance shall lapse once all projects funded in
11 that biennium are completed, postponed to a future biennium, or
12 indefinitely postponed.

13 (3) Agency No. 28 - Department of Veterans' Affairs

14 Program No. 937 - Alliance State Veterans' Cemetery.

15 (4) Agency No. 31 - Military Department

16 Program Nos. 905, 906, 910, and 925.

17 (5) Agency No. 33 - Game and Parks Commission

18 Program Nos. 900, 901, 902, 919, 924, 955, 960, 961,
19 966, 967, 968, 969, 971, 972, 973, 975, 976, 977, 979, 980, 981,
20 and 983, except that for FY2007-08 only the undisbursed balances
21 existing on June 30, 2007, for the following programs and projects
22 shall be reappropriated and all other unobligated June 30, 2007,
23 balances shall lapse:

24 Program No. 900 - State Park System Facility Improvements
25 and Motor Boat Access Facilities

1 Program No. 901 - State Facilities Deferred Maintenance
2 Program No. 902 - Trail Development Assistance
3 Program No. 919 - Political Subdivisions Aid
4 Program No. 924 - Wildlife Land Acquisitions and
5 Improvements, less \$323,041.64 of unobligated Federal Fund
6 appropriation authority
7 Program No. 955 - Youth Outdoor Skill Training
8 Program No. 960 - Park and Recreation Land Acquisition,
9 including the purchase of land for a new maintenance facility to
10 replace the facility located at 30th and Y Streets in Lincoln
11 Program No. 961 - Lewis and Clark Commemorative Special
12 Projects
13 Program No. 969 - State Recreation Areas
14 Program No. 971 - Wildlife Management Areas -
15 Improvements
16 Program No. 972 - Administrative Facilities -
17 Improvements
18 Program No. 973 - Fish production
19 Program No. 975 - Emergency Repairs - Park System
20 Program No. 976 - Emergency Repairs to Fish and Wildlife
21 Facilities
22 Program No. 977 - Nongame and Endangered Species Land
23 Acquisition and Development
24 Program No. 979 - Cowboy Trail - Emergency Repairs and
25 Deferred Maintenance, provided that deferred repair projects may be

1 addressed from the unobligated construction appropriations in this
2 program

3 Program No. 981 - Aquatic Habitat - Improvements

4 Program No. 983 - Buffalo Soldier Barracks.

5 (6) Agency No. 46 - Department of Correctional Services

6 Programs Nos. 915, 916, 918, and 920.

7 (7) Agency No. 47 - Nebraska Educational

8 Telecommunications Commission

9 Program Nos. 901, 911, 913, 919 less \$557,000 unobligated
10 cash fund appropriation, and less \$2,073,647 unobligated federal
11 fund appropriation, 922, 925, and 926.

12 (8) Agency No. 50 - Board of Trustees of the Nebraska
13 State Colleges

14 Program Nos. 901, 919, 920, 934, 940, 941, 945, 946, 950,
15 951, 952, 993, and 998, and any additional construction programs
16 administratively created relating to the Board of Trustees of the
17 Nebraska State Colleges and its campuses which are funded through
18 cash funds, federal funds, revolving funds, or private gifts or
19 donations.

20 (9) Agency No. 51 - University of Nebraska

21 Program Nos. 901, 902, 903, 905, 906, 907, 908, 911,
22 912, 913, 915, 916, 917, 918, 919, 920, 922, 926, 927, 928,
23 929, 931, 932, 933, 934, 936, 937, 938, 942, 943, 944, 945,
24 946, 947, 948, 949, 950, 951, 953, 954, 955, 956, 957, 958,
25 959, 960, 961, 963, 965, 966, 967, 968, 969, 970, 971, 973,

1 974, 978, 982, 985, 989, 990, 992, 993, 994, ~~and~~ 997, and 999,
 2 and any additional construction programs administratively created
 3 relating to the University of Nebraska-Lincoln, the University
 4 of Nebraska at Omaha, the University of Nebraska Medical Center,
 5 the University of Nebraska at Kearney, the Nebraska College of
 6 Technical Agriculture at Curtis, and the University of Nebraska
 7 Central Administration which are funded through cash funds, federal
 8 funds, revolving funds, or private gifts or donations.

9 (10) Agency No. 65 - Department of Administrative
 10 Services

11 Program Nos. 901, 913, 920, 923, 924, 932, 933, 935, 939,
 12 and 940.

13 Appropriations to program numbers pertaining to funding
 14 for the Deferred Building Renewal Act are hereby reappropriated.

15 Sec. 31. Laws 2007, LB 321, section 32, is amended to
 16 read:

17 Sec. 32. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS

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

	FY2007-08	FY2008-09
19		
20	2,369,312	2,436,568
21	2,369,312	2,436,568
22	<u>2,368,612</u>	<u>2,435,153</u>
23	<u>2,368,612</u>	<u>2,435,153</u>
24	1,728,699	1,767,437

25 Sec. 32. Laws 2007, LB 321, section 37, is amended to

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1 read:

2 Sec. 37. AGENCY NO. 12 - STATE TREASURER

3 Program No. 24 - State Disbursement Unit

	FY2007-08	FY2008-09
4		
5 GENERAL FUND	1,422,035	1,424,999
6 <u>GENERAL FUND</u>	<u>1,412,035</u>	<u>1,424,999</u>
7 CASH FUND	50,000	50,000
8 FEDERAL FUND est.	2,383,924	2,400,369
9 PROGRAM TOTAL	3,855,959	3,875,368
10 <u>FEDERAL FUND est.</u>	<u>2,358,924</u>	<u>2,400,369</u>
11 <u>PROGRAM TOTAL</u>	<u>3,820,959</u>	<u>3,875,368</u>
12 SALARY LIMIT	1,438,853	1,474,790

13 Sec. 33. Laws 2007, LB 321, section 48, is amended to

14 read:

15 Sec. 48. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

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

	FY2007-08	FY2008-09
17		
18 GENERAL FUND	9,786,880	10,066,410
19 <u>GENERAL FUND</u>	<u>9,658,810</u>	<u>9,944,480</u>
20 CASH FUND	1,093,153	1,111,863
21 FEDERAL FUND est.	13,632,535	13,997,130
22 REVOLVING FUND	160,175	160,175
23 PROGRAM TOTAL	24,672,743	25,335,578
24 <u>PROGRAM TOTAL</u>	<u>24,544,673</u>	<u>25,213,648</u>
25 SALARY LIMIT	11,563,744	11,983,629

1 There is included in the appropriation to this program
2 \$282,600 General Funds for FY2007-08 and \$259,600 General Funds for
3 FY2008-09 to carry out the provisions of Laws 2006, LB 1024, or any
4 laws enacted in the 2007 Session to amend or replace Laws 2006, LB
5 1024, which shall only be used for such purpose.

6 The unexpended appropriation balance of the \$1,607,000
7 General Funds appropriated for statewide assessment and reporting
8 existing on June 30, 2007, is hereby reappropriated.

9 There is included in the appropriation to this program
10 \$1,607,000 General Funds for FY2007-08 and \$1,607,000 General Funds
11 for FY2008-09 to provide for statewide assessment and reporting,
12 which shall only be used for such purpose.

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

16 No. 25 - Commissioner's Office

17 No. 403 - Assessment/Report Card

18 No. 440 - School Finance/Organization Services

19 No. 441 - Curriculum/Instruction

20 No. 442 - Staff Development/Instructional Issues

21 No. 443 - Education Technology

22 No. 444 - Early Childhood Care and Education

23 No. 445 - Planning/Evaluation/Data Systems

24 No. 446 - Adult Program Services

25 No. 447 - Accreditation

1 No. 448 - Special Population Programs
 2 No. 449 - Federal Programs/School Improvement
 3 No. 450 - Select Department-Wide Costs
 4 No. 451 - Administrative Support Services
 5 Sec. 34. Laws 2007, LB 321, section 49, is amended to
 6 read:
 7 Sec. 49. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 8 Program No. 158 - Education Aid

	FY2007-08	FY2008-09
10 GENERAL FUND	952,197,997	1,036,530,133
11 <u>GENERAL FUND</u>	<u>952,197,997</u>	<u>1,089,548,866</u>
12 CASH FUND	2,282,938	2,282,938
13 FEDERAL FUND est.	254,923,780	262,443,987
14 PROGRAM TOTAL	1,209,404,715	1,301,257,058
15 <u>PROGRAM TOTAL</u>	<u>1,209,404,715</u>	<u>1,354,275,791</u>

16 There is included in the appropriation to this
 17 program for FY2007-08 \$952,197,997 General Funds, \$2,282,938
 18 Cash Funds, and \$254,923,780 Federal Funds estimate for state
 19 aid, which shall only be used for such purpose. There is
 20 included in the appropriation to this program for FY2008-09
 21 ~~\$1,036,530,133~~ \$1,089,548,866 General Funds, \$2,282,938 Cash Funds,
 22 and \$262,443,987 Federal Funds estimate for state aid, which shall
 23 only be used for such purpose.

24 There is included in the amount shown for FY2007-08
 25 \$753,555,548 General Funds which are hereby appropriated to

1 the Tax Equity and Educational Opportunities Fund, which
2 fund is hereby appropriated to provide state aid to public
3 school districts pursuant to the Tax Equity and Educational
4 Opportunities Support Act. There is included in the amount shown
5 for FY2008-09 ~~\$832,498,267~~ \$885,517,000 General Funds which are
6 hereby appropriated to the Tax Equity and Educational Opportunities
7 Fund, which fund is hereby appropriated to provide state aid to
8 public school districts pursuant to the Tax Equity and Educational
9 Opportunities Support Act.

10 There is included in the amount shown for this program
11 \$179,508,584 General Funds provided as state aid for FY2007-08 for
12 special education reimbursement. There is included in the amount
13 shown for this program \$184,893,842 General Funds provided as state
14 aid for FY2008-09 for special education reimbursement.

15 There is included in the amount shown for this program
16 \$435,000 General Funds provided as state aid for FY2007-08 and
17 \$450,000 General Funds provided as state aid for FY2008-09 to carry
18 out the provisions of subsection (2) of section 79-734.

19 There is included in the amount shown for this program
20 \$3,626,267 General Funds provided as state aid for FY2007-08 and
21 \$3,615,426 General Funds provided as state aid for FY2008-09 for
22 early childhood education projects.

23 There is included in the amount shown for this program
24 \$8,266,325 General Funds provided as state aid for FY2007-08 and
25 \$8,266,325 General Funds provided as state aid for FY2008-09 for

1 core services for educational service units.

2 There is included in the amount shown for this program
3 \$2,566,013 General Funds provided as state aid for FY2007-08 and
4 \$2,566,013 General Funds provided as state aid for FY2008-09 for
5 technology infrastructure for educational service units.

6 There is included in the amount shown for this program
7 \$530,300 General Funds provided as state aid for FY2007-08 and
8 \$530,300 General Funds provided as state aid for FY2008-09 for
9 distance education aid to educational service units.

10 There is included in the amount shown for this program
11 \$2,336,921 General Funds provided as state aid for FY2007-08 and
12 \$2,336,921 General Funds provided as state aid for FY2008-09 for
13 programs for learners with high ability.

14 There is included in the amount shown for this program
15 \$271,378 General Funds provided as state aid for FY2007-08 and
16 \$271,378 General Funds provided as state aid for FY2008-09 for the
17 school breakfast program.

18 There is included in the amount shown for this program
19 \$421,087 General Funds provided as state aid for FY2007-08 and
20 \$421,087 General Funds provided as state aid for FY2008-09 for the
21 school lunch program.

22 There is included in the amount shown for this program
23 \$230,574 General Funds provided as state aid for FY2007-08 and
24 \$230,574 General Funds provided as state aid for FY2008-09 for
25 adult basic education programs.

1 There is included in the amount shown for this program
2 \$450,000 General Funds provided as state aid for FY2007-08 and
3 \$450,000 General Funds provided as state aid for FY2008-09 for the
4 Career Education Partnership Act.

5 The unexpended appropriation balance of the \$2,000,000
6 Cash Funds appropriated from the School District Reorganization
7 Fund for base year reorganization incentives existing on June 30,
8 2007, is hereby reappropriated.

9 On or before October 1 of each year, the Department of
10 Health and Human Services and the State Department of Education
11 shall jointly certify to the budget administrator of the budget
12 division of the Department of Administrative Services the amount
13 of federal medicaid funds paid to school districts pursuant to
14 the Early Intervention Act for special education services for
15 children age five years and older. The General Fund appropriation
16 to the State Department of Education, Program 158, for state
17 special education aid shall be decreased by an amount equal to
18 the amount that would have been reimbursed with state General
19 Funds to the school districts through the special education
20 reimbursement process for special education services for children
21 age five years and older that was paid to school districts or
22 approved cooperatives with federal medicaid funds. There is hereby
23 appropriated from the General Fund an amount equal to the amount
24 certified to the budget administrator for FY2007-08 and FY2008-09
25 to the Department of Health and Human Services to aid in carrying

1 out the provisions of Laws 1991, LB 701. The budget administrator
2 shall distribute the amount appropriated between budget programs
3 according to percentages certified by the Department of Health and
4 Human Services.

5 Sec. 35. Laws 2007, LB 321, section 50, is amended to
6 read:

7 Sec. 50. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
8 Program No. 161 - Education Innovation

	FY2007-08	FY2008-09
9 CASH FUND	4,351,429	4,603,196
10 PROGRAM TOTAL	4,351,429	4,603,196
11 SALARY LIMIT	34,295	35,152

12
13 There is included in the appropriation to this program
14 for FY2007-08 \$4,300,000 Cash Funds for state aid, which shall only
15 be used for such purpose. There is included in the appropriation
16 to this program for FY2008-09 \$4,550,000 Cash Funds for state aid,
17 which shall only be used for such purpose.

18 There is included in the amount shown for this program
19 \$500,000 Cash Funds provided as state aid for FY2007-08 and
20 \$750,000 Cash Funds provided as state aid for FY2008-09 for
21 distance education aid to fund the Attracting Excellence to
22 Teaching Program Act, and any amount remaining in the Education
23 Innovation Fund shall be allocated, after administrative expenses,
24 for distance education equipment and incentives.

25 Sec. 36. Laws 2007, LB 321, section 55, is amended to

1 read:

2 Sec. 55. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

3 Program No. 614 - Professional Practices Commission

	FY2007-08	FY2008-09
4 CASH FUND	128,745	149,288
5 PROGRAM TOTAL	128,745	149,288
6 <u>CASH FUND</u>	<u>158,745</u>	<u>149,288</u>
7 <u>PROGRAM TOTAL</u>	<u>158,745</u>	<u>149,288</u>
8 SALARY LIMIT	59,085	86,792

10 There is included in the appropriation to this program
 11 for FY2007-08 \$30,000 Cash Funds to provide for an ethics education
 12 video for teachers.

13 Sec. 37. Laws 2007, LB 321, section 69, is amended to
 14 read:

15 Sec. 69. AGENCY NO. 16 - DEPARTMENT OF REVENUE

16 Program No. 108 - Homestead Exemption

	FY2007-08	FY2008-09
17 GENERAL FUND	70,056,960	76,120,104
18 PROGRAM TOTAL	70,056,960	76,120,104
19 <u>GENERAL FUND</u>	<u>63,056,960</u>	<u>76,120,104</u>
20 <u>PROGRAM TOTAL</u>	<u>63,056,960</u>	<u>76,120,104</u>

22 There is included in the appropriation to this program
 23 for FY2007-08 ~~\$70,056,960~~ \$63,056,960 General Funds for state aid,
 24 which shall only be used for such purpose. There is included in
 25 the appropriation to this program for FY2008-09 \$76,120,104 General

1 Funds for state aid, which shall only be used for such purpose.

2 Sec. 38. Laws 2007, LB 321, section 88, is amended to
 3 read:

4 Sec. 88. AGENCY NO. 21 - STATE FIRE MARSHAL
 5 Program No. 193 - Public Protection

	FY2007-08	FY2008-09
6 GENERAL FUND	2,647,462	3,194,724
8 CASH FUND	1,658,144	1,223,140
9 FEDERAL FUND est.	50,000	50,000
10 PROGRAM TOTAL	4,355,606	4,467,864
11 SALARY LIMIT	2,444,165	2,538,578
12 <u>GENERAL FUND</u>	<u>2,620,792</u>	<u>3,194,724</u>
13 <u>CASH FUND</u>	<u>1,729,918</u>	<u>1,510,234</u>
14 <u>FEDERAL FUND est.</u>	<u>114,063</u>	<u>306,250</u>
15 <u>PROGRAM TOTAL</u>	<u>4,464,773</u>	<u>5,011,208</u>
16 <u>SALARY LIMIT</u>	<u>2,525,302</u>	<u>2,863,123</u>

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

- 20 No. 225 - General Operations
- 21 No. 226 - Pipeline Safety
- 22 No. 227 - Underground Storage Tanks

23 There is included in the appropriation to this program
 24 for FY2007-08 \$50,000 Federal Funds estimate for state aid.
 25 There is included in the appropriation to this program for

LB 959

LB 959

1 FY2008-09 \$50,000 Federal Funds estimate for state aid. If federal
 2 restrictions prevent using these Federal Funds for state aid,
 3 the State Fire Marshal may reallocate available funds in the
 4 Underground Storage Tank Fund to provide state aid payments to the
 5 affected political subdivisions.

6 Sec. 39. Laws 2007, LB 321, section 124, is amended to
 7 read:

8 Sec. 124. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 9 SERVICES - VETERANS' HOMES

10 Program No. 519 - Nebraska Veterans' Homes

	FY2007-08	FY2008-09
11		
12	22,601,532	24,321,371
13	15,671,385	15,371,385
14	11,698,573	11,698,573
15	<u>22,601,532</u>	<u>24,246,861</u>
16	<u>15,671,385</u>	<u>15,408,640</u>
17	<u>11,698,573</u>	<u>11,735,828</u>
18	PROGRAM TOTAL	51,391,329
19	SALARY LIMIT	26,218,507

20 Sec. 40. Laws 2007, LB 321, section 177, is amended to
 21 read:

22 Sec. 177. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
 23 TELECOMMUNICATIONS COMMISSION

24 Program No. 533 - Network Operations

	FY2007-08	FY2008-09
25		

	LB 959	LB 959
1 GENERAL FUND	9,197,064	9,383,070
2 CASH FUND	242,759	242,759
3 PROGRAM TOTAL	9,439,823	9,625,829
4 SALARY LIMIT	2,869,450	2,938,518
5 <u>SALARY LIMIT</u>	<u>2,944,450</u>	<u>2,938,518</u>

6 The limitation on expenditures for permanent and
7 temporary salaries and per diems for the Nebraska Educational
8 Telecommunications Commission may be exceeded by the amount
9 required to fulfill the state's obligation for salaries in
10 contractual arrangements in which the state has entered into an
11 employer-employee relationship with the person subject to the
12 contract as determined by the social security administration bureau
13 of the Department of Administrative Services.

14 Sec. 41. Laws 2007, LB 321, section 180, is amended to
15 read:

16 Sec. 180. AGENCY NO. 48 - COORDINATING COMMISSION FOR
17 POSTSECONDARY EDUCATION

18 Program No. 640 - Postsecondary Education Coordination

	FY2007-08	FY2008-09
19 GENERAL FUND	1,260,506	1,299,297
20 CASH FUND	10,000	10,000
21 <u>GENERAL FUND</u>	<u>1,245,506</u>	<u>1,284,297</u>
22 <u>CASH FUND</u>	<u>25,000</u>	<u>25,000</u>
23 FEDERAL FUND est.	6,000	6,000
24 PROGRAM TOTAL	1,276,506	1,315,297

1 SALARY LIMIT 830,429 850,937

2 There is included in the appropriation to this program
 3 for FY2007-08 an estimated \$90,000 General Funds and for FY2008-09
 4 an estimated \$95,000 General Funds for Midwestern Higher Education
 5 Compact state membership dues.

6 Sec. 42. Laws 2007, LB 321, section 183, is amended to
 7 read:

8 Sec. 183. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
 9 NEBRASKA STATE COLLEGES

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

	FY2007-08	FY2008-09
11 GENERAL FUND	43,109,898	45,393,201
12 CASH FUND est.	21,821,486	21,821,486
13 FEDERAL FUND est.	18,091,090	18,091,090
14 REVOLVING FUND est.	6,516,616	6,516,616
15 PROGRAM TOTAL	89,539,090	91,822,393

17 It is the intent of the Legislature that upon the
 18 approval of the Board of Trustees of the Nebraska State Colleges,
 19 the System Office of the Nebraska State Colleges may divide and
 20 distribute the funds appropriated to this program among Chadron
 21 State College, Peru State College, Wayne State College, and the
 22 System Office of the Nebraska State Colleges.

23 It is the intent of the Legislature that Cash Fund
 24 revenue from resident tuition, nonresident tuition, off-campus
 25 tuition, and fees separately assessed shall be individually

1 accounted for on the Nebraska Information System.

2 It is intended that the Board of Trustees of the Nebraska
3 State Colleges participate in joint planning for the Enterprise
4 Resource Planning System, including a Student Information System,
5 with the Board of Regents of the University of Nebraska as
6 coordinated through the Office of the Chief Information Officer.

7 The Legislature reaffirms its intent to utilize the
8 Nebraska Educational Data System created by Laws 1978, LB 897, to
9 support the appropriations and oversight process for postsecondary
10 education. It is further the intent of the Legislature that all
11 institutions provide the data in the precise formats required by
12 the Coordinating Commission for Postsecondary Education.

13 The Legislature reaffirms its commitment to long-range
14 and short-range computer planning by the Nebraska state colleges.
15 It is the intent of the Legislature that comprehensive computer
16 plans of the Nebraska state colleges be updated biennially and
17 submitted to the Legislative Fiscal Analyst, the Department
18 of Administrative Services, and the Coordinating Commission
19 for Postsecondary Education on or before October 15 of each
20 odd-numbered year.

21 The Department of Administrative Services shall monitor
22 the appropriations and expenditures of the Board of Trustees of
23 the Nebraska State Colleges, Agency No. 50-0, and the Nebraska
24 State Colleges, Agency Nos. 50-1, 50-3, and 50-4, according
25 to NCHEMS-Program Classification Structure, Second Edition.

1 Expenditure authority shall be limited to program appropriations.

2 There is included in the appropriation to this program
3 for FY2007-08 \$43,660 General Funds and for FY2008-09 \$44,970
4 General Funds which may be expended in remuneration for services
5 provided by the Tri-State Graduate Center which facilitate delivery
6 of graduate-level courses and programs by Wayne State College
7 and other Nebraska public postsecondary institutions to residents
8 of South Sioux City and the remainder of the Siouxland area of
9 Nebraska, Iowa, and South Dakota.

10 Sec. 43. Laws 2007, LB 321, section 184, is amended to
11 read:

12 Sec. 184. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
13 Program No. 781 - University - Administration

14 (1) There is hereby appropriated to the Board of Regents
15 of the University of Nebraska for expenditure and distribution to
16 the campuses by the University of Nebraska Central Administration
17 the following sums of money.

18		<u>FY2007-08</u>	<u>FY2008-09</u>
19	<u>GENERAL FUND</u>	472,762,341	492,081,037
20	<u>PROGRAM TOTAL</u>	472,762,341	492,081,037

21		<u>FY2007-08</u>	<u>FY2008-09</u>
22	<u>GENERAL FUND</u>	482,762,341	492,081,037
23	<u>PROGRAM TOTAL</u>	482,762,341	492,081,037

24 (2) It is intended that the University of Nebraska
25 Central Administration, upon approval of the Board of Regents

1 of the University of Nebraska, divide and distribute the funds
2 appropriated in this section among all the campuses and the central
3 administration, including, but not limited to, the Nebraska College
4 of Technical Agriculture at Curtis and the University of Nebraska
5 at Kearney. At the direction of the board, these funds may be
6 supplemented by Cash Funds, Federal Funds, Revolving Funds, and
7 Trust Funds.

8 (3) There is included in the appropriation to this
9 program for FY2007-08 an estimated \$2,497,812 General Funds and for
10 FY2008-09 an estimated \$2,600,101 General Funds for the Nebraska
11 College of Technical Agriculture at Curtis.

12 There is included in the appropriation to this program
13 for FY2007-08 an estimated \$1,483,117 General Funds and for
14 FY2008-09 an estimated \$1,524,025 for the Nebraska Forest Service
15 Program, including \$237,500 General Funds per year for the Forest
16 Fuels Management Program.

17 There is included in the appropriation to this program
18 for FY2007-08 an estimated \$30,000 General Funds for one-time costs
19 associated with a whole farm revenue insurance program.

20 There is included in the appropriation to this program
21 for FY2007-08 \$10,000,000 General Funds for a Student Information
22 System to be used by the Board of Regents of the University of
23 Nebraska and the Board of Trustees of the Nebraska State Colleges.
24 It is intended that the Board of Regents of the University of
25 Nebraska participate in joint planning for a Student Information

1 System with the Board of Trustees of the Nebraska State Colleges
2 and adopt a system that will be utilized by both postsecondary
3 education sectors. The planning and the system adopted may include
4 an Enterprise Resource Planning System for the state colleges. The
5 planning undertaken shall be in coordination with the Office of the
6 Chief Information Officer.

7 (4) (a) There is included in the appropriation to this
8 program for the Board of Regents of the University of Nebraska for
9 FY2007-08 an estimated \$11,201,281 General Funds and for FY2008-09
10 an estimated \$11,201,281 General Funds, to be administered by
11 Central Administration, for the purpose of targeted research
12 activities at the University of Nebraska. It is intended that
13 none of these funds be used for new capital construction or
14 renovation, except that a small portion may be used for short-term
15 cash flow. Further, it is intended that an estimated \$304,255 of
16 the estimated \$11,201,281 for FY2007-08 and an estimated \$304,255
17 of the estimated \$11,201,281 for FY2008-09 be used in conjunction
18 with the Experimental Program to Stimulate Competitive Research
19 (EPSCoR) which is expected to have an increased emphasis on applied
20 research and technology transfer.

21 (b) It is intended that faculty teams, research centers,
22 or individual faculty from the various colleges and departments of
23 all of the campuses of the University of Nebraska should present
24 research proposals to the Research Fund Advisory Committee and
25 Central Administration for the various targeted research areas

1 after the FY2007-08 appropriation has been made but prior to August
2 15, 2007. Inherent in this process is the concept that the best
3 proposals be selected regardless of the campus of origin and that
4 selections be made on a competitive basis.

5 (c) It is intended for the EPSCoR Program that faculty
6 teams, clusters, research centers, or individual faculty from the
7 various colleges and departments of all of the campuses of the
8 University of Nebraska and Creighton University should present to
9 the EPSCoR Planning Committee research proposals to be funded by
10 the EPSCoR Program. Inherent in this process is the concept that
11 the best proposals be selected regardless of the campus of origin
12 and that selections be made on a competitive basis. Emphasis shall
13 be placed on technology transfer and the research needs of business
14 and industry. It is intended that the EPSCoR Planning Committee
15 shall continue to develop the Nebraska State Science and Technology
16 Transfer Plan as part of the EPSCoR Program. It is further intended
17 that the existing Research Fund Advisory Committee and the existing
18 EPSCoR Planning Committee coordinate and integrate the planning and
19 project evaluation criteria and procedures for both the Nebraska
20 Research Initiative Program and the EPSCoR Program. Matching funds
21 for any research grants to Creighton University shall be in the
22 form of a contract in which specific services are identified and
23 a time period is specified. Creighton University shall provide an
24 appropriate share of any match.

25 (d) The unexpended appropriations balance from the

1 \$11,201,281 estimated General Funds appropriated for research
2 existing on June 30, 2007, and the unexpended appropriations
3 balance from the estimated \$11,201,281 General Funds appropriated
4 for research existing on June 30, 2008, is hereby reappropriated.

5 (5) The unexpended appropriations balance from any cash
6 fund allocation established by the Board of Regents for the
7 Tobacco Settlement funds received pursuant to section 24 of LB 692,
8 Ninety-seventh Legislature, First Session, 2001, existing on June
9 30, 2007, and the unexpended appropriations balance existing on
10 June 30, 2008, is hereby reappropriated.

11 (6) (a) There is included in the appropriation to this
12 program for FY2007-08 an estimate of \$618,955 General Funds for
13 optometry student contracts. There is included in the appropriation
14 to this program for FY2008-09 an estimate of \$618,955 General Funds
15 for optometry student contracts.

16 (b) The unexpended appropriations balance for optometry
17 student contracts for FY2006-07 and existing on June 30, 2007,
18 and the unexpended appropriations balance for optometry student
19 contracts for FY2007-08 and existing on June 30, 2008, is hereby
20 reappropriated.

21 (7) Upon receiving written certification from the
22 University of Nebraska, the budget administrator of the budget
23 division of the Department of Administrative Services may
24 reappropriate from June 30, 2007, to FY2007-08 an amount not
25 to exceed \$2,638,675 of undisbursed General Fund appropriation

1 contained in Agency 51, Program 781, or contained in any other
2 administratively created program at the University of Nebraska.
3 Such reappropriation action shall be completed no later than July
4 31, 2007.

5 (8) It is intended that:

6 (a) The University of Nebraska shall report its
7 expenditures on the Allotment Status Report and Regular
8 Budget Status Report according to its internal operational and
9 organizational structure, subject to approval by the Accounting
10 Administrator and the budget administrator;

11 (b) The University of Nebraska shall report its
12 expenditures on the Program Classification Expenditure Report
13 in the NCHEMS-Program Classification Structure, Second Edition,
14 subject to approval by the Accounting Administrator and the budget
15 administrator;

16 (c) The University of Nebraska shall submit the
17 budget request in the NCHEMS-Program Classification Structure,
18 Second Edition, for the University of Nebraska-Lincoln with an
19 informational budget request for the Institute of Agriculture and
20 Natural Resources, University of Nebraska at Omaha, University
21 of Nebraska Medical Center, University of Nebraska at Kearney,
22 Nebraska College of Technical Agriculture at Curtis, and University
23 of Nebraska Central Administration;

24 (d) Comprehensive computer plans at the University
25 of Nebraska shall be biennially updated and submitted to the

1 Legislative Fiscal Analyst and to the budget division of the
2 Department of Administrative Services on or before September 1 of
3 odd-numbered years; and

4 (e) The Nebraska Educational Data System created by Laws
5 1978, LB 897, shall be utilized to support the appropriations and
6 oversight process for postsecondary education. It is further the
7 intent of the Legislature that all institutions shall provide the
8 data in the precise formats required by the Coordinating Commission
9 for Postsecondary Education and that any expenditure of General
10 Funds on the development of new information systems, including
11 any student information system, meet the requirements of the
12 Nebraska Educational Data System as determined by the Coordinating
13 Commission for Postsecondary Education.

14 (9) It is recognized that Nebraska businesses
15 increasingly compete in a global setting. The Legislature further
16 recognizes that the best preparation for competing in a global
17 economy and a diverse workplace is a broad higher educational
18 experience. Programs designed to promote excellence in higher
19 education by enhancing student exposure to faculty of diverse
20 cultural, racial, and ethnic backgrounds and women faculty should
21 be a goal of the University of Nebraska system. The Board
22 of Regents of the University of Nebraska should encourage the
23 recruitment, development, and retention of outstanding faculty,
24 especially women and minorities, to better reflect the realities
25 faced by graduates in a diverse society and global economy and to

1 provide University of Nebraska students with a complete educational
2 experience. To implement the goal of recruiting, developing, and
3 retaining minority and women faculty, it is intended that:

4 (a) The University of Nebraska system should dedicate
5 a portion of its appropriation to the recruitment and hiring of
6 minority and women faculty members in all areas of academic pursuit
7 with the goal of being among the top twenty-five percent among the
8 Board of Regents' peer institutions in the employment of women and
9 minority faculty members;

10 (b) By August 1, 2008, the University of Nebraska system
11 should be among the top fifty percent among the Board of Regents'
12 peer institutions in the employment of women and minority faculty
13 members;

14 (c) The University of Nebraska submit an updated report
15 to the Legislature by August 1, 2008, outlining the University's
16 progress in meeting the minimal goal of being among the top fifty
17 percent among the Board of Regents' peer institutions in the
18 employment of women and minority faculty members by August 1, 2008;

19 (d) The University of Nebraska update benchmark standards
20 biennially; and

21 (e) The Legislature may reduce the University of
22 Nebraska's General Fund appropriation for each year the University
23 fails to meet the benchmark standards established by the updated
24 plan as reported to the Legislature.

25 It is intended that the Legislature reauthorize the

1 Select Committee on Gender and Minority Equity and the Executive
 2 Board of the Legislative Council appoint members of the Legislature
 3 to the select committee.

4 Sec. 44. Laws 2007, LB 321, section 187, is amended to
 5 read:

6 Sec. 187. AGENCY NO. 54 - NEBRASKA STATE HISTORICAL
 7 SOCIETY

8 Program No. 648 - Nebraska State Historical Society

	FY2007-08	FY2008-09
9		
10	4,298,929	4,368,269
11	<u>4,270,929</u>	<u>4,340,269</u>
12	1,603,235	1,627,575
13	710,702	731,394
14	6,612,866	6,727,238
15	3,380,524	3,462,454
16	<u>6,584,866</u>	<u>6,699,238</u>
17	<u>3,358,124</u>	<u>3,440,054</u>

18 There is included in the appropriation to this program
 19 for FY2007-08 \$100,000 Federal Funds estimate for state aid, which
 20 shall only be used for such purpose. There is included in the
 21 appropriation to this program for FY2008-09 \$100,000 Federal Funds
 22 estimate for state aid, which shall only be used for such purpose.

23 There is included in the appropriation to this program
 24 for FY2007-08 \$25,000 General Funds and for FY2008-09 \$25,000
 25 General Funds to carry out obligations of the agency under the

1 Unmarked Human Burial Sites and Skeletal Remains Protection Act,
2 which shall only be used for such purpose.

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

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

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

14 No. 43 - Departmental Administration

15 No. 258 - Library/Archives Division

16 No. 541 - Museum Operation

17 No. 542 - Branch Museums

18 No. 543 - Archeology Division

19 No. 552 - Historic Preservation

20 No. 632 - Hall of Fame Commission

21 No. 647 - Skeletal Remains Protection

22 No. 653 - Gerald R. Ford Conservation Center

23 Sec. 45. Laws 2007, LB 321, section 215, is amended to
24 read:

25 Sec. 215. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE

1 SERVICES

2 Program No. 591 - Tort Claims

	FY2007-08	FY2008-09
4 GENERAL FUND	210,000	210,000
5 CASH FUND	50,000	50,000
6 PROGRAM TOTAL	260,000	260,000
7 SALARY LIMIT	-0-	-0-

8 (1) The following amounts are hereby transferred to the
9 Tort Claims Fund from the respective agency fund balances:

- 10 (a) \$172 from the Department of Motor Vehicles;
11 (b) \$26,433 from the Department of Roads; and
12 (c) \$4,163 from the Game and Parks Commission.

13 Such sums shall be transferred to the risk management and
14 state claims division no later than August 1, 2007, or in four
15 equal payments on August 1, October 1, January 1, and April 1, at
16 the discretion of the Risk Manager.

17 (2) The following amounts are hereby transferred to the
18 Tort Claims Fund from the respective agency fund balances:

- 19 ~~(a) \$172 from the Department of Motor Vehicles;~~
20 ~~(b) \$26,433 from the Department of Roads; and~~
21 ~~(c) \$4,163 from the Game and Parks Commission.~~

22 (a) \$208 from the Department of Labor;

23 (b) \$6,137 from the Department of Roads; and

24 (c) \$1,004 from the Department of Administrative

25 Services.

1 Such sums shall be transferred to the risk management and
 2 state claims division no later than August 1, 2008, or in four
 3 equal payments on August 1, October 1, January 1, and April 1, at
 4 the discretion of the Risk Manager.

5 It is the intent of the Legislature that transfers
 6 specified in this section for FY2008-09 be adjusted by the One
 7 Hundredth Legislature, Second Session, 2008, in accordance with
 8 information available after July 1, 2007.

9 Sec. 46. Laws 2007, LB 321, section 244, is amended to
 10 read:

11 Sec. 244. AGENCY NO. 76 - COMMISSION ON INDIAN AFFAIRS
 12 Program No. 584 - Indian Affairs

	FY2007-08	FY2008-09
13		
14	GENERAL FUND	191,223
		196,919
15	PROGRAM TOTAL	191,223
		196,919
16	SALARY LIMIT	119,120
		122,093
17	<u>GENERAL FUND</u>	<u>189,623</u>
		<u>196,919</u>
18	<u>CASH FUND</u>	<u>1,600</u>
		<u>-0-</u>
19	<u>PROGRAM TOTAL</u>	<u>191,223</u>
		<u>196,919</u>
20	<u>SALARY LIMIT</u>	<u>122,180</u>
		<u>125,153</u>

21 Sec. 47. Laws 2007, LB 321, section 245, is amended to
 22 read:

23 Sec. 245. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
 24 RELATIONS
 25 Program No. 531 - Administration

1		FY2007-08	FY2008-09
2	GENERAL FUND	282,770	291,636
3	PROGRAM TOTAL	282,770	291,636
4	SALARY LIMIT	166,448	169,431
5		<u>FY2007-08</u>	<u>FY2008-09</u>
6	<u>GENERAL FUND</u>	<u>282,770</u>	<u>181,189</u>
7	<u>PROGRAM TOTAL</u>	<u>282,770</u>	<u>181,189</u>
8	<u>SALARY LIMIT</u>	<u>166,448</u>	<u>80,728</u>

9 Sec. 48. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

22 (2) Total expenditures for permanent and temporary
 23 salaries and per diems shall be limited to the amount shown except
 24 when federal funds in excess of the amount shown are available and

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

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

14 (4) The limitation on expenditures for permanent and
15 temporary salaries and per diems for FY2008-09 as enumerated in
16 this act shall be the basis for continuation funding for each
17 fiscal year of the succeeding biennium.

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

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

1 state boards or commissions.

2 Sec. 49. Original Laws 2007, LB 319, section 9; Laws
3 2007, LB 320, sections 29, 30, and 49; Laws 2007, LB 321, sections
4 32, 37, 48, 49, 50, 55, 69, 88, 124, 177, 180, 183, 184, 187, 215,
5 244, and 245, are repealed.

6 Sec. 50. Since an emergency exists, this act takes effect
7 when passed and approved according to law.