

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 311

FINAL READING

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

Read first time January 15, 2009

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2007, LB 320,
2 sections 32 and 34, Laws 2007, LB 321, sections 111 and
3 117, Laws 2008, LB 959, sections 57, 72, 74, 76, and
4 90, and Laws 2008, LB 988A, section 1; to define terms;
5 to provide, change, and eliminate provisions relating to
6 appropriations; to reduce appropriations; to provide for
7 a transfer of funds; to state intent; to repeal the
8 original sections; and to declare an emergency.
9 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 Hundred First Legislature, First or Second
4 Session, which appropriates funds, FY2007-08 means the period July
5 1, 2007, through June 30, 2008; FY2008-09 means the period July 1,
6 2008, through June 30, 2009; FY2009-10 means the period July 1,
7 2009, through June 30, 2010; and FY2010-11 means the period July 1,
8 2010, 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, and state aid, except
14 as otherwise appropriated.

15 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

16 All General Fund appropriations existing on June 30,
17 2007, in excess of expended and certified encumbrance amounts
18 are hereby lapsed unless otherwise provided. All Cash Fund
19 and Revolving Fund appropriations existing on June 30, 2007,
20 in excess of expended and certified encumbrance amounts are
21 hereby lapsed unless otherwise expressly provided. All certified
22 encumbrance amounts on June 30, 2007, and June 30, 2008, are hereby
23 reappropriated for FY2007-08 and FY2008-09, respectively, which
24 amounts shall be in addition to the amounts shown in this act.

25 Sec. 4. REAPPROPRIATION OF BALANCES, FY2007-08 to

1 FY2008-09.

2 In addition to the appropriations set forth in this
3 act, there are hereby reappropriated all unexpended appropriation
4 balances existing on June 30, 2008, for FY2008-09 to the respective
5 agencies, programs, and funds listed in this act, except for budget
6 programs contained in Laws 2007, LB 319, or as otherwise provided
7 in this act.

8 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

9 The definitions contained in the Nebraska Accounting
10 System Manual, and any amendments thereto, on file with the Clerk
11 of the Legislature are hereby adopted by the Legislature as the
12 definitions for this act, except as provided in Laws 2007, LB 321,
13 sections 138 and 284, Laws 2008, LB 959, section 91, and section
14 50 of this act.

15 Sec. 6. DRAWING AND PAYING WARRANTS.

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

21 Sec. 7. AGENCY NO. 11 - ATTORNEY GENERAL

22 Program No. 496 - Interstate Water Litigation

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|----|----------------------|------------------|
| 23 | | |
| 24 | <u>GENERAL FUND</u> | <u>511,000</u> |
| 25 | <u>PROGRAM TOTAL</u> | <u>511,000</u> |

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

2 Program No. 665 - Convention Center Facility Financing

3 Assistance

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|---|----------------------|------------------|
| 4 | | |
| 5 | <u>CASH FUND</u> | <u>-0-</u> |
| | | <u>2,644,521</u> |
| 6 | <u>PROGRAM TOTAL</u> | <u>-0-</u> |
| | | <u>2,644,521</u> |
| 7 | <u>SALARY LIMIT</u> | <u>-0-</u> |
| | | <u>-0-</u> |

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

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

18 Sec. 11. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

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

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|----|---------------------|------------------|
| 20 | | |
| 21 | <u>SALARY LIMIT</u> | <u>-0-</u> |
| | | <u>96,810</u> |

22 Sec. 12. AGENCY NO. 16 - DEPARTMENT OF REVENUE

23 Program No. 13 - Tax Commissioner

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|----|------------------|------------------|
| 24 | | |

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|----|---|------------------|------------------|
| 1 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>9,000</u> |
| 2 | Sec. 13. <u>AGENCY NO. 23 - DEPARTMENT OF LABOR</u> | | |
| 3 | <u>Program No. 31 - Division of Employment</u> | | |
| 4 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 5 | <u>CASH FUND</u> | <u>-0-</u> | <u>1,300,000</u> |
| 6 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>1,300,000</u> |
| 7 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |
| 8 | Sec. 14. <u>AGENCY NO. 23 - DEPARTMENT OF LABOR</u> | | |
| 9 | <u>Program No. 194 - Division for Protection of People and</u> | | |
| 10 | <u>Property</u> | | |
| 11 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 12 | <u>CASH FUND</u> | <u>-0-</u> | <u>700,000</u> |
| 13 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>700,000</u> |
| 14 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |
| 15 | Sec. 15. <u>AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN</u> | | |
| 16 | <u>SERVICES</u> | | |
| 17 | <u>Program No. 33 - Administration</u> | | |
| 18 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 19 | <u>GENERAL FUND</u> | <u>-0-</u> | <u>100,250</u> |
| 20 | <u>CASH FUND</u> | <u>-0-</u> | <u>100,000</u> |
| 21 | <u>FEDERAL FUND est.</u> | <u>-0-</u> | <u>100,250</u> |
| 22 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>300,500</u> |
| 23 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>148,496</u> |
| 24 | <u>There is included in the appropriation to this program</u> | | |
| 25 | <u>for FY2008-09 \$100,000 Cash Funds from the Nebraska Health Care</u> | | |

1 Cash Fund for a study to evaluate options to privatize the
2 operation of the Beatrice State Developmental Center.

3 Notwithstanding the provisions of Laws 2007, LB 321,
4 section 100, the appropriations in this section shall be allocated
5 by the chief executive officer of the Department of Health
6 and Human Services according to the following budget program
7 classifications for the purpose of program monitoring, accounting,
8 and reporting:

9 No. 261 - General Operations

10 No. 262 - Public Health Administration

11 No. 263 - Medicaid and Long-Term Care Administration

12 No. 264 - Children and Family Services Administration

13 No. 265 - Protection and Safety

14 No. 266 - Economic and Family Support

15 No. 267 - Developmental Disabilities Service Coordination

16 No. 268 - Behavioral Health Administration

17 No. 269 - Developmental Disabilities Administration

18 Sec. 16. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN

19 SERVICES - BEHAVIORAL HEALTH

20 Program No. 38 - Behavioral Health Aid

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|-------------------------|------------------|------------------|
| 21 | | |
| 22 <u>GENERAL FUND</u> | <u>-0-</u> | <u>3,500,000</u> |
| 23 <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>3,500,000</u> |

24 There is included in the appropriation to this program

1 for FY2008-09 \$3,500,000 General Funds for state aid, which shall
2 only be used for such purpose.

3 Sec. 17. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES - CHILDREN AND FAMILY SERVICES

5 Program No. 250 - Juvenile Services Operations

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|---|----------------------|------------------|
| 6 | | |
| 7 | <u>GENERAL FUND</u> | <u>-0-</u> |
| | | <u>36,706</u> |
| 8 | <u>PROGRAM TOTAL</u> | <u>-0-</u> |
| | | <u>36,706</u> |
| 9 | <u>SALARY LIMIT</u> | <u>-0-</u> |
| | | <u>31,876</u> |

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

- 13 No. 315 - Office of Juvenile Services
- 14 No. 345 - Juvenile Community-Based Services
- 15 No. 364 - Juvenile Parole Administration
- 16 No. 371 - Youth Rehabilitation and Treatment
- 17 Center-Geneva
- 18 No. 374 - Youth Rehabilitation and Treatment
- 19 Center-Kearney

20 Sec. 18. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
21 SERVICES - DEVELOPMENTAL DISABILITIES

22 Program No. 421 - Beatrice State Developmental Center

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|----|---------------------|------------------|
| 23 | | |
| 24 | <u>GENERAL FUND</u> | <u>-0-</u> |
| | | <u>6,936,784</u> |

| | | | |
|----|--|------------------|------------------|
| | LB 311 | | LB 311 |
| 1 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>6,936,784</u> |
| 2 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>5,332,162</u> |
| 3 | Sec. 19. <u>AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN</u> | | |
| 4 | <u>SERVICES - VETERANS' HOMES</u> | | |
| 5 | <u>Program No. 519 - Veterans' Homes</u> | | |
| 6 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 7 | <u>GENERAL FUND</u> | <u>-0-</u> | <u>111,102</u> |
| 8 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>111,102</u> |
| 9 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>96,484</u> |
| 10 | Sec. 20. <u>AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN</u> | | |
| 11 | <u>SERVICES - BEHAVIORAL HEALTH</u> | | |
| 12 | <u>Program No. 870 - Norfolk Sex Offender Treatment</u> | | |
| 13 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 14 | <u>GENERAL FUND</u> | <u>-0-</u> | <u>27,952</u> |
| 15 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>27,952</u> |
| 16 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>24,274</u> |
| 17 | Sec. 21. <u>AGENCY NO. 30 - STATE ELECTRICAL BOARD</u> | | |
| 18 | <u>Program No. 197 - Public Protection</u> | | |
| 19 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 20 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>6,323</u> |
| 21 | Sec. 22. <u>AGENCY NO. 31 - MILITARY DEPARTMENT</u> | | |
| 22 | <u>Program No. 192 - Governor's Emergency Aid</u> | | |
| 23 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 24 | <u>CASH FUND</u> | <u>-0-</u> | <u>7,500,000</u> |

| | | | |
|----|---|------------------|------------------|
| | LB 311 | | LB 311 |
| 1 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>7,500,000</u> |
| 2 | Sec. 23. <u>AGENCY NO. 33 - GAME AND PARKS COMMISSION</u> | | |
| 3 | <u>Program No. 336 - Wildlife Conservation</u> | | |
| 4 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 5 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>614,231</u> |
| 6 | Sec. 24. <u>AGENCY NO. 33 - GAME AND PARKS COMMISSION</u> | | |
| 7 | <u>Program No. 975 - Emergency Repairs to State Park System</u> | | |
| 8 | <u>Areas</u> | | |
| 9 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 10 | <u>CASH FUND</u> | <u>-0-</u> | <u>55,554</u> |
| 11 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>55,554</u> |
| 12 | <u>The Game and Parks Commission is hereby authorized to</u> | | |
| 13 | <u>repair flood damage at the Champion Mill State Historical Park.</u> | | |
| 14 | Sec. 25. <u>AGENCY NO. 33 - GAME AND PARKS COMMISSION</u> | | |
| 15 | <u>Program No. 976 - Emergency Repairs to Fish and Wildlife</u> | | |
| 16 | <u>Facilities</u> | | |
| 17 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 18 | <u>CASH FUND</u> | <u>-0-</u> | <u>165,000</u> |
| 19 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>165,000</u> |
| 20 | <u>The Game and Parks Commission is hereby authorized to</u> | | |
| 21 | <u>repair flood damage at the Blue Bluffs Wildlife Management Area.</u> | | |
| 22 | Sec. 26. <u>AGENCY NO. 35 - NEBRASKA LIQUOR CONTROL</u> | | |
| 23 | <u>COMMISSION</u> | | |
| 24 | <u>Program No. 73 - Licensing and Regulation</u> | | |

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| | <u>FY2007-08</u> | <u>FY2008-09</u> | |
|---|--------------------------|------------------|---------------|
| 1 | | | |
| 2 | <u>GENERAL FUND</u> | <u>-0-</u> | <u>10,448</u> |
| 3 | <u>CASH FUND</u> | <u>-0-</u> | <u>-0-</u> |
| 4 | <u>FEDERAL FUND est.</u> | <u>-0-</u> | <u>-0-</u> |
| 5 | <u>REVOLVING FUND</u> | <u>-0-</u> | <u>-0-</u> |
| 6 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>10,448</u> |
| 7 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>9,075</u> |

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

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

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

| | <u>FY2007-08</u> | <u>FY2008-09</u> | |
|----|----------------------|------------------|---------------|
| 12 | | | |
| 13 | <u>CASH FUND</u> | <u>-0-</u> | <u>30,620</u> |
| 14 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>30,620</u> |
| 15 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>35,910</u> |

16 Sec. 28. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL
17 SERVICES

18 Program No. 200 - Operations

| | <u>FY2007-08</u> | <u>FY2008-09</u> | |
|----|----------------------|------------------|------------------|
| 19 | | | |
| 20 | <u>GENERAL FUND</u> | <u>-0-</u> | <u>7,702,752</u> |
| 21 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>7,702,752</u> |
| 22 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>134,000</u> |

23 Sec. 29. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
24 TELECOMMUNICATIONS COMMISSION

25 Program No. 912 - KLNE HD RADIO

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| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|---|--------------------------|------------------|
| 1 | | |
| 2 | <u>FEDERAL FUND est.</u> | <u>66,260</u> |
| 3 | <u>PROGRAM TOTAL</u> | <u>66,260</u> |

4 The Nebraska Educational Telecommunications Commission is
5 hereby authorized to add digital radio transmission capability at
6 KLNE in Lexington, Nebraska.

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

9 Program No. 917 - KHNE HD RADIO

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|----|----------------------|------------------|
| 10 | | |
| 11 | <u>CASH FUND</u> | <u>80,000</u> |
| 12 | <u>PROGRAM TOTAL</u> | <u>80,000</u> |

13 The Nebraska Educational Telecommunications Commission is
14 hereby authorized to add digital radio transmission capability at
15 KHNE in Hastings, Nebraska.

16 Sec. 31. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
17 TELECOMMUNICATIONS COMMISSION

18 Program No. 925 - BEATRICE TRANSLATOR TOWER

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|----|--------------------------|------------------|
| 19 | | |
| 20 | <u>FEDERAL FUND est.</u> | <u>258,925</u> |
| 21 | <u>PROGRAM TOTAL</u> | <u>258,925</u> |

22 The Nebraska Educational Telecommunications Commission is
23 hereby authorized to replace the television translator tower in
24 Beatrice, Nebraska.

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1 Sec. 32. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE

2 SERVICES

3 Program No. 592 - Indemnification Claims

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|------------------------|------------------|------------------|
| 4 | | |
| 5 <u>GENERAL FUND</u> | <u>-0-</u> | <u>803,000</u> |
| 6 <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>803,000</u> |
| 7 <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |

8 Sec. 33. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE

9 SERVICES

10 Program No. 608 - Employee Relations Division

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|-------------------------|------------------|------------------|
| 11 | | |
| 12 <u>GENERAL FUND</u> | <u>-0-</u> | <u>50,000</u> |
| 13 <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>50,000</u> |
| 14 <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |

15 Sec. 34. AGENCY NO. 75 -- NEBRASKA INVESTMENT COUNCIL

16 Program No. 610 - Investment Administration

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|-------------------------|------------------|------------------|
| 17 | | |
| 18 <u>CASH FUND</u> | <u>-0-</u> | <u>481,000</u> |
| 19 <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>481,000</u> |
| 20 <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |

21 Sec. 35. AGENCY NO. 77 -- COMMISSION OF INDUSTRIAL

22 RELATIONS

23 Program No. 490 - Commissioner Expenses

| | <u>FY2007-08</u> | <u>FY2008-09</u> |
|------------------------|------------------|------------------|
| 24 | | |
| 25 <u>GENERAL FUND</u> | <u>-0-</u> | <u>6,114</u> |

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|----|---|------------------|------------------|
| 1 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>6,114</u> |
| 2 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |
| 3 | Sec. 36. <u>AGENCY NO. 81 - COMMISSION FOR THE BLIND AND</u> | | |
| 4 | <u>VISUALLY IMPAIRED</u> | | |
| 5 | <u>Program No. 357 - Blind and Visually Impaired</u> | | |
| 6 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 7 | <u>CASH FUND</u> | <u>-0-</u> | <u>32,400</u> |
| 8 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>32,400</u> |
| 9 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |
| 10 | <u>There is included in the appropriation to this program</u> | | |
| 11 | <u>for FY2008-09 \$32,400 Cash Funds for state aid, which shall only be</u> | | |
| 12 | <u>used for such purpose.</u> | | |
| 13 | Sec. 37. <u>AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT</u> | | |
| 14 | <u>BOARD</u> | | |
| 15 | <u>Program No. 41 - Administration of Retirement Systems and</u> | | |
| 16 | <u>Deferred Compensation</u> | | |
| 17 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 18 | <u>CASH FUND</u> | <u>-0-</u> | <u>25,000</u> |
| 19 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>25,000</u> |
| 20 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>-0-</u> |
| 21 | Sec. 38. <u>AGENCY NO. 87 - NEBRASKA ACCOUNTABILITY AND</u> | | |
| 22 | <u>DISCLOSURE COMMISSION</u> | | |
| 23 | <u>Program No. 94 - Nebraska Political Accountability</u> | | |
| 24 | | <u>FY2007-08</u> | <u>FY2008-09</u> |

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|---|----------------------|------------|---------------|
| 1 | <u>GENERAL FUND</u> | <u>-0-</u> | <u>12,321</u> |
| 2 | <u>PROGRAM TOTAL</u> | <u>-0-</u> | <u>12,321</u> |
| 3 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>13,821</u> |

4 Sec. 39. AGENCY NO. 92 - GRAIN SORGHUM DEVELOPMENT,
5 UTILIZATION, AND MARKETING BOARD

6 Program No. 406 - Grain Sorghum Development

| | | | |
|---|---------------------|------------------|------------------|
| 7 | | <u>FY2007-08</u> | <u>FY2008-09</u> |
| 8 | <u>SALARY LIMIT</u> | <u>-0-</u> | <u>3,140</u> |

9 Sec. 40. Laws 2007, LB 320, section 32, is amended to
10 read:

11 Sec. 32. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
12 NEBRASKA STATE COLLEGES

13 Program No. 920 - Board Facilities Fee Fund Projects

| | | | | |
|----|----------------------------|------------------|------------------|---------------|
| 14 | | <u>FY2007-08</u> | <u>FY2008-09</u> | <u>FUTURE</u> |
| 15 | <u>NEBRASKA CAPITAL</u> | | | |
| 16 | <u>CONSTRUCTION FUND</u> | <u>400,000</u> | <u>400,000</u> | <u>-0-</u> |
| 17 | <u>REVOLVING FUND est.</u> | <u>952,426</u> | <u>952,426</u> | <u>-0-</u> |
| 18 | <u>PROGRAM TOTAL</u> | <u>1,352,426</u> | <u>1,352,426</u> | <u>-0-</u> |
| 19 | <u>NEBRASKA CAPITAL</u> | | | |
| 20 | <u>CONSTRUCTION FUND</u> | <u>400,000</u> | <u>483,000</u> | |
| 21 | <u>REVOLVING FUND est.</u> | <u>952,426</u> | <u>952,426</u> | |
| 22 | <u>PROGRAM TOTAL</u> | <u>1,352,426</u> | <u>1,435,426</u> | |

23 The Legislature hereby acknowledges and reaffirms the
24 directive made by Laws 1998, LB 1100, sections 6 and 7, which
25 authorizes the Board of Trustees of the Nebraska State Colleges

1 to complete various renewal and renovation projects on all state
2 college campuses with the appropriation to this program.

3 Sec. 41. Laws 2007, LB 320, section 34, is amended to
4 read:

5 Sec. 34. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
6 NEBRASKA STATE COLLEGES

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

| | FY2007-08 | FY2008-09 | FUTURE |
|----|--------------------------|------------------|------------|
| 9 | | | |
| 10 | <u>NEBRASKA CAPITAL</u> | | |
| 11 | <u>2,009,360</u> | <u>2,009,360</u> | <u>-0-</u> |
| 12 | <u>PROGRAM TOTAL</u> | <u>2,009,360</u> | <u>-0-</u> |
| 13 | <u>NEBRASKA CAPITAL</u> | | |
| 14 | <u>CONSTRUCTION FUND</u> | <u>1,926,360</u> | <u>-0-</u> |
| 15 | <u>PROGRAM TOTAL</u> | <u>1,926,360</u> | <u>-0-</u> |

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

25 The Board of Trustees of the Nebraska State Colleges is

1 hereby authorized to design and construct a plant to produce steam
2 and chilled water to meet heating and cooling requirements of the
3 Wayne State College campus. Should it prove to be in the greater
4 long-term financial interest of the State of Nebraska and Wayne
5 State College, the Board of Trustees is alternatively authorized
6 to purchase and improve an existing steam and chilled water
7 production facility to meet heating and cooling requirements of the
8 Wayne State College campus. Prior to exercising its authority to
9 undertake either alternative under provisions of this section, the
10 Board of Trustees shall secure the approval of the Governor. The
11 total project cost to be supported from state funds is estimated
12 as \$3,803,877. Nonstate tax funds may be used to supplement the
13 project.

14 The Board of Trustees may enter into long-term financing
15 contracts with any person, firm, or corporation for purposes of the
16 Peru State College Library/Old Gym Renovation and Addition project
17 and the Wayne State College Power Plant Construction project. The
18 payments of costs of the renovation may occur over a contract
19 period not to extend beyond June 30, 2009. The Board of Trustees
20 shall not pledge the credit of the State of Nebraska for the
21 payment of any sum owing on account of such contracts, except
22 that there may be pledged for payment of any such contracts
23 any appropriations made by the Legislature for such purpose.
24 No contracts shall be entered into pursuant to this section
25 without prior approval by resolution of the Board of Trustees. The

1 Board of Trustees may schedule contractual payments on a monthly,
 2 quarterly, or semiannual basis consistent with the state fiscal
 3 year. On or before August 31, 2009, any funds appropriated from
 4 the State Building Fund and the Nebraska Capital Construction Fund
 5 for the projects held in the state treasury and held by any
 6 trustee which are not necessary to meet the terms of any long-term
 7 financing agreements entered into pursuant to this section shall be
 8 transferred to the General Fund.

9 Sec. 42. Laws 2007, LB 321, section 111, is amended to
 10 read:

11 Sec. 111. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 12 SERVICES - MEDICAID AND LONG-TERM CARE

13 Program No. 348 - Medical Assistance

| | FY2007-08 | FY2008-09 |
|-----------------------------|----------------------|----------------------|
| 14 GENERAL FUND | 576,765,451 | 590,252,985 |
| 15 <u>GENERAL FUND</u> | <u>576,765,451</u> | <u>479,681,184</u> |
| 16 CASH FUND | 19,657,896 | 19,657,896 |
| 17 FEDERAL FUND est. | 922,961,711 | 952,315,556 |
| 18 <u>FEDERAL FUND est.</u> | <u>922,961,711</u> | <u>948,804,759</u> |
| 19 PROGRAM TOTAL | 1,519,385,058 | 1,562,226,437 |
| 20 <u>PROGRAM TOTAL</u> | <u>1,519,385,058</u> | <u>1,448,143,839</u> |

21 There is included in the appropriation to this
 22 program for FY2007-08 \$576,765,451 General Funds, \$19,657,896
 23 Cash Funds, and \$922,961,711 Federal Funds estimate for state
 24 aid, which shall only be used for such purpose. There is
 25

1 included in the appropriation to this program for FY2008-09
2 ~~\$590,252,985~~ \$479,681,184 General Funds, \$19,657,896 Cash Funds,
3 and ~~\$952,315,556~~ \$948,804,759 Federal Funds estimate for state aid,
4 which shall only be used for such purpose.

5 There is included in the appropriation to this program
6 for FY2007-08 \$4,765,896 Cash Funds for state aid for the
7 continuation of the behavioral health provider rate increase
8 and behavioral health provider rate increase for managed care,
9 inpatient services, and residential treatment services provided
10 with funds from the Nebraska Health Care Cash Fund. There
11 is included in the appropriation to this program for FY2008-09
12 \$4,765,896 Cash Funds for state aid for the continuation of the
13 behavioral health provider rate increase and behavioral health
14 provider rate increase for managed care, inpatient services,
15 and residential treatment services provided with funds from the
16 Nebraska Health Care Cash Fund.

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

22 There is included in the Federal Fund estimate
23 \$64,840,697 for FY2008-09 to be received as authorized by ARRA, for
24 Title 5, Federal Medicaid Assistance Participation rate.

25 Sec. 43. Laws 2007, LB 321, section 117, is amended to

1 read:

2 Sec. 117. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES - CHILDREN AND FAMILY SERVICES
4 Program No. 347 - Public Assistance

| | FY2007-08 | FY2008-09 |
|--------------------------------|------------------------|------------------------|
| 6 GENERAL FUND | 234,638,533 | 241,873,264 |
| 7 <u>GENERAL FUND</u> | <u>234,638,533</u> | <u>217,792,687</u> |
| 8 CASH FUND | 6,044,444 | 6,044,444 |
| 9 FEDERAL FUND est. | 118,641,094 | 119,188,279 |
| 10 <u>FEDERAL FUND est.</u> | <u>118,641,094</u> | <u>120,368,732</u> |
| 11 PROGRAM TOTAL | 359,324,071 | 367,105,987 |
| 12 <u>PROGRAM TOTAL</u> | <u>359,324,071</u> | <u>344,205,863</u> |

13 Of the unexpended General Fund balance remaining on June
14 30, 2007, \$600,000 is hereby reappropriated to Agency 25, Program
15 39, for continuation and expansion of home visitation programs
16 established under the provisions of section 68-1202.

17 There is included in the appropriation to this program
18 for FY2007-08 \$234,638,533 General Funds, \$6,044,444 Cash Funds,
19 and \$118,641,094 Federal Funds estimate for state aid, which
20 shall only be used for such purpose. There is included in
21 the appropriation to this program for FY2008-09 ~~\$241,873,264~~
22 \$217,792,687 General Funds, \$6,044,444 Cash Funds, and ~~\$119,188,279~~
23 \$120,368,732 Federal Funds estimate for state aid, which shall only
24 be used for such purpose.

25 There is included in the appropriation to this program

1 for FY2007-08 \$810,000 Cash Funds from the Nebraska Health Care
2 Cash Fund for state aid to aid in carrying out the Nebraska
3 Lifespan Respite Services Program and to provide payment to
4 caregivers to purchase services under the respite subsidy program.
5 There is included in the appropriation to this program for
6 FY2008-09 \$810,000 Cash Funds from the Nebraska Health Care Cash
7 Fund for state aid to aid in carrying out the Nebraska Lifespan
8 Respite Services Program and to provide payment to caregivers to
9 purchase services under the respite subsidy program.

10 There is included in the appropriation to this program
11 for FY2007-08 \$2,734,444 Cash Funds from the Nebraska Health Care
12 Cash Fund for state aid for the continuation of the behavioral
13 health provider rate increase provided. There is included in
14 the appropriation to this program for FY2008-09 \$2,734,444 Cash
15 Funds from the Nebraska Health Care Cash Fund for state aid for
16 the continuation of the behavioral health provider rate increase
17 provided.

18 There is included in the Federal Fund estimate \$1,180,453
19 for FY2008-09 to be received as authorized by ARRA, for Title 5,
20 Adoption Assistance and Foster Care.

21 Sec. 44. Laws 2008, LB 959, section 57, is amended to
22 read:

23 Sec. 57. AGENCY NO. 93 - TAX EQUALIZATION AND REVIEW
24 COMMISSION

25 Program No. 115 - Operations

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| | FY2007-08 | FY2008-09 |
|---|---------------------------------|--------------------|
| 1 | | |
| 2 | GENERAL FUND -0- | 73,025 |
| 3 | CASH FUND 11,884 | 70,000 |
| 4 | PROGRAM TOTAL 11,884 | 143,025 |
| 5 | SALARY LIMIT 1,011 | 30,000 |
| 6 | <u>GENERAL FUND</u> -0- | <u>38,025</u> |
| 7 | <u>CASH FUND</u> 11,884 | <u>35,000</u> |
| 8 | <u>PROGRAM TOTAL</u> 11,884 | <u>73,025</u> |
| 9 | <u>SALARY LIMIT</u> 1,011 | <u>15,000</u> |

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

15 Sec. 45. Laws 2008, LB 959, section 72, is amended to
16 read:

17 Sec. 72. AGENCY NO. 16 - DEPARTMENT OF REVENUE
18 Program No. 108 - Homestead Exemption

| | FY2007-08 | FY2008-09 |
|----|-------------------------------------|-----------------------|
| 19 | | |
| 20 | GENERAL FUND 63,056,960 | 76,120,104 |
| 21 | PROGRAM TOTAL 63,056,960 | 76,120,104 |
| 22 | <u>GENERAL FUND</u> 63,056,960 | <u>61,250,000</u> |
| 23 | <u>PROGRAM TOTAL</u> 63,056,960 | <u>61,250,000</u> |

24 There is included in the appropriation to this program
25 for FY2007-08 \$63,056,960 General Funds for state aid, which

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

5 Sec. 46. Laws 2008, LB 959, section 74, is amended to
 6 read:

7 Sec. 74. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 8 SERVICES - PUBLIC HEALTH

9 Program No. 514 - Health Aid

| | FY2007-08 | FY2008-09 |
|-------------------------|-------------------|-------------------|
| 11 GENERAL FUND | 3,944,700 | 4,124,776 |
| 12 <u>GENERAL FUND</u> | <u>3,944,700</u> | <u>4,034,155</u> |
| 13 CASH FUND | 8,904,897 | 9,172,044 |
| 14 <u>CASH FUND</u> | <u>8,904,897</u> | <u>10,672,044</u> |
| 15 FEDERAL FUND est. | 34,687,255 | 34,687,255 |
| 16 <u>PROGRAM TOTAL</u> | <u>47,536,852</u> | <u>47,984,075</u> |
| 17 <u>PROGRAM TOTAL</u> | <u>47,536,852</u> | <u>49,393,454</u> |

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

25 There is included in the appropriation to this program

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

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

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

18 Program No. 365 - Mental Health Operations

| | FY2007-08 | FY2008-09 |
|----|-------------------------------------|-----------------------|
| 19 | | |
| 20 | 32,185,734 | 37,366,082 |
| 21 | <u>32,185,734</u> | <u>33,966,313</u> |
| 22 | CASH FUND 3,569,762 | 3,569,762 |
| 23 | FEDERAL FUND est. 7,865,530 | 7,865,530 |
| 24 | PROGRAM TOTAL 43,621,026 | 48,801,374 |
| 25 | <u>PROGRAM TOTAL 43,621,026</u> | <u>45,401,605</u> |

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1 ~~SALARY LIMIT~~ 28,276,752 28,939,254

2 SALARY LIMIT 28,276,752 29,026,298

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

17 Sec. 48. Laws 2008, LB 959, section 90, is amended to
18 read:

19 Sec. 90. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
20 RELATIONS

21 Program No. 531 - Administration

22 FY2007-08 FY2008-09

23 ~~GENERAL FUND~~ 282,770 193,589

24 ~~PROGRAM TOTAL~~ 282,770 193,589

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LB 311

| | | | |
|---|-------------------------|--------------------|-------------------|
| 1 | SALARY LIMIT | 166,448 | 80,728 |
| 2 | <u>GENERAL FUND</u> | <u>282,770</u> | <u>187,475</u> |
| 3 | <u>PROGRAM TOTAL</u> | <u>282,770</u> | <u>187,475</u> |
| 4 | <u>SALARY LIMIT</u> | <u>166,448</u> | <u>81,208</u> |

5 Sec. 49. Laws 2008, LB 988A, section 1, is amended to
6 read:

7 Section 1. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
8 Program No. 158 - Education Aid

| | FY2007-08 | FY2008-09 | |
|----|--------------------------|--------------------------|--------------------------|
| 9 | | | |
| 10 | GENERAL FUND | 952,197,997 | 1,027,559,109 |
| 11 | <u>GENERAL FUND</u> | <u>952,197,997</u> | <u>1,029,088,723</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 | 1,292,286,034 |
| 15 | <u>PROGRAM TOTAL</u> | <u>1,209,404,715</u> | <u>1,293,815,648</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 ~~\$1,027,559,109~~ \$1,029,088,723 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

1 \$753,555,548 General Funds which are hereby appropriated to
2 the Tax Equity and Educational Opportunities Fund, which
3 fund is hereby appropriated to provide state aid to public
4 school districts pursuant to the Tax Equity and Educational
5 Opportunities Support Act. There is included in the amount shown
6 for FY2008-09 ~~\$823,527,243~~ \$825,056,857 General Funds which are
7 hereby appropriated to the Tax Equity and Educational Opportunities
8 Fund, which fund is hereby appropriated to provide state aid to
9 public school districts pursuant to the Tax Equity and Educational
10 Opportunities Support Act.

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

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

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

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

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1 \$8,266,325 General Funds provided as state aid for FY2008-09 for
2 core services for educational service units.

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

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

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

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

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

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

1 adult basic education programs.

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

6 The unexpended appropriation balance of the \$2,000,000
7 Cash Funds appropriated from the School District Reorganization
8 Fund for base year reorganization incentives existing on June 30,
9 2007, is hereby reappropriated.

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

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

6 It is the intent of the Legislature that the changes made
7 by ~~Legislative Bill~~ Laws 2008, LB 959, section 69, to Laws 2007,
8 LB321, section 49, are null and void and are superseded by the
9 changes made by this legislative bill.

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

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

23 (2) Total expenditures for permanent and temporary
24 salaries and per diems shall be limited to the amount shown except
25 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 of the Legislature 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 established by
16 the Legislature shall be the basis for continuation funding for
17 each 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. 51. Original Laws 2007, LB 320, sections 32 and
3 34, Laws 2007, LB 321, sections 111 and 117, Laws 2008, LB 959,
4 sections 57, 72, 74, 76, and 90, and Laws 2008, LB 988A, section 1,
5 are repealed.

6 Sec. 52. Since an emergency exists, this act takes effect
7 when passed and approved according to law.