

LEGISLATIVE BILL 959

Approved by the Governor April 2, 2008, with line-item vetoes overridden April 7, 2008

Introduced by Speaker Flood, 19; at the request of the Governor.

FOR AN ACT relating to appropriations; to amend Laws 2007, LB 319, section 9; Laws 2007, LB 320, sections 29, 30, and 49; and Laws 2007, LB 321, sections 23, 24, 32, 46, 48, 49, 50, 55, 69, 88, 107, 119, 120, 122, 123, 124, 177, 180, 182, 187, 215, 230, 236, 238, 239, 244, and 245; to define terms; to provide, change, and eliminate provisions relating to appropriations; to reduce an appropriation; to provide for a transfer of funds; to state intent; to require reports; 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 Hundredth Legislature, First or Second Session, which appropriates funds, FY2007-08 means the period July 1, 2007, through June 30, 2008; FY2008-09 means the period July 1, 2008, through June 30, 2009; FY2009-10 means the period July 1, 2009, through June 30, 2010; and FY2010-11 means the period July 1, 2010, through June 30, 2011.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2007-08 and FY2008-09, 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. REAPPROPRIATION OF BALANCES, FY2007-08 to FY2008-09.

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

Sec. 4. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

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

Sec. 5. 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 91 of this act.

Sec. 6. 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. 7. AGENCY NO. 5 - SUPREME COURT

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

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>124,877</u>	<u>129,190</u>
<u>PROGRAM TOTAL</u>	<u>124,877</u>	<u>129,190</u>
<u>SALARY LIMIT</u>	<u>117,317</u>	<u>121,568</u>

Sec. 8. AGENCY NO. 5 - SUPREME COURT

Program No. 52 - Operations

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>126,862</u>	<u>126,862</u>

<u>CASH FUND</u>	<u>-0-</u>	<u>280,000</u>
<u>PROGRAM TOTAL</u>	<u>126,862</u>	<u>406,862</u>
<u>SALARY LIMIT</u>	<u>70,167</u>	<u>76,729</u>

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

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

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

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>321,993</u>	<u>273,929</u>
<u>PROGRAM TOTAL</u>	<u>321,993</u>	<u>273,929</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 11. AGENCY NO. 7 - GOVERNOR
Program No. 18 - Governor's Policy Research Office

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>50,911</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>50,911</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>42,740</u>

Sec. 12. AGENCY NO. 9 - SECRETARY OF STATE
Program No. 45 - Election Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>35,795</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>35,795</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 13. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS
Program No. 10 - Salary - Auditor of Public Accounts

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

Sec. 14. AGENCY NO. 11 - ATTORNEY GENERAL
Program No. 507 - Interpretation and Application of Law

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>17,500</u>	<u>75,108</u>
<u>PROGRAM TOTAL</u>	<u>17,500</u>	<u>75,108</u>
<u>SALARY LIMIT</u>	<u>11,750</u>	<u>49,350</u>

Sec. 15. AGENCY NO. 11 - ATTORNEY GENERAL
Program No. 508 - School Finance Litigation

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>600,000</u>	<u>600,000</u>

<u>PROGRAM TOTAL</u>	<u>600,000</u>	<u>600,000</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 16. AGENCY NO. 12 - STATE TREASURER
Program No. 503 - Treasury Management

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>29,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>29,000</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

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

Sec. 17. AGENCY NO. 12 - STATE TREASURER
Program No. 505 - Educational Savings Unit

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

Sec. 18. AGENCY NO. 12 - STATE TREASURER
Program No. 665 - Convention Center Facility Financing Assistance

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>2,671,928</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>2,671,928</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

There is included in the appropriation to this program from the Convention Center Support Fund for FY2007-08 \$2,671,928 Cash Funds, 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.

The State Treasurer shall transfer \$1,145,112 from the Convention Center Support Fund to the Local Civic, Cultural, and Convention Center Financing Fund within five days after the effective date of this act.

Sec. 19. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
Program No. 352 - Disability Determination

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>39,314</u>	<u>-0-</u>

Sec. 20. AGENCY NO. 16 - DEPARTMENT OF REVENUE
Program No. 102 - Revenue Administration

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

There is included in the appropriation to this program for

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

Sec. 21. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
Program No. 27 - Departmental Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>7,500</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>7,500</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

There is included in the appropriation to this program for FY2008-09 \$7,500 Cash Funds to be used for the purpose of supplementing the Livestock Market News program.

Sec. 22. AGENCY NO. 21 - STATE FIRE MARSHAL
Program No. 340 - Training Division

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>26,670</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>26,670</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>17,000</u>	<u>-0-</u>

Sec. 23. AGENCY NO. 22 - DEPARTMENT OF INSURANCE
Program No. 69 - Enforcement of Standards - Insurance

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>434,430</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>434,430</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>387,500</u>

Sec. 24. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 30 - Tobacco Prevention and Control

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>506,000</u>
<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>9,000</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>515,000</u>

There is included in the appropriation to this program \$6,000 Cash Funds and \$9,000 Federal Funds for modification of the quit line contract to accommodate Medicaid coverage of smoking cessation.

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

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>26,000</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>26,000</u>

There is included in the appropriation in this section \$26,000 from the Nebraska Health Care Cash Fund to continue the Parkinson's Disease Registry.

Sec. 26. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 175 - Rural Health Provider Incentive Program

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>500,000</u>

PROGRAM TOTAL -0- 500,000

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

The funding included in the appropriation in this section is to provide for additional student loans and loan repayments.

Sec. 27. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 348 - Medical Assistance

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	-0-	900,000
<u>CASH FUND</u>	-0-	250,000
<u>FEDERAL FUND est.</u>	-0-	1,695,000
<u>PROGRAM TOTAL</u>	-0-	2,845,000

There is included in the appropriation to this program for FY2008-09 \$900,000 General Funds, \$250,000 Cash Funds, and \$1,695,000 Federal Funds for state aid, which shall only be used for such purpose.

There is included in the appropriation in this section \$250,000 Cash Funds from the Nebraska Health Care Cash Fund and \$345,000 Federal Funds for a state plan amendment to cover tobacco-use cessation in compliance with Title XIX of the federal Social Security Act. The funding is for the costs of tobacco-use cessation counseling and tobacco-use cessation pharmaceuticals approved by the federal Food and Drug Administration for such purposes.

There is included in this section \$900,000 General Funds and \$1,350,000 Federal Funds for an additional rate increase of one and one-half percent for behavioral health providers in FY2008-09.

The federal Deficit Reduction Act of 2005 contains provisions which will require states to reimburse retail pharmacies for the cost of multiple-source drugs at the average manufacturer's price. The change to this pricing method will result in savings to the state medicaid program and a reduction in revenue to retail pharmacies. It is the intent of the Legislature to increase dispensing fees in an amount that is cost-neutral for the state, utilizing the estimated savings from the provisions of the federal Deficit Reduction Act of 2005, and revenue-neutral for retail pharmacies as a whole. The increase in dispensing fees will take effect if and when the provisions of the federal Deficit Reduction Act of 2005 are implemented.

Sec. 28. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES -
DEVELOPMENTAL DISABILITIES
Program No. 421 - Beatrice State Developmental Center

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	-0-	-0-
<u>CASH FUND</u>	-0-	-0-
<u>FEDERAL FUND est.</u>	-0-	-0-
<u>PROGRAM TOTAL</u>	-0-	-0-
<u>SALARY LIMIT</u>	665,000	1,265,000

The chief executive officer of the Department of Health and Human Services shall certify to the budget administrator of the budget division of the Department of Administrative Services the FY2007-08 and FY2008-09 unexpended appropriation balances for the Beatrice State Developmental Center, Program 421, resulting from reduced or discontinued Program 421 services. The budget administrator of the budget division of the Department of Administrative Services shall administratively transfer during FY2007-08 and FY2008-09 available unexpended appropriation balances as certified by the chief executive officer of the Department of Health and Human Services from the Beatrice State Developmental Center, Program 421, to Developmental Disability Aid, Program 424, and Medical Assistance, Program 348.

It is the intent of the Legislature that the Department of Health and Human Services shall report at least quarterly to the Governor and the Legislature on the funds transferred from Program 421 pursuant to this section in FY2007-08 and FY2008-09. The report shall include detailed documentation of the funds and clients moved to community-based developmental disability services or other services. The report shall also include criteria used to

identify clients to be moved and plans to monitor the placement and care of clients transferred from the Beatrice State Developmental Center.

Sec. 29. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 502 - Public Health Aid

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	250,000	-0-
<u>PROGRAM TOTAL</u>	250,000	-0-

There is included in the appropriation in this section a one-time appropriation of \$250,000 Cash Funds from the Nebraska Health Care Cash Fund, for state aid, which shall only be used for such purpose, for the five community health centers funded through Federal Program 330, Public Law 104-299, the Health Centers Consolidation Act of 1996. Each center is to receive \$50,000 on or before June 30, 2008.

Sec. 30. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 571 - Community-Based Aging Programs

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	-0-	750,000
<u>PROGRAM TOTAL</u>	-0-	750,000

There is included in the appropriation to this program for FY2008-09 \$750,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 31. There is hereby appropriated for FY2008-09 \$14,513,930 from the Highway Cash Fund to the Roads Operations Cash Fund, which fund is hereby appropriated.

Sec. 32. AGENCY NO. 27 - DEPARTMENT OF ROADS
Program No. 569 - Construction

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND est.</u>	-0-	14,513,930
<u>PROGRAM TOTAL</u>	-0-	14,513,930

It is the intent of the Legislature that the Department of Roads shall submit a report to the chairperson of the Appropriations Committee of the Legislature on or before December 1, 2008, regarding funds requested by each applicant for eligible operating costs in FY2008-09 pursuant to subsection (2) of section 13-1209 and the total amount of state grants projected to be awarded in FY2008-09 pursuant to the public transportation assistance program established under section 13-1209. The report shall separate into two categories the requests and grants awarded for handicapped vans, otherwise known as paratransit vehicles, and requests and grants awarded for handicapped-accessible fixed-route bus systems.

Sec. 33. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS
Program No. 36 - Departmental Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	-0-	74,510
<u>PROGRAM TOTAL</u>	-0-	74,510
<u>SALARY LIMIT</u>	-0-	34,000

Sec. 34. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS
Program No. 937 - Alliance State Veterans' Cemetery

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>VETERAN CEMETERY</u>		
<u>CONSTRUCTION FUND</u>	150,000	-0-
<u>NEBRASKA CAPITAL</u>		
<u>CONSTRUCTION FUND</u>	150,000	-0-

PROGRAM TOTAL 300,000 -0-

The Department of Veterans' Affairs is hereby authorized to use the funds appropriated in this program for the construction of the State Veterans' Cemetery at Alliance.

Sec. 35. AGENCY NO. 31 - MILITARY DEPARTMENT
Program No. 906 - Joint Operations Center

FY2007-08 FY2008-09

NEBRASKA CAPITAL

CONSTRUCTION FUND -0- 1,212,224

PROGRAM TOTAL -0- 1,212,224

The Military Department is hereby authorized to use the funds appropriated in this program to construct and furnish new office space dedicated to the operation of the Nebraska Emergency Management Agency and the Nebraska State Patrol Communications Center.

Sec. 36. AGENCY NO. 33 - GAME AND PARKS COMMISSION
Program No. 336 - Wildlife Conservation

FY2007-08 FY2008-09

FEDERAL FUND est. 1,547,126 -0-

PROGRAM TOTAL 1,547,126 -0-

SALARY LIMIT 686,310 -0-

Sec. 37. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL SERVICES
Program No. 200 - Operations

FY2007-08 FY2008-09

GENERAL FUND 35,000 -0-

CASH FUND 239,879 -0-

FEDERAL FUND est. 215,000 -0-

PROGRAM TOTAL 489,879 -0-

SALARY LIMIT 532,414 1,101,783

Sec. 38. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 840 - Resource Planning and Student Information Systems

FY2007-08 FY2008-09

GENERAL FUND 5,556,000 -0-

PROGRAM TOTAL 5,556,000 -0-

There is included in the appropriation to this program for FY2007-08 \$5,556,000 General Funds for Resource Planning and Student Information Systems for the Board of Trustees of the Nebraska State Colleges. It is intended that the Board of Trustees of the Nebraska State Colleges participate in joint planning for a Student Information System with the Board of Regents of the University of Nebraska and adopt a system that will be utilized by both postsecondary education sectors. It is also intended that the Board of Trustees of the Nebraska State Colleges participate in joint planning for a Resource Planning System with the Board of Regents of the University of Nebraska and adopt a system that will be utilized by both postsecondary education sectors. The planning undertaken shall be in coordination with the office of the Chief Information Officer.

Sec. 39. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
Program No. 976 - University of Nebraska Medical Center College of Nursing at Lincoln Facility

FY2007-08 FY2008-09 FUTURE

<u>STATE BUILDING FUND</u>	<u>-0-</u>	<u>87,500</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>87,500</u>	<u>-0-</u>

The Board of Regents of the University of Nebraska is hereby authorized to prepare planning documents for a new facility for the University of Nebraska Medical Center College of Nursing Lincoln Division.

Sec. 40. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 740 - University of Nebraska Student Information System

	<u>FY2007-08</u>	<u>FY2008-09</u>	<u>FUTURE</u>
<u>GENERAL FUND</u>	<u>14,444,000</u>	<u>-0-</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>14,444,000</u>	<u>-0-</u>	<u>-0-</u>

There is included in the appropriation to this program for FY2007-08 \$14,444,000 General Funds for a Student Information System for the Board of Regents of the University of Nebraska. It is intended that the Board of Regents of the University of Nebraska participate in joint planning for a Student Information System with the Board of Trustees of the Nebraska State Colleges and adopt a system that will be utilized by both postsecondary education sectors. It is also intended that the Board of Regents of the University of Nebraska participate in joint planning with the Board of Trustees of the Nebraska State Colleges for a Resource Planning System for the state colleges. The planning undertaken shall be in coordination with the office of the Chief Information Officer.

Sec. 41. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES

(1) Pursuant to the provisions of section 85-1415 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for the partial renovation of the Whittier Building at the University of Nebraska-Lincoln. The project cost is estimated at \$23,750,000 of which \$14,500,000 is to be financed from University of Nebraska Facilities Corporation bonds.

(2) In lieu of the project approval granted in subsection (1) of this section, pursuant to the provisions of section 85-1415, if the Board of Regents of the University of Nebraska approves demolition of the Whittier Building and construction of a building that would provide seventy-three thousand net square feet for research space and thirteen thousand net square feet for a child development center at the University of Nebraska-Lincoln and if such project is reviewed by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the project. The project cost is estimated at \$36,000,000 of which \$26,750,000 is to be financed from University of Nebraska Facilities Corporation bonds.

Sec. 42. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES

Pursuant to the provisions of section 85-408 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for the expenditure of \$950,000 from bond surplus funds for wireless service to student residence halls at the University of Nebraska-Lincoln.

Sec. 43. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES

Pursuant to the provisions of section 85-1415 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for the expenditure of \$5,000,000 to be financed from University of Nebraska Facilities Corporation bonds for the Animal Research Facility Renovation at the University of Nebraska-Lincoln.

Sec. 44. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES

Pursuant to the provisions of section 85-1415 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for the expenditure of \$13,500,000 to be financed from University of Nebraska Facilities Corporation bonds for the NanoScience Building project at the University of Nebraska-Lincoln.

Sec. 45. LEGISLATIVE APPROVAL AND INTENT FOR HIGHER EDUCATION FACILITIES EXPENDITURES

It is the intent of the Legislature to approve the construction of

a \$9,700,000 Education Center Building at the Nebraska College of Technical Agriculture at Curtis to be financed through a University of Nebraska Facilities Corporation bond issue with related bonds to be retired with state funds, if the following conditions are met:

(1) The Education Center Building project at the Nebraska College of Technical Agriculture at Curtis is approved by the Board of Regents of the University of Nebraska;

(2) The project is reviewed by the Coordinating Commission for Postsecondary Education;

(3) The Nebraska College of Technical Agriculture at Curtis raises \$1,000,000 in private donations to be used to offset the total project cost;

(4) The Education Center Building is financed through a University of Nebraska Facilities Corporation bond issue;

(5) The University Cash Fund and all other legally available funds of the Board of Regents are pledged to secure the bonds; and

(6) The Nebraska College of Technical Agriculture at Curtis secures funding for the construction of new student housing to include at least one hundred forty-four beds.

Sec. 46. AGENCY NO. 53 - REAL PROPERTY APPRAISER BOARD
Program No. 79 - Appraiser Licensing

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>75,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>75,000</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 47. AGENCY NO. 71 - STATE ENERGY OFFICE
Program No. 106 - Energy Office Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>636,519</u>
<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>8,299,470</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>8,935,989</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>1,011,848</u>

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2008, for FY2008-09 from Agency 7 - Governor, Program No. 106 - Energy Office Administration.

There is included in the appropriation to this program for FY2008-09 \$250,000 Cash Funds and \$7,240,902 Federal Funds estimate for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2008-09 shall not be limited to the amount shown.

Sec. 48. AGENCY NO. 71 - STATE ENERGY OFFICE
Program No. 107 - School Weatherization

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>29,441</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>29,441</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>18,344</u>

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2008, for FY2008-09 from Agency 7 - Governor, Program No. 107 - School Weatherization.

Any cash funds, custodial funds, gifts, trusts, grants, and any appropriations of funds from prior fiscal years available to satisfy obligations incurred under such contracts shall be transferred and appropriated to the new agency for the payments of such obligations. All grants, loans, energy financing agreements, energy projects, or other forms of approval issued by the original agency in accordance with functions or duties transferred to the new agency shall remain valid as issued under the name of the original agency unless revoked or their effectiveness is otherwise terminated as provided by law. All documents and records transferred, or

copies of the same, may be authenticated or certified by the new agency for all legal purposes.

Sec. 49. AGENCY NO. 74 - NEBRASKA POWER REVIEW BOARD
Program No. 72 - Enforcement of Standards

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>2,052</u>	<u>4,104</u>
<u>PROGRAM TOTAL</u>	<u>2,052</u>	<u>4,104</u>
<u>SALARY LIMIT</u>	<u>1,782</u>	<u>3,564</u>

Sec. 50. AGENCY NO. 75 - NEBRASKA INVESTMENT COUNCIL
Program No. 610 - Investments Administration

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>66,667</u>	<u>265,931</u>
<u>PROGRAM TOTAL</u>	<u>66,667</u>	<u>265,931</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>80,000</u>

Sec. 51. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL RELATIONS
Program No. 490 - Commissioner Expenses

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>98,047</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>98,047</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>89,300</u>

Sec. 52. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE
Program No. 199 - Nebraska Law Enforcement Training Center

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>SALARY LIMIT</u>	<u>19,835</u>	<u>-0-</u>

Sec. 53. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE
Program No. 220 - Community Corrections Council Office

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>383,854</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>383,854</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 54. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD
Program No. 41 - Administration of Retirement Systems and Deferred Compensation

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>CASH FUND</u>	<u>108,500</u>	<u>53,445</u>
<u>PROGRAM TOTAL</u>	<u>108,500</u>	<u>53,445</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>27,327</u>

Sec. 55. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD
Program No. 515 - Public Employees Retirement

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>-0-</u>	<u>196,658</u>

PROGRAM TOTAL -0- 196,658
Sec. 56. AGENCY NO. 87 - NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION
Program No. 94 - Nebraska Political Accountability

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>SALARY LIMIT</u>	1,500	1,500
<u>Sec. 57. AGENCY NO. 93 - TAX EQUALIZATION AND REVIEW COMMISSION</u> <u>Program No. 115 - Operations</u>		

	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	-0-	73,025
<u>CASH FUND</u>	11,884	70,000
<u>PROGRAM TOTAL</u>	11,884	143,025
<u>SALARY LIMIT</u>	1,011	30,000

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

Sec. 58. The General Fund appropriation for FY2007-08 to the University of Nebraska, for Program 781, is hereby reduced by \$30,000.

Sec. 59. On or before June 30, 2008, the State Treasurer shall transfer \$30,000 from the General Fund to the Agricultural Products Marketing Information Cash Fund.

Sec. 60. Laws 2007, LB 319, section 9, is amended to read:
Sec. 9. AGENCY NO. 5 - SUPREME COURT
Program No. 7 - County Court Judges' Salaries

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

Sec. 61. Laws 2007, LB 320, section 29, is amended to read:

Sec. 29. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION
Program No. 913 - Carpenter Telecommunications Center Renovation

	<u>FY2007-08</u>	<u>FY2008-09</u>	<u>FUTURE</u>
<u>NEBRASKA CAPITAL</u>			
<u>CONSTRUCTION FUND</u>	1,738,671	1,488,671	-0-
<u>PROGRAM TOTAL</u>	1,738,671	1,488,671	-0-

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2001, First Special Session, LB 1, section 15, which authorizes the Nebraska Educational Telecommunications Commission to renovate the Terry M. Carpenter Telecommunications Center. Funds are provided to upgrade the heating, ventilating, and air conditioning systems; to upgrade the mechanical and electrical systems; to address fire and life safety problems; and to address handicapped accessibility problems. The funding also provides renovation of some areas of the building that are currently of limited use and function, to include network operations space and dressing room reconfiguration; minor renovation of studios 3 and 4; and level 2 infill over studio 2 and the north side of the facility. The total project cost shall not exceed \$13,439,605, exclusive of financing costs. An estimated \$464,000 of excess Nebraska Capital Construction Fund appropriation for FY2008-09 may be redirected by the Nebraska Educational Telecommunications Commission from the

Carpenter Telecommunications Center Building Renovation Project to the Public Media at the Capitol Project.

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

The commission may enter into long-term financing contracts with any person, firm, or corporation for purposes of the Carpenter Telecommunications Center Renovation. The payment of costs of the renovation may occur over a contract period not to extend beyond June 30, 2009. The commission shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contracts, except that there may be pledged for payment of any such contracts any appropriations made by the Legislature for such purpose. No contracts shall be entered into pursuant to this section without prior approval by resolution of the commission. The commission may schedule contractual payments on a monthly, quarterly, or semiannual basis consistent with the state fiscal year. On or before August 31, 2009, any funds appropriated from the State Building Fund and the Nebraska Capital Construction Fund for the Carpenter Telecommunications Center Renovation held in the state treasury and held by any trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General Fund.

Sec. 62. Laws 2007, LB 320, section 30, is amended to read:

Sec. 30. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION

Program No. 922 - Final DTV Transmitter Conversion

	FY2007-08	FY2008-09	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	-0-	250,000	900,000
CASH FUND	31,500	1,165,000	-0-
FEDERAL FUNDS est.	116,150	-0-	-0-
PROGRAM TOTAL	147,650	1,415,000	900,000
CASH FUND	<u>1,609,000</u>	<u>1,165,000</u>	<u>-0-</u>
FEDERAL FUND est.	<u>405,000</u>	<u>-0-</u>	<u>-0-</u>
PROGRAM TOTAL	<u>2,014,000</u>	<u>1,415,000</u>	<u>900,000</u>

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

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

Sec. 63. Laws 2007, LB 320, section 49, is amended to read:

Sec. 49. There is hereby appropriated, unless otherwise specified, for FY2007-08 and for FY2008-09 from undisbursed balances existing on June 30, 2007, and on June 30, 2008, respectively, to each agency for each program from the respective funds for capital construction as follows:

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

Program Nos. 906, 922, 923, 924, and 931, except that the undisbursed balance of the appropriation to Program 922, fund 38000, existing on June 30, 2007, less \$150,000 is hereby reappropriated.

(2) Agency No. 27 - Department of Roads

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

(3) Agency No. 28 - Department of Veterans' Affairs
Program No. 937 - Alliance State Veterans' Cemetery.

(4) Agency No. 31 - Military Department
Program Nos. 905, 906, 910, and 925.

(5) Agency No. 33 - Game and Parks Commission
Program Nos. 900, 901, 902, 919, 924, 955, 960, 961, 967, 968, 969, 971, 972, 973, 975, 976, 977, 979, 981, and 983, except that for FY2007-08, only the undisbursed balances existing on June 30, 2007, for the following programs and projects shall be reappropriated and all other unobligated June 30, 2007, balances shall lapse:

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

Program No. 901 - State Facilities Deferred Maintenance

Program No. 902 - Trail Development Assistance

Program No. 919 - Political Subdivisions Aid

Program No. 924 - Wildlife Land Acquisitions and Improvements, less \$323,041.64 of unobligated Federal Fund appropriation authority

Program No. 955 - Youth Outdoor Skill Training

Program No. 960 - Park and Recreation Land Acquisition, including the purchase of land for a new maintenance facility to replace the facility located at 30th and Y Streets in Lincoln

Program No. 961 - Lewis and Clark Commemorative Special Projects

Program No. 967 - Major State Park Areas

Program No. 968 - State Historical Parks

Program No. 969 - State Recreation Areas

Program No. 971 - Wildlife Management Areas - Improvements

Program No. 972 - Administrative Facilities - Improvements

Program No. 973 - Fish production

Program No. 975 - Emergency Repairs - Park System

Program No. 976 - Emergency Repairs to Fish and Wildlife Facilities

Program No. 977 - Nongame and Endangered Species Land Acquisition and Development

Program No. 979 - Cowboy Trail - Emergency Repairs and Deferred Maintenance, provided that deferred repair projects may be addressed from the unobligated construction appropriations in this program

Program No. 981 - Aquatic Habitat - Improvements

Program No. 983 - Buffalo Soldier Barracks.

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

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

(7) Agency No. 47 - Nebraska Educational Telecommunications Commission

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

(8) Agency No. 50 - Board of Trustees of the Nebraska State Colleges
Program Nos. 901, 919, 920, 934, 940, 941, 945, 946, 950, 951, 952, 993, and 998, and any additional construction programs administratively created relating to the Board of Trustees of the Nebraska State Colleges and its campuses which are funded through cash funds, federal funds, revolving funds, or private gifts or donations.

(9) Agency No. 51 - University of Nebraska

Program Nos. 901, 902, 903, 905, 906, 907, 908, 911, 912, 913, 915, 916, 917, 918, 919, 920, 922, 926, 927, 928, 929, 931, 932, 933, 934, 936, 937, 938, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 953, 954, 955, 956, 957, 958, 959, 960, 961, 963, 965, 966, 967, 968, 969, 970, 971, 973, 974, 978, 982, 985, 989, 990, 992, 993, 994, and 997, and 999, and any additional construction programs administratively created relating to the University of Nebraska-Lincoln, the University of Nebraska at Omaha, the University of Nebraska Medical Center, the University of Nebraska at Kearney, the Nebraska College of Technical Agriculture at Curtis, and the University of Nebraska Central Administration which are funded through cash funds, federal funds, revolving funds, or private gifts or donations.

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

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

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

Sec. 64. Laws 2007, LB 321, section 23, is amended to read:

Sec. 23. AGENCY NO. 7 - GOVERNOR

Program No. 106 - Energy Office Administration

	FY2007-08	FY2008-09
CASH FUND	625,093	636,519
FEDERAL FUND est.	8,269,077	8,299,470
PROGRAM TOTAL	8,894,170	8,935,989
SALARY LIMIT	987,190	1,011,848

	<u>FY2007-08</u>	<u>FY2008-09</u>
CASH FUND	<u>625,093</u>	<u>-0-</u>
FEDERAL FUND est.	<u>8,269,077</u>	<u>-0-</u>
PROGRAM TOTAL	<u>8,894,170</u>	<u>-0-</u>
SALARY LIMIT	<u>987,190</u>	<u>-0-</u>

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2008, for FY2008-09 to Agency 71 - State Energy Office, Program No. 106 - Energy Office Administration.

~~There is included in the appropriation to this program for FY2007-08 \$250,000 Cash Funds and \$7,240,902 Federal Funds estimate for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2007-08 shall not be limited to the amount shown. There is included in the appropriation to this program for FY2008-09 \$250,000 Cash Funds and \$7,240,902 Federal Funds estimate for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2008-09 shall not be limited to the amount shown.~~

Sec. 65. Laws 2007, LB 321, section 24, is amended to read:
 Sec. 24. AGENCY NO. 7 - GOVERNOR
 Program No. 107 - School Weatherization

	FY2007-08	FY2008-09
CASH FUND	28,542	29,441
PROGRAM TOTAL	28,542	29,441
SALARY LIMIT	17,897	18,344

	<u>FY2007-08</u>	<u>FY2008-09</u>
CASH FUND	<u>28,542</u>	<u>-0-</u>
PROGRAM TOTAL	<u>28,542</u>	<u>-0-</u>
SALARY LIMIT	<u>17,897</u>	<u>-0-</u>

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2008, for FY2008-09 to Agency 71 - State Energy Office, Program No. 107 - School Weatherization.

Sec. 66. Laws 2007, LB 321, section 32, is amended to read:
 Sec. 32. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS
 Program No. 506 - State Agency and County Post Audits

	FY2007-08	FY2008-09
GENERAL FUND	2,369,312	2,436,568
PROGRAM TOTAL	2,369,312	2,436,568
GENERAL FUND	2,368,612	2,435,153
PROGRAM TOTAL	2,368,612	2,435,153
SALARY LIMIT	1,728,699	1,767,437

Sec. 67. Laws 2007, LB 321, section 46, is amended to read:

Sec. 46. AGENCY NO. 12 - STATE TREASURER
 Program No. 659 - Long-Term Care Savings Program

	FY2007-08	FY2008-09
GENERAL FUND	101,222	102,651
PROGRAM TOTAL	101,222	102,651
<u>GENERAL FUND</u>	<u>91,222</u>	<u>102,651</u>
<u>PROGRAM TOTAL</u>	<u>91,222</u>	<u>102,651</u>
SALARY LIMIT	30,750	31,520

Sec. 68. Laws 2007, LB 321, section 48, is amended to read:
 Sec. 48. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 25 - Education, Administration, and Support

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

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

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

The unexpended balance of General Funds appropriated in LB 1024A, Ninety-ninth Legislature, Second Session, 2006, for FY2007-08 may be expended to pay off unused vacation and sick leave for retiring employees in FY2007-08.

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

Sec. 69. Laws 2007, LB 321, section 49, is amended to read:
 Sec. 49. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 158 - Education Aid

	FY2007-08	FY2008-09
GENERAL FUND	952,197,997	1,036,530,133
<u>GENERAL FUND</u>	<u>952,197,997</u>	<u>1,089,425,526</u>
CASH FUND	2,282,938	2,282,938
FEDERAL FUND est.	254,923,780	262,443,987
PROGRAM TOTAL	1,209,404,715	1,301,257,058
<u>PROGRAM TOTAL</u>	<u>1,209,404,715</u>	<u>1,354,152,451</u>

There is included in the appropriation to this program for FY2007-08 \$952,197,997 General Funds, \$2,282,938 Cash Funds, and \$254,923,780 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 \$1,036,530,133 \$1,089,425,526 General Funds, \$2,282,938 Cash Funds, and \$262,443,987 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown for FY2007-08 \$753,555,548 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 FY2008-09 ~~\$832,498,267~~ \$885,393,660 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 \$179,508,584 General Funds provided as state aid for FY2007-08 for special education reimbursement. There is included in the amount shown for this program \$184,893,842 General Funds provided as state aid for FY2008-09 for special education reimbursement.

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

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

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

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

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

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

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

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

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

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

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

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 FY2007-08 and FY2008-09 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. 70. Laws 2007, LB 321, section 50, is amended to read:

Sec. 50. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

Program No. 161 - Education Innovation

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

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

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

Sec. 71. Laws 2007, LB 321, section 55, is amended to read:

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

Program No. 614 - Professional Practices Commission

	FY2007-08	FY2008-09
CASH FUND	128,745	149,288
PROGRAM TOTAL	128,745	149,288
SALARY LIMIT	59,085	86,792
<u>CASH FUND</u>	<u>158,745</u>	<u>149,288</u>
<u>PROGRAM TOTAL</u>	<u>158,745</u>	<u>149,288</u>
<u>SALARY LIMIT</u>	<u>60,000</u>	<u>86,792</u>

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

Sec. 72. Laws 2007, LB 321, section 69, is amended to read:

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

Program No. 108 - Homestead Exemption

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

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

Sec. 73. Laws 2007, LB 321, section 88, is amended to read:

Sec. 88. AGENCY NO. 21 - STATE FIRE MARSHAL

Program No. 193 - Public Protection

	FY2007-08	FY2008-09
GENERAL FUND	2,647,462	3,194,724
CASH FUND	1,658,144	1,223,140
FEDERAL FUND est.	50,000	50,000
PROGRAM TOTAL	4,355,606	4,467,864

<u>SALARY LIMIT</u>	<u>2,444,165</u>	<u>2,538,578</u>
<u>GENERAL FUND</u>	<u>2,620,792</u>	<u>3,194,724</u>
<u>CASH FUND</u>	<u>1,729,918</u>	<u>1,510,234</u>
<u>FEDERAL FUND est.</u>	<u>114,063</u>	<u>306,250</u>
<u>PROGRAM TOTAL</u>	<u>4,464,773</u>	<u>5,011,208</u>
<u>SALARY LIMIT</u>	<u>2,525,302</u>	<u>2,863,123</u>

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

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

There is included in the appropriation to this program for FY2007-08 \$50,000 Federal Funds estimate for state aid. There is included in the appropriation to this program for FY2008-09 \$50,000 Federal Funds estimate for state aid. If federal restrictions prevent using these Federal Funds for state aid, the State Fire Marshal may reallocate available funds in the Underground Storage Tank Fund to provide state aid payments to the affected political subdivisions.

Sec. 74. Laws 2007, LB 321, section 107, is amended to read:

Sec. 107. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES - PUBLIC HEALTH
 Program No. 514 - Health Aid

	FY2007-08	FY2008-09
<u>GENERAL FUND</u>	<u>3,944,700</u>	<u>4,024,776</u>
<u>GENERAL FUND</u>	<u>3,944,700</u>	<u>4,124,776</u>
CASH FUND	8,904,897	9,172,044
FEDERAL FUND est.	34,687,255	34,687,255
<u>PROGRAM TOTAL</u>	<u>47,536,852</u>	<u>47,884,075</u>
<u>PROGRAM TOTAL</u>	<u>47,536,852</u>	<u>47,984,075</u>

There is included in the appropriation to this program for FY2007-08 \$3,944,700 General Funds, \$8,904,897 Cash Funds, and \$34,687,255 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 \$4,024,776 \$4,124,776 General Funds, \$9,172,044 Cash Funds, and \$34,687,255 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program \$530,420 General Funds for FY2007-08 and ~~\$540,894~~ \$640,894 General Funds for FY2008-09, which shall only be used for the following purposes: Reimbursement for the provision of pap smears, colposcopy, cervical biopsy, cryotherapy, loop electrosurgical excision procedure (LEEP), and such other treatments and procedures as may be developed for the followup of abnormal pap smears; the diagnosis and treatment of sexually transmitted diseases, including, but not limited to, chlamydia, gonorrhoea, HPV (genital warts), and herpes; and associated laboratory and equipment costs and staff training costs relating to the use of colposcopy equipment. None of the General Funds provided under this program shall be used to perform or facilitate the performance of abortion or to counsel or refer for abortion.

Sec. 75. Laws 2007, LB 321, section 119, is amended to read:

Sec. 119. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES - BEHAVIORAL HEALTH
 Program No. 38 - Behavioral Health Aid

	FY2007-08	FY2008-09
<u>GENERAL FUND</u>	<u>60,328,781</u>	<u>61,765,686</u>
<u>CASH FUND</u>	<u>13,532,280</u>	<u>13,532,280</u>

FEDERAL FUND est.	18,504,971	18,504,971
PROGRAM TOTAL	92,366,032	93,802,937
	<u>FY2007-08</u>	<u>FY2008-09</u>
GENERAL FUND	69,228,781	69,273,006
CASH FUND	14,332,280	14,332,280
FEDERAL FUND est.	18,504,971	18,504,971
PROGRAM TOTAL	102,066,032	102,110,257

The unexpended General Fund appropriation balance existing on June 30, 2007, is hereby reappropriated. The unexpended reappropriated General Fund balance shall be distributed to regional behavioral health authorities on or before May 30, 2008, for one-time purposes related to the statewide development and provision of community-based behavioral health services. The funds shall be distributed pursuant to the allocation formula developed by the Division of Behavioral Health Services in consultation with regional behavioral health authorities.

There is included in the appropriation to this program for FY2007-08 ~~\$60,328,781~~ \$69,228,781 General Funds, ~~\$13,532,280~~ \$14,332,280 Cash Funds, and \$18,504,971 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 ~~\$61,765,686~~ \$69,273,006 General Funds, ~~\$13,532,280~~ \$14,332,280 Cash Funds, and \$18,504,971 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown as General Fund aid in this program \$1,532,304 General Funds for FY2007-08 and \$3,095,253 General Funds for FY2008-09 to be used for an annual two percent increase in rates paid to providers of mental health and substance abuse services, which funds shall only be used for such purpose. There is included in the amount shown as General Fund aid in this program \$1,707,320 General Funds for FY2008-09 to be used for an additional two percent increase in rates paid to providers of mental health and substance abuse services, which funds shall only be used for such purpose.

There is included in the amount shown as General Fund aid in this program \$5,400,000 General Funds for FY2007-08 and \$5,800,000 General Funds for FY2008-09 which has been reallocated from the regional centers pursuant to Laws 2004, LB 1083. The \$5,400,000 General Funds appropriated for FY2007-08 shall be distributed to regional behavioral health authorities on or before May 30, 2008, for purposes related to the statewide development and provision of community-based behavioral health services.

There is included in the amount shown as General Fund aid in this program \$3,500,000 General Funds for FY2007-08 which has been reallocated from the regional centers pursuant to Laws 2004, LB 1083. The \$3,500,000 General Funds shall be distributed to regional behavioral health authorities on or before May 30, 2008, for one-time purposes related to the statewide development and provision of community-based behavioral health services. The funds shall be distributed pursuant to the allocation formula developed by the Division of Behavioral Health Services in consultation with regional behavioral health authorities.

There is included in the amount shown as General Fund aid in this program \$-0- General Funds for FY2007-08 and \$-0- General Funds for FY2008-09 for aid to Region VI Behavioral Healthcare to provide matching funds for a federal grant received by Heartland Family Service to develop a residential substance abuse treatment program for women in treatment with their children, which shall only be used for such purpose. It is the intent of the Legislature that state funds will not be specially appropriated and earmarked for this purpose after the 2007-09 biennium.

There is included in the amount shown as Cash Fund aid in this program \$6,500,000 Cash Funds for FY2007-08 and \$6,500,000 Cash Funds for FY2008-09 from the Nebraska Health Care Cash Fund to be used for community-based mental health and substance abuse services, including intermediate-level residential mental health services. It is the intent of the Legislature that these funds shall be distributed to each of the six behavioral health regions based upon a formula determined by the Department of Health and Human Services.

There is included in the amount shown as Cash Fund aid in this program \$2,599,660 Cash Funds for FY2007-08 and \$2,599,660 Cash Funds for

FY2008-09 from the Nebraska Health Care Cash Fund to be used for rates paid to providers of mental health and substance abuse services.

There is included in the amount shown as Cash Fund aid in this program \$1,500,000 Cash Funds for FY2007-08 and \$1,500,000 Cash Funds for FY2008-09 from the Nebraska Health Care Cash Fund to be used for the cost of maintenance and treatment of persons in emergency protective custody under the Nebraska Mental Health Commitment Act.

There is included in the amount shown as Cash Fund aid in this program \$225,000 Cash Funds for FY2007-08 and \$225,000 Cash Funds for FY2008-09 from the Nebraska Health Care Cash Fund to be used for compulsive gamblers assistance programs.

Sec. 76. Laws 2007, LB 321, section 120, is amended to read:

Sec. 120. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES - BEHAVIORAL HEALTH
 Program No. 365 - Mental Health Operations

	FY2007-08	FY2008-09
GENERAL FUND	41,085,734	43,166,082
<u>GENERAL FUND</u>	<u>32,185,734</u>	<u>37,366,082</u>
CASH FUND	3,569,762	3,569,762
FEDERAL FUND est.	7,865,530	7,865,530
PROGRAM TOTAL	52,521,026	54,601,374
<u>PROGRAM TOTAL</u>	<u>43,621,026</u>	<u>48,801,374</u>
SALARY LIMIT	28,276,752	28,939,254

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

Sec. 77. Laws 2007, LB 321, section 122, is amended to read:

Sec. 122. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DEVELOPMENTAL DISABILITIES
 Program No. 421 - Beatrice State Developmental Center

	FY2007-08	FY2008-09
GENERAL FUND	17,496,784	18,965,852
CASH FUND	4,136,276	4,136,276
FEDERAL FUND est.	28,593,356	28,889,132
<u>FEDERAL FUND est.</u>	<u>30,093,356</u>	<u>28,889,132</u>
PROGRAM TOTAL	50,226,416	51,991,260
<u>PROGRAM TOTAL</u>	<u>51,726,416</u>	<u>51,991,260</u>
SALARY LIMIT	28,087,017	28,691,048

There is included in the appropriation to this program for FY2007-08 \$1,500,000 Federal Funds estimate, which shall only be used for strategies, including bonuses, to retain and recruit quality staff and employees at the Beatrice State Developmental Center.

Sec. 78. Laws 2007, LB 321, section 123, is amended to read:

Sec. 123. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DEVELOPMENTAL DISABILITIES
 Program No. 424 - Developmental Disability Aid

	<u>FY2007-08</u>	<u>FY2008-09</u>
GENERAL FUND	66,634,494	68,166,316
CASH FUND	6,112,000	6,112,000
FEDERAL FUND est.	87,390,172	90,515,866
PROGRAM TOTAL	160,136,666	164,794,182

	<u>FY2007-08</u>	<u>FY2008-09</u>
GENERAL FUND	66,634,494	71,166,316
CASH FUND	6,112,000	6,112,000
FEDERAL FUND est.	87,390,172	94,207,814
PROGRAM TOTAL	160,136,666	171,486,130

There is included in the appropriation to this program for FY2007-08 \$66,634,494 General Funds, \$6,112,000 Cash Funds, and \$87,390,172 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 ~~\$68,166,316~~ \$71,166,316 General Funds, \$6,112,000 Cash Funds, and ~~\$90,515,866~~ \$94,207,814 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2007-08 \$1,509,224 General Funds and \$2,370,570 Federal Funds estimate for rate equity, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 ~~\$3,033,540~~ \$6,033,540 General Funds and ~~\$5,038,758~~ \$8,730,706 Federal Funds estimate for rate equity, which shall only be used for such purpose.

There is included in the amount shown as Cash Fund aid in this program for FY2007-08 \$5,000,000 Cash Funds and for FY2008-09 \$5,000,000 Cash Funds from the Nebraska Health Care Cash Fund to be used for services for persons with developmental disabilities (1) who were on the waiting list for such services prior to July 1, 2001, and began receiving such services on and after such date and (2) who are on the waiting list for such services on and after July 1, 2007, beginning with those who have been on the waiting list for the greatest length of time past their date of need.

Sec. 79. Laws 2007, LB 321, section 124, is amended to read:

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

Program No. 519 - Nebraska Veterans' Homes

	<u>FY2007-08</u>	<u>FY2008-09</u>
GENERAL FUND	22,601,532	24,321,371
CASH FUND	15,671,385	15,371,385
FEDERAL FUND est.	11,698,573	11,698,573
GENERAL FUND	22,601,532	24,246,861
CASH FUND	15,671,385	15,408,640
FEDERAL FUND est.	11,698,573	11,735,828
PROGRAM TOTAL	49,971,490	51,391,329
SALARY LIMIT	25,641,554	26,218,507

Sec. 80. Laws 2007, LB 321, section 177, is amended to read:

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

Program No. 533 - Network Operations

	<u>FY2007-08</u>	<u>FY2008-09</u>
GENERAL FUND	9,197,064	9,383,070

CASH FUND	242,759	242,759
PROGRAM TOTAL	9,439,823	9,625,829
SALARY LIMIT	2,869,450	2,938,518
<u>SALARY LIMIT</u>	<u>2,944,450</u>	<u>2,938,518</u>

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

Sec. 81. Laws 2007, LB 321, section 180, is amended to read:

Sec. 180. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY

EDUCATION

Program No. 640 - Postsecondary Education Coordination

	FY2007-08	FY2008-09
GENERAL FUND	1,260,506	1,299,297
CASH FUND	10,000	10,000
<u>CASH FUND</u>	<u>25,000</u>	<u>10,000</u>
FEDERAL FUND est.	6,000	6,000
PROGRAM TOTAL	1,276,506	1,315,297
<u>PROGRAM TOTAL</u>	<u>1,291,506</u>	<u>1,315,297</u>
SALARY LIMIT	830,429	850,937

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

Sec. 82. Laws 2007, LB 321, section 182, is amended to read:

Sec. 182. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY

EDUCATION

Program No. 691 - Access College Early Scholarship Program

	FY2007-08	FY2008-09
GENERAL FUND	49,750	49,750
PROGRAM TOTAL	49,750	49,750
	<u>FY2007-08</u>	<u>FY2008-09</u>
<u>GENERAL FUND</u>	<u>49,750</u>	<u>115,250</u>
<u>PROGRAM TOTAL</u>	<u>49,750</u>	<u>115,250</u>

The unexpended General Fund appropriation balance existing on June 30, 2007, for Program No. 691, is hereby reappropriated.

There are no personal services included in the appropriations in this section.

Sec. 83. Laws 2007, LB 321, section 187, is amended to read:

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

Program No. 648 - Nebraska State Historical Society

	FY2007-08	FY2008-09
GENERAL FUND	4,298,929	4,368,269
<u>GENERAL FUND</u>	<u>4,283,159</u>	<u>4,352,499</u>
CASH FUND	1,603,235	1,627,575
FEDERAL FUND est.	710,702	731,394

PROGRAM TOTAL	6,612,866	6,727,238
SALARY LIMIT	3,380,524	3,462,454
<u>PROGRAM TOTAL</u>	<u>6,597,096</u>	<u>6,711,468</u>
<u>SALARY LIMIT</u>	<u>3,364,754</u>	<u>3,446,684</u>

There is included in the appropriation to this program for FY2007-08 \$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 FY2008-09 \$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 FY2007-08 \$25,000 General Funds and for FY2008-09 \$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.

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
- Sec. 84. Laws 2007, LB 321, section 215, is amended to read:
- Sec. 215. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
- Program No. 591 - Tort Claims

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

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

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

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

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

- ~~(a) \$172 from the Department of Motor Vehicles;~~
- ~~(b) \$26,433 from the Department of Roads; and~~
- ~~(c) \$4,163 from the Game and Parks Commission.~~
- (a) \$208 from the Department of Labor;
- (b) \$6,137 from the Department of Roads; and
- (c) \$1,004 from the Department of Administrative Services.

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

It is the intent of the Legislature that transfers specified in this section for FY2008-09 be adjusted by the One Hundredth Legislature, Second

Session, 2008, in accordance with information available after July 1, 2007.

Sec. 85. Laws 2007, LB 321, section 230, is amended to read:

Sec. 230. AGENCY NO. 69 - NEBRASKA ARTS COUNCIL

Program No. 326 - Promotion and Development of the Arts

	FY2007-08	FY2008-09
GENERAL FUND	606,381	614,908
CASH FUND	10,000	10,000
FEDERAL FUND est.	128,590	128,590
PROGRAM TOTAL	744,971	753,498
SALARY LIMIT	422,468	432,834
<u>SALARY LIMIT</u>	<u>423,057</u>	<u>433,635</u>

It is the intent of the Legislature that the Nebraska Arts Council work with the office of the Chief Information Officer to review and analyze the information technology and communication requirements of the agency and to determine the most efficient and cost-effective methods to manage information and provide services to constituent groups.

Sec. 86. Laws 2007, LB 321, section 236, is amended to read:

Sec. 236. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT

Program No. 600 - Administration

	FY2007-08	FY2008-09
GENERAL FUND	1,270,990	1,197,591
<u>GENERAL FUND</u>	<u>1,270,990</u>	<u>1,297,591</u>
CASH FUND	286,065	286,145
FEDERAL FUND est.	146,291	146,291
PROGRAM TOTAL	1,703,346	1,630,027
<u>PROGRAM TOTAL</u>	<u>1,703,346</u>	<u>1,730,027</u>
SALARY LIMIT	927,314	946,732

There is included in the appropriation to this program for FY2007-08 \$113,850 General Funds and \$15,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 ~~\$-0-~~ \$100,000 General Funds and \$15,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 87. Laws 2007, LB 321, section 238, is amended to read:

Sec. 238. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT

Program No. 603 - Industrial Recruitment

	FY2007-08	FY2008-09
GENERAL FUND	2,878,636	2,941,508
<u>GENERAL FUND</u>	<u>2,878,636</u>	<u>2,841,508</u>
CASH FUND	6,490,285	6,490,324
FEDERAL FUND est.	325,515	325,515
PROGRAM TOTAL	9,694,436	9,757,347
<u>PROGRAM TOTAL</u>	<u>9,694,436</u>	<u>9,657,347</u>
SALARY LIMIT	1,467,370	1,503,028

The unexpended Cash Fund appropriation balance existing on June 30, 2007, is hereby reappropriated.

There is included in the appropriation to this program for FY2007-08 \$377,500 General Funds, \$6,357,944 Cash Funds, and \$249,341 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 ~~\$377,500~~ \$277,500

General Funds, \$6,357,944 Cash Funds, and \$249,341 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 88. Laws 2007, LB 321, section 239, is amended to read:
 Sec. 239. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 618 - Tourism Promotion

	FY2007-08	FY2008-09
GENERAL FUND	500,000	500,000
CASH FUND	3,373,305	3,402,173
<u>CASH FUND</u>	<u>3,623,305</u>	<u>3,402,173</u>
FEDERAL FUND est.	959,815	959,815
PROGRAM TOTAL	4,833,120	4,861,988
<u>PROGRAM TOTAL</u>	<u>5,083,120</u>	<u>4,861,988</u>
SALARY LIMIT	722,206	739,182

There is included in the appropriation to this program for FY2007-08 \$500,000 General Funds and \$108,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 \$500,000 General Funds and \$108,000 Cash Funds for state aid, which shall only be used for such purpose.

The General Fund state aid appropriation to this program shall be used to provide a system of dollar-for-dollar matching grants to area or regional promotional groups for advertising, marketing, and promotional efforts.

There is included in the appropriation to this program \$250,000 Cash Funds for FY2007-08 to provide funding for promotional and visitor development activities related to the hosting of an Olympic Team Trial event by a city of the metropolitan class.

Sec. 89. Laws 2007, LB 321, section 244, is amended to read:
 Sec. 244. AGENCY NO. 76 - COMMISSION ON INDIAN AFFAIRS
 Program No. 584 - Indian Affairs

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

Sec. 90. Laws 2007, LB 321, section 245, is amended to read:
 Sec. 245. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL RELATIONS
 Program No. 531 - Administration

	FY2007-08	FY2008-09
GENERAL FUND	282,770	291,636
PROGRAM TOTAL	282,770	291,636
SALARY LIMIT	166,448	169,431
<u>GENERAL FUND</u>	<u>282,770</u>	<u>193,589</u>
<u>PROGRAM TOTAL</u>	<u>282,770</u>	<u>193,589</u>

SALARY LIMIT166,44880,728Sec. 91. 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 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 FY2008-09 as enumerated in this act 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 FY2008-09 shall be increased by certified encumbrance amounts from FY2007-08 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. 92. Original Laws 2007, LB 319, section 9; Laws 2007, LB 320, sections 29, 30, and 49; and Laws 2007, LB 321, sections 23, 24, 32, 46, 48, 49, 50, 55, 69, 88, 107, 119, 120, 122, 123, 124, 177, 180, 182, 187, 215, 230, 236, 238, 239, 244, and 245, are repealed.

Sec. 93. Since an emergency exists, this act takes effect when passed and approved according to law.