

LEGISLATIVE BILL 315

Approved by the Governor May 19, 2009

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

FOR AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2011; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

For purposes of this act and any other legislative bill passed by the One Hundred First Legislature, First or Second Session, which appropriates funds, FY2008-09 means the period July 1, 2008, through July 1, 2009; FY2009-10 means the period July 1, 2009, through June 30, 2010; FY2010-11 means the period July 1, 2010, through June 30, 2011; FY2011-12 means the period July 1, 2011, through June 30, 2012; and FY2012-13 means the period July 1, 2012, through June 30, 2013.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2009-10 and FY2010-11, 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, and state aid, except as otherwise appropriated.

Sec. 3. REAPPROPRIATION OF BALANCE, FY2008-09 to FY2009-10.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2009, for FY2009-10 to the respective agencies, programs, and funds listed in this act, unless otherwise expressly provided.

Sec. 4. REAPPROPRIATION OF BALANCE, FY2009-10 to FY2010-11.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2010, for FY2010-11 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 5. CERTIFIED ENCUMBRANCES.

All certified encumbrance amounts on June 30, 2009, and June 30, 2010, not otherwise reappropriated pursuant to sections 3 and 4 of this act, are hereby reappropriated for FY2009-10 and FY2010-11, respectively, which amounts shall be in addition to the amounts shown in this act.

Sec. 6. 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 sections 143 and 284 of this act.

Sec. 7. ARRA DEFINITION.

As used in this act, ARRA means the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Sec. 8. 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. 9. BUDGET STATUS REPORTS.

All state agencies, boards, and commissions shall promptly establish their detailed Budget Status Reports at the budget subprogram level in the Nebraska Accounting System and adjust them as necessary during each fiscal year to reflect the most current appropriations shown on the Allotment Status Report.

Sec. 10. AGENCY NO. 3 - LEGISLATIVE COUNCIL

Program No. 122 - Legislative Services

	FY2009-10	FY2010-11
GENERAL FUND	8,349,911	8,817,886
CASH FUND	220,183	220,183
FEDERAL FUND est.	39,270	39,270
PROGRAM TOTAL	8,609,364	9,077,339

SALARY LIMIT 6,072,714 6,222,174

There is included in the appropriation to this program for FY2009-10 \$100,000 Cash Funds and for FY2010-11 \$100,000 Cash Funds from the Nebraska Health Care Cash Fund for the purpose of ongoing health-related research and public policy development by the Health and Human Services Committee of the Legislature. Such funds may be used for, but shall not be limited to, hiring temporary legal research assistance, consulting and research contracts, reimbursement for necessary and appropriate expenses incurred in connection with such research and policy development, and actual and necessary travel reimbursement for task forces and committees established to conduct health policy work.

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 11. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 123 - Clerk of the Legislature

	FY2009-10	FY2010-11
GENERAL FUND	3,037,724	3,291,909
CASH FUND	48,783	48,783
PROGRAM TOTAL	3,086,507	3,340,692
SALARY LIMIT	2,458,494	2,621,041

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 12. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 126 - Legislative Research

	FY2009-10	FY2010-11
GENERAL FUND	967,438	1,006,696
PROGRAM TOTAL	967,438	1,006,696
SALARY LIMIT	698,589	715,789

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 13. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 127 - Revisor of Statutes

	FY2009-10	FY2010-11
GENERAL FUND	1,487,518	1,528,039
PROGRAM TOTAL	1,487,518	1,528,039
SALARY LIMIT	954,606	978,227

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 14. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 129 - Legislative Audit

	FY2009-10	FY2010-11
GENERAL FUND	456,432	460,436
PROGRAM TOTAL	456,432	460,436
SALARY LIMIT	335,818	344,233

Sec. 15. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 501 - Intergovernmental Cooperation

	FY2009-10	FY2010-11
GENERAL FUND	447,021	447,021
PROGRAM TOTAL	447,021	447,021

SALARY LIMIT -0- -0-
 The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.
 Sec. 16. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 504 - Office of Public Counsel

	FY2009-10	FY2010-11
GENERAL FUND	1,023,506	1,056,892
PROGRAM TOTAL	1,023,506	1,056,892

SALARY LIMIT 831,045 850,742
 The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.
 Sec. 17. AGENCY NO. 3 - LEGISLATIVE COUNCIL
 Program No. 638 - Fiscal and Program Analysis

	FY2009-10	FY2010-11
GENERAL FUND	1,474,622	1,516,223
PROGRAM TOTAL	1,474,622	1,516,223

SALARY LIMIT 1,124,887 1,151,849
 The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.
 Sec. 18. AGENCY NO. 5 - SUPREME COURT
 Program No. 52 - Operations

	FY2009-10	FY2010-11
GENERAL FUND	28,275,046	29,234,291
CASH FUND	2,590,551	2,631,722
FEDERAL FUND est.	528,589	546,564
PROGRAM TOTAL	31,394,186	32,412,577
SALARY LIMIT	19,225,973	19,762,870

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

- No. 34 - Court Administration
- No. 40 - State Law Library
- No. 396 - County Court System
- No. 399 - District Court Reporters
- No. 405 - Court of Appeals

There is included in the appropriation to this program for FY2009-10 \$65,336 General Funds and for FY2010-11 \$131,980 General Funds for a salary increase for county court employees in Budget Program 396 of the Supreme Court, which shall only be used for such purpose. Total expenditures for permanent and temporary salaries and per diems from funds appropriated for this salary increase shall not exceed \$56,995 for FY2009-10 or \$115,131 for FY2010-11. The appropriation made pursuant to this provision is in addition to any appropriated salary increase for county court employees effective on July 1, 2009, and July 1, 2010.

There is included in the appropriation to this program for FY2009-10 \$270,000 Cash Funds for dispute resolution state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$270,000 Cash Funds for dispute resolution state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$290,000 Cash Funds for civil legal services state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$290,000 Cash Funds for civil legal services state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$450,000 Cash Funds for parenting plan mediation for indigent and lower-income persons involved in Parenting Act cases, as state aid, which shall only be

used for such purpose. There is included in the appropriation to this program for FY2010-11 \$450,000 Cash Funds for parenting plan mediation for indigent and lower-income persons involved in Parenting Act cases, as state aid, which shall only be used for such purpose.

Sec. 19. AGENCY NO. 5 - SUPREME COURT
 Program No. 67 - Probation Services

	FY2009-10	FY2010-11
GENERAL FUND	20,774,127	21,527,857
CASH FUND	707,332	707,332
PROGRAM TOTAL	21,481,459	22,235,189
SALARY LIMIT	14,336,251	14,694,308

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

No. 397 - Statewide Probation
 No. 398 - Intensive Supervision Probation
 Sec. 20. AGENCY NO. 5 - SUPREME COURT
 Program No. 235 - State Probation Contractual Services

	FY2009-10	FY2010-11
CASH FUND est.	890,845	911,717
PROGRAM TOTAL	890,845	911,717
SALARY LIMIT est.	552,497	566,295

Cash Fund expenditures from this program shall be restricted to the State Probation Contractual Services Cash Fund.

The salary limitations for this program shall not be limited to the amounts shown.

Cash Fund expenditures for this program shall not be limited to the amounts shown.

Sec. 21. AGENCY NO. 5 - SUPREME COURT
 Program No. 420 - State Specialized Court Operations

	FY2009-10	FY2010-11
CASH FUND	2,193,783	2,241,541
PROGRAM TOTAL	2,193,783	2,241,541
SALARY LIMIT	1,002,435	1,027,472

The supervision and management of the State Specialized Courts shall be under the direct jurisdiction of the Supreme Court and the State Court Administrator. Any contractual funds received from the Community Corrections Council Office to support the cost of operating the State Specialized Courts shall only be credited and expended directly from the Probation Program Cash Fund.

Sec. 22. AGENCY NO. 5 - SUPREME COURT
 Program No. 435 - Probation Community Corrections

	FY2009-10	FY2010-11
GENERAL FUND	934,422	965,720
CASH FUND	7,297,142	7,349,896
PROGRAM TOTAL	8,231,564	8,315,616
SALARY LIMIT	1,632,539	1,673,312

Sec. 23. AGENCY NO. 5 - SUPREME COURT
 Program No. 570 - Court Automation

	FY2009-10	FY2010-11
CASH FUND	3,207,748	3,230,033

FEDERAL FUND est.	423,559	426,772
PROGRAM TOTAL	3,631,307	3,656,805
SALARY LIMIT	535,388	548,758

There is included in the appropriation to this program for FY2009-10 a retainer fee of \$1,114,702 Cash Funds and for FY2010-11 a retainer fee of \$1,114,702 Cash Funds which shall be billed and paid in equal monthly installments to the Intergovernmental Data Services Program Revolving Fund for county automation expenses in lieu of standard central processing unit charges, which shall only be used for such purpose. These retainer fee amounts shall not include pass-through charges for leased computers and printers, software maintenance costs, or county data conversion or interface costs. The annual retainer fee for both FY2009-10 and FY2010-11 shall be paid prior to the end of each respective fiscal year.

There is included in the appropriation to this program for FY2009-10 \$617,568 Cash Funds and for FY2010-11 \$617,568 Cash Funds, which shall only be used to pay annual data processing computer leasing charges for 919 users of the JUSTICE System, including 137 state judges.

Sec. 24. AGENCY NO. 7 - GOVERNOR
 Program No. 18 - Governor's Policy Research Office

	FY2009-10	FY2010-11
GENERAL FUND	562,530	562,521
PROGRAM TOTAL	562,530	562,521
SALARY LIMIT	489,890	503,763

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 25. AGENCY NO. 7 - GOVERNOR
 Program No. 21 - Office of the Governor

	FY2009-10	FY2010-11
GENERAL FUND	1,041,192	1,041,346
PROGRAM TOTAL	1,041,192	1,041,346
SALARY LIMIT	653,911	669,119

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 26. AGENCY NO. 8 - LIEUTENANT GOVERNOR
 Program No. 124 - Office of the Lieutenant Governor

	FY2009-10	FY2010-11
GENERAL FUND	37,113	37,131
PROGRAM TOTAL	37,113	37,131
SALARY LIMIT	22,928	23,404

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 27. AGENCY NO. 9 - SECRETARY OF STATE
 Program No. 22 - Departmental Administration

	FY2009-10	FY2010-11
GENERAL FUND	204,825	204,825
CASH FUND	154,092	158,045
PROGRAM TOTAL	358,917	362,870
SALARY LIMIT	198,354	203,399

Sec. 28. AGENCY NO. 9 - SECRETARY OF STATE
 Program No. 45 - Election Administration

	FY2009-10	FY2010-11
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CASH FUND	2,626,547	2,014,540
FEDERAL FUND est.	98,300	98,300
PROGRAM TOTAL	2,724,847	2,112,840
SALARY LIMIT	341,585	350,117

There is included in the appropriation to this program for FY2009-10 \$60,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$60,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 29. AGENCY NO. 9 - SECRETARY OF STATE
 Program No. 51 - Enforcement of Standards - Corporations

	FY2009-10	FY2010-11
CASH FUND	642,195	655,239
PROGRAM TOTAL	642,195	655,239
SALARY LIMIT	334,246	342,593

Sec. 30. AGENCY NO. 9 - SECRETARY OF STATE
 Program No. 53 - Enforcement of Standards - Collection Agencies

	FY2009-10	FY2010-11
CASH FUND	80,915	83,123
PROGRAM TOTAL	80,915	83,123
SALARY LIMIT	45,373	46,507

Sec. 31. AGENCY NO. 9 - SECRETARY OF STATE
 Program No. 86 - Enforcement of Standards - Records Management

	FY2009-10	FY2010-11
GENERAL FUND	151,660	156,170
CASH FUND	2,861,724	2,363,079
REVOLVING FUND	1,006,809	1,028,938
PROGRAM TOTAL	4,020,193	3,548,187
SALARY LIMIT	552,391	566,190

Sec. 32. AGENCY NO. 9 - SECRETARY OF STATE
 Program No. 89 - Uniform Commercial Code Central Filing

	FY2009-10	FY2010-11
CASH FUND	1,148,230	1,167,321
PROGRAM TOTAL	1,148,230	1,167,321
SALARY LIMIT	427,095	437,762

Sec. 33. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS
 Program No. 506 - State Agency and County Post Audits

	FY2009-10	FY2010-11
GENERAL FUND	2,390,337	2,390,337
PROGRAM TOTAL	2,390,337	2,390,337
SALARY LIMIT	1,771,622	1,816,867

Sec. 34. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS
 Program No. 525 - Cooperative Audits

	FY2009-10	FY2010-11
CASH FUND	1,078,988	1,078,988
PROGRAM TOTAL	1,078,988	1,078,988

SALARY LIMIT	953,689	973,761
Sec. 35. AGENCY NO. 11 - ATTORNEY GENERAL		
Program No. 290 - State Settlement Funds		

	FY2009-10	FY2010-11
CASH FUND	300,000	300,000
PROGRAM TOTAL	300,000	300,000
SALARY LIMIT	50,000	51,250
Sec. 36. AGENCY NO. 11 - ATTORNEY GENERAL		
Program No. 496 - Interstate Water Litigation		

	FY2009-10	FY2010-11
GENERAL FUND	500,000	-0-
PROGRAM TOTAL	500,000	-0-
SALARY LIMIT	-0-	-0-
Sec. 37. AGENCY NO. 11 - ATTORNEY GENERAL		
Program No. 507 - Interpretation and Application of Law		

	FY2009-10	FY2010-11
GENERAL FUND	6,164,833	6,243,993
CASH FUND	548,490	562,915
FEDERAL FUND est.	1,496,293	1,556,085
REVOLVING FUND	1,211,475	1,250,963
PROGRAM TOTAL	9,421,091	9,613,956
SALARY LIMIT	5,688,380	5,818,393

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

- No. 270 - Administration
- No. 271 - Civil Bureau
- No. 272 - Criminal Bureau
- No. 273 - Legal Services Bureau
- No. 274 - Public Protection Bureau

General Fund expenditures within program classification number 270 shall only be coded against budget subprogram 1.

General Fund expenditures within program classification number 271 shall only be coded against budget subprogram 1. Revolving Fund expenditures within program classification number 271 shall only be coded against budget subprogram 4.

With the exception of the medicaid fraud control unit and crimes against children appropriations, all other General Fund expenditures within program classification number 272 shall only be coded against budget subprogram 1 and all other Federal Fund expenditures within program classification number 272 shall only be coded against budget subprogram 3.

All appropriations and expenditures for the medicaid fraud control unit within program classification number 272 shall only be coded against budget subprogram 5.

There is included in the appropriation to this program for FY2009-10 \$80,000 General Funds and for FY2010-11 \$80,000 General Funds, which appropriations shall only be administratively transferred to program classification number 272, and such appropriations shall only be expended from budget subprogram 6 as a separate and distinct budget subprogram and shall not be commingled with any other expenses, and such appropriations shall only be used to provide assistance for legal expenses incurred in prosecuting crimes against children by state and local prosecutors, including, but not limited to, expert witness costs, as determined by the Attorney General.

There is included in the appropriation to this program for FY2009-10 \$50,000 General Funds in program classification number 272, subprogram 7, and for FY2010-11 \$50,000 General Funds, which appropriations shall only be administratively transferred to program classification number 272, and such

appropriations shall only be expended from budget subprogram 7 as a separate and distinct budget subprogram and shall not be commingled with any other expenses, and such appropriations shall only be used to pay for child autopsy expenses.

General Fund expenditures within program classification number 273 shall only be coded against budget subprogram 1. Revolving Fund expenditures within program classification number 273 shall only be coded against budget subprogram 4.

With the exception of water law division appropriations, all other General Fund expenditures for the public protection bureau within program classification number 274 shall only be coded against budget subprogram 1. General Fund expenditures for the water law division within program classification number 274 shall only be coded against budget subprogram 2. Cash Fund expenditures for motor vehicle fraud enforcement within program classification number 274 shall only be coded against budget subprogram 3.

There is included in the appropriation to this program for FY2009-10 \$385,200 Cash Funds and for FY2010-11 \$395,807 Cash Funds, which appropriations shall only be administratively transferred to program classification number 274, and such appropriations shall only be expended directly from the Nebraska Health Care Cash Fund from budget subprogram 4 for purposes of enforcing the tobacco settlement agreement.

There is included in the appropriation to this program for FY2009-10 \$10,000 Cash Funds and for FY2010-11 \$10,000 Cash Funds, which appropriations shall only be administratively transferred to program classification number 274, and such appropriations shall only be expended from budget subprogram 6 for purposes of administering the Department of Justice Natural Resources Enforcement Fund.

It is the intent of the Legislature that any General Fund appropriation authority to Agency 11, Program 575, shall continue to be used for the purpose of meeting the state agency's matching share of federal Byrne Grant funds awarded by the Nebraska Commission on Law Enforcement and Criminal Justice.

The agency budget request submitted by the Attorney General for the 2009-11 biennium for umbrella budget program number 507 shall be prepared and submitted at the detailed account level within the specified budget subprogram structure as required in this section.

Sec. 38. AGENCY NO. 12 - STATE TREASURER
 Program No. 24 - State Disbursement Unit

	FY2009-10	FY2010-11
GENERAL FUND	1,372,031	1,398,153
CASH FUND	50,000	50,000
FEDERAL FUND est.	2,083,263	2,127,597
PROGRAM TOTAL	3,505,294	3,575,750
SALARY LIMIT	1,460,335	1,498,013

Sec. 39. AGENCY NO. 12 - STATE TREASURER
 Program No. 117 - Mutual Finance Assistance

	FY2009-10	FY2010-11
CASH FUND	3,650,000	3,650,000
PROGRAM TOTAL	3,650,000	3,650,000

There is included in the appropriation to this program for FY2009-10 \$3,650,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$3,650,000 Cash Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 40. AGENCY NO. 12 - STATE TREASURER
 Program No. 119 - Aid to Natural Resources Districts

	FY2009-10	FY2010-11
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GENERAL FUND	1,542,502	1,542,502
PROGRAM TOTAL	1,542,502	1,542,502

There is included in the appropriation to this program for FY2009-10 \$1,542,502 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,542,502 General Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 41. AGENCY NO. 12 - STATE TREASURER
 Program No. 120 - Aid to Municipalities

	FY2009-10	FY2010-11
GENERAL FUND	11,777,193	11,777,193
PROGRAM TOTAL	11,777,193	11,777,193

There is included in the appropriation to this program for FY2009-10 \$11,777,193 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$11,777,193 General Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 42. AGENCY NO. 12 - STATE TREASURER
 Program No. 149 - Aid to Counties

	FY2009-10	FY2010-11
GENERAL FUND	4,965,866	4,965,866
PROGRAM TOTAL	4,965,866	4,965,866

There is included in the appropriation to this program for FY2009-10 \$4,965,866 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$4,965,866 General Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 43. AGENCY NO. 12 - STATE TREASURER
 Program No. 503 - Treasury Management

	FY2009-10	FY2010-11
CASH FUND	668,423	683,534
PROGRAM TOTAL	668,423	683,534
SALARY LIMIT	409,184	419,020

Sec. 44. AGENCY NO. 12 - STATE TREASURER
 Program No. 505 - Educational Savings Unit

	FY2009-10	FY2010-11
CASH FUND	504,758	512,714
PROGRAM TOTAL	504,758	512,714
SALARY LIMIT	81,477	83,384

Sec. 45. AGENCY NO. 12 - STATE TREASURER
 Program No. 512 - Unclaimed Property

	FY2009-10	FY2010-11
CASH FUND	642,387	657,311

PROGRAM TOTAL	642,387	657,311
SALARY LIMIT	317,813	325,751

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

	FY2009-10	FY2010-11
GENERAL FUND	103,745	105,354
PROGRAM TOTAL	103,745	105,354
SALARY LIMIT	32,308	33,114

Sec. 47. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

The limitation on expenditures for permanent and temporary salaries and per diems for the State Department of Education 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 employee-employer relationship with the person subject to the contract as determined by the social security administration bureau of the Department of Administrative Services.

Sec. 48. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 25 - Education, Administration, and Support

	FY2009-10	FY2010-11
GENERAL FUND	10,910,850	11,657,369
CASH FUND	1,118,889	1,132,687
FEDERAL FUND est.	20,690,373	21,287,206
REVOLVING FUND	162,872	162,872
PROGRAM TOTAL	32,882,984	34,240,134
SALARY LIMIT	12,482,718	12,791,223

There is included in the appropriation to this program for FY2009-10 \$259,600 General Funds and for FY2010-11 \$259,600 General Funds to carry out the provisions of Laws 2006, LB 1024, or any subsequent laws enacted to amend or replace Laws 2006, LB 1024, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$2,335,000 General Funds and \$2,750,000 Federal Funds estimate for statewide assessment and reporting, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,805,000 General Funds and \$2,750,000 Federal Funds estimate for statewide assessment and reporting, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$91,000 General Funds and for FY2010-11 \$91,000 General Funds for state administrative expenses related to the receipt of federal funds from the American Recovery and Reinvestment Act of 2009, which shall only be used for such purpose.

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

- No. 25 - Commissioner's Office
- No. 403 - Assessment/Report Card
- No. 440 - Human Resources
- No. 441 - Curriculum/Instruction/Innovation
- No. 442 - Diversity Populations: Equity and Instructional Issues
- No. 444 - Office of Early Childhood
- No. 445 - Data Systems
- No. 446 - Adult Program Services
- No. 447 - School Improvement/Accreditation
- No. 448 - Diversity Populations: Special Education
- No. 449 - Federal Programs
- No. 450 - Select Department-wide Costs
- No. 451 - Finance and Organization Services

Sec. 49. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 158 - Education Aid

	FY2009-10	FY2010-11
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GENERAL FUND	1,035,897,500	1,036,675,660
CASH FUND	3,290,938	3,290,938
FEDERAL FUND est.	364,083,935	440,776,314
PROGRAM TOTAL	1,403,272,373	1,480,742,912

There is included in the appropriation to this program for FY2009-10 \$1,035,897,500 General Funds, \$3,290,938 Cash Funds, and \$364,083,935 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,036,675,660 General Funds, \$3,290,938 Cash Funds, and \$440,776,314 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown for FY2009-10 \$826,149,269 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 FY2010-11 \$826,887,980 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 FY2009-10 \$84,068,750 Federal Funds estimate pursuant to the American Recovery and Reinvestment Act of 2009 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 FY2010-11 \$149,887,176 Federal Funds estimate pursuant to the American Recovery and Reinvestment Act of 2009 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 \$184,893,842 General Funds provided as state aid for FY2009-10 for special education reimbursement. There is included in the amount shown for this program \$184,893,842 General Funds provided as state aid for FY2010-11 for special education reimbursement.

There is included in the amount shown for this program \$500,000 General Funds provided as state aid for FY2009-10 and \$500,000 General Funds provided as state aid for FY2010-11 to carry out the provisions of subsection (2) of section 79-734.

There is included in the amount shown for this program \$3,615,426 General Funds provided as state aid for FY2009-10 and \$3,615,426 General Funds provided as state aid for FY2010-11 for early childhood education projects.

There is included in the amount shown for this program \$11,858,793 General Funds provided as state aid for FY2009-10 and \$11,858,793 General Funds provided as state aid for FY2010-11 for core services for educational service units.

There is included in the amount shown for this program \$3,700,477 General Funds provided as state aid for FY2009-10 and \$3,700,477 General Funds provided as state aid for FY2010-11 for technology infrastructure for educational service units.

There is included in the amount shown for this program \$328,300 General Funds provided as state aid for FY2009-10 and \$328,300 General Funds provided as state aid for FY2010-11 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 FY2009-10 and \$2,336,921 General Funds provided as state aid for FY2010-11 for programs for learners with high ability.

There is included in the amount shown for this program \$412,811 General Funds provided as state aid for FY2009-10 and \$427,260 General Funds provided as state aid for FY2010-11 for the school breakfast program.

There is included in the amount shown for this program \$421,087 General Funds provided as state aid for FY2009-10 and \$421,087 General Funds provided as state aid for FY2010-11 for the school lunch program.

There is included in the amount shown for this program \$230,574 General Funds provided as state aid for FY2009-10 and \$230,574 General Funds provided as state aid for FY2010-11 for adult basic education programs.

There is included in the amount shown for this program \$450,000 General Funds provided as state aid for FY2009-10 and \$450,000 General Funds

provided as state aid for FY2010-11 for the Career Education Partnership Act.

There is included in the amount shown for this program \$1,000,000 General Funds provided as state aid for FY2009-10 and \$1,025,000 General Funds provided as state aid for FY2010-11 for learning community aid.

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 FY2009-10 and FY2010-11 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.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

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

	FY2009-10	FY2010-11
CASH FUND	4,854,018	4,854,738
PROGRAM TOTAL	4,854,018	4,854,738
SALARY LIMIT	19,278	19,759

There is included in the appropriation to this program for FY2009-10 \$4,800,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$4,800,000 Cash Funds for state aid, which shall only be used for such purpose.

There is included in the amount shown for this program \$1,000,000 Cash Funds provided as state aid for FY2009-10 and \$1,000,000 Cash Funds provided as state aid for FY2010-11 to fund the Excellence in Teaching Act. There is included in the amount shown for this program \$3,800,000 Cash Funds provided as state aid for FY2009-10 and \$3,800,000 Cash Funds provided as state aid for FY2010-11 for distance education equipment and incentives.

Sec. 51. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 351 - Vocational Rehabilitation

	FY2009-10	FY2010-11
GENERAL FUND	4,405,473	4,580,383
CASH FUND	782,244	813,557
FEDERAL FUND est.	19,788,070	20,521,400
PROGRAM TOTAL	24,975,787	25,915,340
SALARY LIMIT	10,232,817	10,485,392

There is included in the appropriation to this program for FY2009-10 \$2,000,000 General Funds, \$220,000 Cash Funds, and \$4,759,798 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,000,000 General Funds, \$220,000 Cash Funds, and \$5,038,990 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 52. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 352 - Disability Determination

	FY2009-10	FY2010-11
FEDERAL FUND est.	11,416,576	11,743,179

PROGRAM TOTAL	11,416,576	11,743,179
SALARY LIMIT	3,644,214	3,732,772

There is included in the appropriation to this program for FY2009-10 \$3,555,166 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$3,697,373 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 53. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 401 - Services for the Deaf and Hard of Hearing

	FY2009-10	FY2010-11
GENERAL FUND	2,032,951	2,074,406
CASH FUND	3,060	3,121
PROGRAM TOTAL	2,036,011	2,077,527
SALARY LIMIT	12,561	12,875

There is included in the appropriation to this program for FY2009-10 \$39,375 General Funds and \$60 Cash Funds and for FY2010-11 \$80,327 General Funds and \$121 Cash Funds for an annual two percent increase in rates paid to providers of services for children who are deaf and hard of hearing, which shall only be used for such purpose.

Sec. 54. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 402 - Nebraska Center for the Education of Children who are Blind or Visually Impaired

	FY2009-10	FY2010-11
GENERAL FUND	1,798,777	1,836,407
PROGRAM TOTAL	1,798,777	1,836,407
SALARY LIMIT	12,561	12,875

There is included in the appropriation to this program for FY2009-10 \$34,852 General Funds and for FY2010-11 \$71,970 General Funds for an annual two percent increase in rates paid to the providers of services for children who are blind or visually impaired, which shall only be used for such purpose.

Sec. 55. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 614 - Professional Practices Commission

	FY2009-10	FY2010-11
CASH FUND	150,902	129,692
PROGRAM TOTAL	150,902	129,692
SALARY LIMIT	88,352	65,557

Sec. 56. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 16 - Expenses, Constitutional Officers

	FY2009-10	FY2010-11
GENERAL FUND	57,000	57,000
PROGRAM TOTAL	57,000	57,000

Sec. 57. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 19 - Modular Housing Units Program

	FY2009-10	FY2010-11
CASH FUND	637,222	658,873
PROGRAM TOTAL	637,222	658,873
SALARY LIMIT	389,103	399,001

Sec. 58. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 54 - Enforcement of Standards - Common Carriers

	FY2009-10	FY2010-11
GENERAL FUND	2,055,128	2,095,817
PROGRAM TOTAL	2,055,128	2,095,817
SALARY LIMIT	1,235,195	1,267,323

Sec. 59. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 60 - Grain Warehouse Surveillance/Moisture Testing

	FY2009-10	FY2010-11
CASH FUND	38,671	42,402
PROGRAM TOTAL	38,671	42,402
SALARY LIMIT	6,696	6,860

Sec. 60. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 64 - Nebraska Telecommunications Relay System Fund

	FY2009-10	FY2010-11
CASH FUND	1,597,222	1,600,313
PROGRAM TOTAL	1,597,222	1,600,313
SALARY LIMIT	56,267	57,706

There is included in the appropriation to this program for FY2009-10 \$460,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$460,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 61. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 71 - Nebraska Internet Enhancement Fund

	FY2009-10	FY2010-11
CASH FUND	72,772	73,267
PROGRAM TOTAL	72,772	73,267
SALARY LIMIT	8,232	8,447

There is included in the appropriation to this program for FY2009-10 \$59,202 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$59,202 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 62. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 212 - Nebraska Competitive Telephone Marketplace Fund

	FY2009-10	FY2010-11
CASH FUND	9,000	2,000
PROGRAM TOTAL	9,000	2,000

Sec. 63. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 583 - Enhanced Wireless 911 Fund

	FY2009-10	FY2010-11
CASH FUND	12,431,270	12,441,284
PROGRAM TOTAL	12,431,270	12,441,284
SALARY LIMIT	247,062	252,089

There is included in the appropriation to this program for FY2009-10 \$12,000,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$12,000,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 64. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 686 - Nebraska Telecommunications Universal Service Fund

	FY2009-10	FY2010-11
CASH FUND	59,697,371	59,715,414
PROGRAM TOTAL	59,697,371	59,715,414
SALARY LIMIT	291,357	298,839

There is included in the appropriation to this program for FY2009-10 \$59,000,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$59,000,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 65. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION
 Program No. 790 - Natural Gas Regulation

	FY2009-10	FY2010-11
CASH FUND	1,730,112	1,743,500
PROGRAM TOTAL	1,730,112	1,743,500
SALARY LIMIT	328,366	334,797

There is included in the appropriation to this program for FY2009-10 \$185,000 Cash Funds for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2009-10 shall not be limited to the amount shown. There is included in the appropriation to this program for FY2010-11 \$185,000 Cash Funds for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2010-11 shall not be limited to the amount shown.

Sec. 66. AGENCY NO. 15 - BOARD OF PARDONS AND BOARD OF PAROLE
 Program No. 358 - Board of Parole

	FY2009-10	FY2010-11
GENERAL FUND	327,198	323,591
PROGRAM TOTAL	327,198	323,591
SALARY LIMIT	203,439	208,827

Sec. 67. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 102 - Revenue Administration

	FY2009-10	FY2010-11
GENERAL FUND	24,582,385	24,681,965
CASH FUND	1,571,593	1,580,382
PROGRAM TOTAL	26,153,978	26,262,347
SALARY LIMIT	15,596,208	15,967,165

There is included in the appropriation to this program for FY2009-10 \$56,686 Cash Funds for a revenue auditor specialist from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$56,686 Cash Funds for a revenue auditor specialist from the Nebraska Health Care Cash Fund.

Sec. 68. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 104 - County Property Tax Relief

	FY2009-10	FY2010-11
GENERAL FUND	1,500,000	1,500,000
PROGRAM TOTAL	1,500,000	1,500,000

There is included in the appropriation to this program for FY2009-10 \$1,500,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,500,000 General Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 69. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 108 - Homestead Exemption

	FY2009-10	FY2010-11
GENERAL FUND	62,250,000	65,000,000
PROGRAM TOTAL	62,250,000	65,000,000

There is included in the appropriation to this program for FY2009-10 \$62,250,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$65,000,000 General Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 70. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 110 - Home Energy Improvement

	FY2009-10	FY2010-11
CASH FUND	8,547,200	8,547,200
PROGRAM TOTAL	8,547,200	8,547,200

There is included in the appropriation to this program for FY2009-10 \$8,547,200 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$8,547,200 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 71. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 111 - Motor Fuels

	FY2009-10	FY2010-11
CASH FUND	2,245,850	2,318,154
PROGRAM TOTAL	2,245,850	2,318,154
SALARY LIMIT	1,544,758	1,578,683

Sec. 72. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 112 - Property Assessment

	FY2009-10	FY2010-11
GENERAL FUND	4,773,770	4,779,340
CASH FUND	608,868	608,868
PROGRAM TOTAL	5,382,638	5,388,208
SALARY LIMIT	3,516,766	3,598,182

Sec. 73. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 132 - Property Tax Credit Program

	FY2009-10	FY2010-11
CASH FUND	115,000,000	115,000,000
PROGRAM TOTAL	115,000,000	115,000,000

There is included in the appropriation to this program for FY2009-10 \$115,000,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$115,000,000 Cash Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 74. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 160 - Lottery Administration

	FY2009-10	FY2010-11
CASH FUND	16,788,621	17,332,174
PROGRAM TOTAL	16,788,621	17,332,174

SALARY LIMIT 1,357,815 1,388,109

Cash Fund expenditures shall not be limited to the amount shown. It is the intent of the Legislature that all expenses of the lottery, both external and internal, be recorded in the appropriate Cash Fund unless specifically required by statute to be recorded elsewhere.

Sec. 75. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 Program No. 165 - Charitable Gaming

	FY2009-10	FY2010-11
CASH FUND	2,269,372	2,336,347
PROGRAM TOTAL	2,269,372	2,336,347
SALARY LIMIT	1,510,344	1,542,890

Sec. 76. AGENCY NO. 17 - DEPARTMENT OF AERONAUTICS

Total expenditures by the Department of Aeronautics for permanent and temporary salaries and per diems shall not exceed \$1,356,523 for FY2009-10. Total expenditures by the Department of Aeronautics for permanent and temporary salaries and per diems shall not exceed \$1,390,397 for FY2010-11.

Sec. 77. AGENCY NO. 17 - DEPARTMENT OF AERONAUTICS
 Program No. 26 - Administration and Services

	FY2009-10	FY2010-11
CASH FUND est.	3,433,716	3,037,479
PROGRAM TOTAL	3,433,716	3,037,479

Cash Fund expenditures shall not be limited to the amount shown.

There is included in the appropriation to this program for FY2009-10 \$31,500 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$31,500 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 78. AGENCY NO. 17 - DEPARTMENT OF AERONAUTICS
 Program No. 301 - Public Airports

	FY2009-10	FY2010-11
CASH FUND est.	27,245,000	18,135,000
PROGRAM TOTAL	27,245,000	18,135,000

Cash Fund expenditures shall not be limited to the amount shown.

There is included in the appropriation to this program for FY2009-10 \$27,245,000 Cash Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$18,135,000 Cash Funds estimate for state aid, which shall only be used for such purpose.

Sec. 79. AGENCY NO. 17 - DEPARTMENT OF AERONAUTICS
 Program No. 596 - State-Owned Aircraft

	FY2009-10	FY2010-11
CASH FUND est.	876,739	885,910
PROGRAM TOTAL	876,739	885,910

Cash Fund expenditures shall not be limited to the amount shown.

Sec. 80. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE

Program No. 27 - Departmental Administration

The unexpended program balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.

Sec. 81. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE

Program No. 56 - Weights and Measures

The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.

Sec. 82. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE

Program No. 57 - Bureau of Dairies and Foods

The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.

Sec. 83. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE

Program No. 61 - Agricultural Laboratories
 The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.
 Sec. 84. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
 Program No. 63 - Bureau of Animal Industry
 The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.
 Sec. 85. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
 Program No. 78 - Department of Agriculture

	FY2009-10	FY2010-11
GENERAL FUND	6,442,179	6,582,627
CASH FUND	6,989,065	7,079,977
FEDERAL FUND est.	2,774,498	2,821,676
REVOLVING FUND	519,490	553,664
PROGRAM TOTAL	16,725,232	17,037,944
SALARY LIMIT	7,340,427	7,519,850

There is included in the appropriation to this program for FY2009-10 \$60,000 General Funds and \$242,232 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$120,000 General Funds and \$242,232 Federal Funds estimate for state aid, which shall only be used for such purpose.

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

- No. 27 - Departmental Administration
- No. 56 - Weights and Measures
- No. 57 - Bureau of Dairies and Foods
- No. 61 - Agricultural Laboratories
- No. 63 - Bureau of Animal Industry
- No. 333 - Bureau of Plant Industry
- No. 382 - Potato Development
- No. 387 - Poultry and Egg Development, Utilization, and Marketing
- No. 564 - Agriculture Development

It is the intent of the Legislature that the Department of Agriculture, if necessary, utilize the system of fees currently established in law under the Commercial Dog and Cat Operator Inspection Act to generate additional cash fund revenue in order to maintain current program staffing and service levels for the Commercial Dog and Cat Operator Inspection program throughout the 2009-11 biennium.

Sec. 86. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
 Program No. 333 - Bureau of Plant Industry
 The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.
 Sec. 87. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
 Program No. 382 - Potato Development
 The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.
 Sec. 88. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
 Program No. 387 - Poultry and Egg Development, Utilization, and Marketing
 The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.
 Sec. 89. AGENCY NO. 18 - DEPARTMENT OF AGRICULTURE
 Program No. 564 - Agriculture Development
 The unexpended appropriation balances existing in this program on June 30, 2009, are hereby reappropriated to Program 78.
 Sec. 90. AGENCY NO. 19 - DEPARTMENT OF BANKING AND FINANCE
 Program No. 65 - Enforcement of Standards - Financial Institutions

	FY2009-10	FY2010-11
CASH FUND	5,184,671	5,191,579
PROGRAM TOTAL	5,184,671	5,191,579

SALARY LIMIT	3,171,546	3,278,492
Sec. 91. AGENCY NO. 19 - DEPARTMENT OF BANKING AND FINANCE		
Program No. 66 - Enforcement of Standards - Securities		

	FY2009-10	FY2010-11
CASH FUND	1,441,631	1,442,424
PROGRAM TOTAL	1,441,631	1,442,424
SALARY LIMIT	841,290	861,651
Sec. 92. AGENCY NO. 21 - STATE FIRE MARSHAL		
Program No. 193 - Public Protection		

	FY2009-10	FY2010-11
GENERAL FUND	3,197,135	3,286,831
CASH FUND	1,586,576	1,625,012
FEDERAL FUND est.	325,677	332,038
PROGRAM TOTAL	5,109,388	5,243,881
SALARY LIMIT	2,876,187	2,945,129

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 FY2009-10 \$50,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$50,000 Federal Funds estimate for state aid, which shall only be used for such purpose. 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.

There is included in the appropriation to this program for FY2009-10 \$20,000 Cash Funds for fireworks testing, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$20,000 Cash Funds for fireworks testing, which shall only be used for such purpose.

Sec. 93. AGENCY NO. 21 - STATE FIRE MARSHAL
Program No. 340 - Training Division

	FY2009-10	FY2010-11
GENERAL FUND	898,847	920,506
CASH FUND	22,636	22,702
PROGRAM TOTAL	921,483	943,208
SALARY LIMIT	438,368	449,233
Sec. 94. AGENCY NO. 21 - STATE FIRE MARSHAL		
Program No. 415 - Emergency Responders Act		

	FY2009-10	FY2010-11
GENERAL FUND	12,863	12,960
PROGRAM TOTAL	12,863	12,960
SALARY LIMIT	2,225	2,281
Sec. 95. AGENCY NO. 21 - STATE FIRE MARSHAL		
Program No. 845 - Nebraska Public Safety Communication System		

	FY2009-10	FY2010-11
GENERAL FUND	362,985	364,358

CASH FUND	79,680	79,981
PROGRAM TOTAL	442,665	444,339
SALARY LIMIT	-0-	-0-

There is included in the appropriation to this program for FY2009-10 a retainer fee of \$50,496 General Funds and \$11,084 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

There is included in the appropriation to this program for FY2010-11 a retainer fee of \$63,244 General Funds and \$13,883 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

There is included in the appropriation to this program for FY2009-10 \$64,974 General Funds and \$14,263 Cash Funds to enter into an ongoing seven-year master lease financing agreement through the Department of Administrative Services to make the initial six monthly payments for the acquisition of necessary radio equipment to connect to the Nebraska Public Safety Communication System, which shall only be used for such purpose. The master lease payments for radio equipment shall only be expended against budget subprogram 2 as a separate and distinct budget subprogram and shall not be commingled with any other expenses. The office of Chief Information Officer shall coordinate this master lease agreement with the accounting and budget divisions of the Department of Administrative Services and any other authorized state agencies.

There is included in the appropriation to this program for FY2010-11 \$64,974 General Funds and \$14,263 Cash Funds to enter into an ongoing seven-year master lease financing agreement through the Department of Administrative Services to make the initial six monthly payments for the acquisition of necessary radio equipment to connect to the Nebraska Public Safety Communication System, which shall only be used for such purpose. The master lease payments for radio equipment shall only be expended against budget subprogram 2 as a separate and distinct budget subprogram and shall not be commingled with any other expenses. The office of Chief Information Officer shall coordinate this master lease agreement with the accounting and budget divisions of the Department of Administrative Services and any other authorized state agencies.

There is included in the appropriation to this program for FY2009-10 \$52,689 General Funds and \$11,566 Cash Funds to enter into an ongoing three-year master lease financing agreement through the Department of Administrative Services to make the initial six monthly payments for the acquisition of necessary mobile laptop computer equipment to connect to the Nebraska Public Safety Communication System, which shall only be used for such purpose. The master lease payments for mobile laptop computer equipment shall only be expended against budget subprogram 3 as a separate and distinct budget subprogram and shall not be commingled with any other expenses. The office of Chief Information Officer shall coordinate this master lease agreement with the accounting and budget divisions of the Department of Administrative Services and any other authorized state agencies.

There is included in the appropriation to this program for FY2010-11 \$52,689 General Funds and \$11,566 Cash Funds to enter into an ongoing three-year master lease financing agreement through the Department of Administrative Services to make the initial six monthly payments for the acquisition of necessary mobile laptop computer equipment to connect to the Nebraska Public Safety Communication System, which shall only be used for such purpose. The master lease payments for mobile laptop computer equipment shall only be expended against budget subprogram 3 as a separate and distinct budget subprogram and shall not be commingled with any other expenses. The office of Chief Information Officer shall coordinate this master lease agreement with the accounting and budget divisions of the Department of Administrative Services and any other authorized state agencies.

All other State Fire Marshal costs of operating the Nebraska Public Safety Communication System shall only be expended against budget subprogram 4 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

Sec. 96. AGENCY NO. 22 - DEPARTMENT OF INSURANCE
Program No. 68 - Medical Professional Liability

	FY2009-10	FY2010-11
CASH FUND	203,616	203,616
PROGRAM TOTAL	203,616	203,616
SALARY LIMIT	48,253	49,458

Sec. 97. AGENCY NO. 22 - DEPARTMENT OF INSURANCE
Program No. 69 - Enforcement of Standards - Insurance

	FY2009-10	FY2010-11
CASH FUND	11,030,931	10,926,469
FEDERAL FUND est.	319,819	324,168
PROGRAM TOTAL	11,350,750	11,250,637
SALARY LIMIT	6,268,235	6,424,786

Sec. 98. AGENCY NO. 22 - DEPARTMENT OF INSURANCE
Program No. 556 - Liquidation of Insurance Companies

	FY2009-10	FY2010-11
CASH FUND	10,000	10,000
PROGRAM TOTAL	10,000	10,000

Sec. 99. AGENCY NO. 23 - DEPARTMENT OF LABOR
Program No. 31 - Division of Employment

	FY2009-10	FY2010-11
CASH FUND	605,000	605,000
FEDERAL FUND est.	46,233,326	43,459,582
PROGRAM TOTAL	46,838,326	44,064,582
SALARY LIMIT	19,904,270	20,334,068

The unexpended Cash Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$9,265,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$9,265,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

The unexpended balance of the \$27,599,516 in Federal Funds appropriated in FY2004-05 under section 903(d) of the federal Social Security Act, as amended, existing on June 30, 2009, is hereby reappropriated. The Department of Labor shall submit a schedule of proposed expenditures of the appropriation of section 903(d) funds made pursuant to this section for administrative purposes for fiscal years beginning on or after July 1, 2007, to the Legislature as a part of the regular budget submission process. All provisions of subsection (2) of section 48-621 except subdivision (2)(a)(i) shall apply to this appropriation of section 903(d) funds.

The appropriation set forth in this section includes an appropriation of \$3,116,126 out of the funds credited to the account of this state in the Unemployment Trust Fund by the United States Secretary of the Treasury pursuant to section 903(g) of the federal Social Security Act, as amended, to be used solely for the administration of the unemployment compensation program as authorized under section 903(g) of the federal Social Security Act, as amended.

It is the intent of the Legislature that local Workforce Investment Boards direct not less than seventy percent of funds received from the American Recovery and Reinvestment Act of 2009 for adult training and

employment activities, including supportive services and needs-related payments, and for dislocated worker employment and training activities, to support access to training and training-related supportive services, including but not limited to, tuition for credit-bearing courses, and costs related to adult basic education programs and certificate programs.

Sec. 100. AGENCY NO. 23 - DEPARTMENT OF LABOR
 Program No. 194 - Division for Protection of People and Property

	FY2009-10	FY2010-11
GENERAL FUND	567,044	582,247
CASH FUND	1,337,994	1,375,032
FEDERAL FUND est.	635,690	656,372
PROGRAM TOTAL	2,540,728	2,613,651
SALARY LIMIT	1,654,111	1,693,597

Sec. 101. AGENCY NO. 24 - DEPARTMENT OF MOTOR VEHICLES
 Program No. 70 - Enforcement of Standards - Motor Vehicles/Motor Vehicle Drivers

	FY2009-10	FY2010-11
CASH FUND	19,101,000	17,955,000
PROGRAM TOTAL	19,101,000	17,955,000
SALARY LIMIT	7,518,702	7,718,804

There is included in the appropriation to this program for FY2009-10 a retainer fee of \$465,292 Cash Funds and for FY2010-11 a retainer fee of \$465,292 Cash Funds which shall be billed and paid in equal monthly installments to the Intergovernmental Data Services Program Revolving Fund for county automation expenses in lieu of standard central processing unit charges, which shall only be used for such purpose. These retainer fee amounts shall not include pass-through charges for leased computers and printers, software maintenance costs, or county data conversion or interface costs. The annual retainer fee for both FY2009-10 and FY2010-11 shall be paid prior to the end of each respective fiscal year.

Sec. 102. AGENCY NO. 24 - DEPARTMENT OF MOTOR VEHICLES
 Program No. 90 - Motor Vehicle License Plates

	FY2009-10	FY2010-11
CASH FUND est.	5,922,284	7,948,304
PROGRAM TOTAL	5,922,284	7,948,304

Cash Fund expenditures shall not be limited to the amounts shown.

Sec. 103. AGENCY NO. 24 - DEPARTMENT OF MOTOR VEHICLES
 Program No. 644 - Highway Safety

	FY2009-10	FY2010-11
CASH FUND	334,054	343,741
FEDERAL FUND est.	2,661,667	2,677,879
PROGRAM TOTAL	2,995,721	3,021,620
SALARY LIMIT	404,010	413,648

There is included in the appropriation to this program for FY2009-10 \$160,000 Cash Funds and \$1,907,898 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$160,000 Cash Funds and \$1,907,898 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 104. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 30 - Tobacco Prevention and Control

	FY2009-10	FY2010-11
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CASH FUND	3,006,000	3,006,000
FEDERAL FUND est.	9,000	9,000
PROGRAM TOTAL	3,015,000	3,015,000

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$3,006,000 Cash Funds for tobacco use prevention and control from the Tobacco Prevention and Control Cash Fund. There is included in the appropriation to this program for FY2010-11 \$3,006,000 Cash Funds for tobacco use prevention and control from the Tobacco Prevention and Control Cash Fund.

Sec. 105. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 32 - Medicaid Prescription Drug Act Administration

	FY2009-10	FY2010-11
GENERAL FUND	1,262,256	1,270,541
FEDERAL FUND est.	1,262,256	1,270,541
PROGRAM TOTAL	2,524,512	2,541,082
SALARY LIMIT	338,250	346,698

Sec. 106. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 33 - Administration

	FY2009-10	FY2010-11
GENERAL FUND	102,527,138	103,171,754
CASH FUND	21,304,782	21,716,885
FEDERAL FUND est.	190,135,313	191,149,632
PROGRAM TOTAL	313,967,233	316,038,271
SALARY LIMIT	130,426,818	133,759,495

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

- No. 261 - General Operations
- No. 262 - Public Health Administration
- No. 263 - Medicaid and Long-Term Care Administration
- No. 264 - Children and Family Services Administration
- No. 265 - Protection and Safety
- No. 266 - Economic and Family Support
- No. 267 - Developmental Disabilities Service Coordination
- No. 268 - Behavioral Health Administration
- No. 269 - Developmental Disabilities Administration

There is included in the appropriation to this program for FY2009-10 \$13,688 Cash Funds for regulatory support for emergency medical technicians-intermediate and emergency medical technicians-paramedic licensing from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$13,688 Cash Funds for regulatory support for emergency medical technicians-intermediate and emergency medical technicians-paramedic licensing from the Nebraska Health Care Cash Fund.

There is included in the appropriation to this program for FY2009-10 \$26,000 Cash Funds from the Nebraska Health Care Cash Fund to continue the Parkinson's Disease Registry. There is included in the appropriation to this program for FY2010-11 \$26,000 Cash Funds from the Nebraska Health Care Cash Fund to continue the Parkinson's Disease Registry.

There is included in the appropriation to this program \$404,643 Cash Funds for FY2009-10 and \$404,643 Cash Funds for FY2010-11 from the Nebraska Health Care Cash Fund for respite services in each of the service areas designated by the Department of Health and Human Services and for administrative costs, including personnel costs, associated with the Nebraska Lifespan Respite Services Program.

There is included in the appropriation to this program for FY2009-10 \$25,000 Cash Funds from the Nebraska Health Care Cash Fund for compulsive

gamblers assistance programs. There is included in the appropriation to this program for FY2010-11 \$25,000 Cash Funds from the Nebraska Health Care Cash Fund for compulsive gamblers assistance programs.

There is included in the appropriation to this program for FY2009-10 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for costs relating to the implementation of smoking cessation covered by medicaid. There is included in the appropriation to this program for FY2010-11 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for costs relating to the implementation of smoking cessation covered by medicaid.

There is included in the appropriation to this program for FY2009-10 \$150,000 General Funds to contract for a rate methodology study for developmental disability services, which shall only be used for such purpose.

Sec. 107. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 38 - Behavioral Health Aid

	FY2009-10	FY2010-11
GENERAL FUND	74,091,067	75,428,898
CASH FUND	14,582,280	14,582,280
FEDERAL FUND est.	10,504,971	10,504,971
PROGRAM TOTAL	99,178,318	100,516,149

There is included in the appropriation to this program for FY2009-10 \$74,091,067 General Funds, \$14,582,280 Cash Funds, and \$10,504,971 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$75,428,898 General Funds, \$14,582,280 Cash Funds, and \$10,504,971 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 \$1,318,061 General Funds for FY2009-10 and \$2,655,892 General Funds for FY2010-11 for an annual one and one-half 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 Cash Fund aid in this program \$6,500,000 Cash Funds for FY2009-10 and \$6,500,000 Cash Funds for FY2010-11 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 FY2009-10 and \$2,599,660 Cash Funds for FY2010-11 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 FY2009-10 and \$1,500,000 Cash Funds for FY2010-11 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 FY2009-10 and \$225,000 Cash Funds for FY2010-11 from the Nebraska Health Care Cash Fund to be used for compulsive gamblers assistance programs.

Sec. 108. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 175 - Rural Health Provider Incentive Program

	FY2009-10	FY2010-11
GENERAL FUND	362,068	362,068
CASH FUND	1,544,016	1,544,016
PROGRAM TOTAL	1,906,084	1,906,084

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$362,068 General Funds and \$1,544,016 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this

program for FY2010-11 \$362,068 General Funds and \$1,544,016 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 109. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 176 - Nursing Incentives

	FY2009-10	FY2010-11
CASH FUND	20,000	20,000
PROGRAM TOTAL	20,000	20,000

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$20,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$20,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 110. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 178 - Professional Licensure

	FY2009-10	FY2010-11
GENERAL FUND	73,414	75,409
CASH FUND	5,053,144	5,150,718
PROGRAM TOTAL	5,126,558	5,226,127
SALARY LIMIT	2,286,387	2,342,910

Sec. 111. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 179 - Public Health

	FY2009-10	FY2010-11
GENERAL FUND	1,096,116	1,114,067
CASH FUND	675,288	685,546
FEDERAL FUND est.	13,214,602	13,442,798
PROGRAM TOTAL	14,986,006	15,242,411
SALARY LIMIT	5,779,202	5,923,324

There is included in the appropriation to this program for FY2009-10 \$220,000 Cash Funds to operate a satellite office of minority health in the second and third congressional districts to coordinate and administer state policy relating to minority health from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$220,000 Cash Funds to operate a satellite office of minority health in the second and third congressional districts to coordinate and administer state policy relating to minority health from the Nebraska Health Care Cash Fund.

There is included in the appropriation to this program for FY2009-10 \$100,000 Cash Funds for staff and operating expenses for public health from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$100,000 Cash Funds for staff and operating expenses for public health from the Nebraska Health Care Cash Fund.

Sec. 112. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 250 - Juvenile Services Operations

	FY2009-10	FY2010-11
GENERAL FUND	24,221,096	25,034,130
CASH FUND	1,082,964	1,082,964
FEDERAL FUND est.	751,988	752,493
PROGRAM TOTAL	26,056,048	26,869,587
SALARY LIMIT	10,389,230	10,694,518

The Department of Administrative Services shall monitor the

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

- No. 315 - Office of Juvenile Services
- No. 345 - Juvenile Community-Based Services
- No. 364 - Juvenile Parole Administration
- No. 371 - Youth Rehabilitation and Treatment Center-Geneva
- No. 374 - Youth Rehabilitation and Treatment Center-Kearney

There is included in the appropriation to this program for FY2009-10 \$1,000,000 Cash Funds for mental health services to juvenile offenders under section 43-407 from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$1,000,000 Cash Funds for mental health services to juvenile offenders under section 43-407 from the Nebraska Health Care Cash Fund.

Sec. 113. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 344 - Children's Health Insurance

	FY2009-10	FY2010-11
GENERAL FUND	8,237,592	8,667,347
CASH FUND	5,000,000	5,000,000
FEDERAL FUND est.	35,096,231	36,044,236
PROGRAM TOTAL	48,333,823	49,711,583

There is included in the appropriation to this program for FY2009-10 \$8,237,592 General Funds, \$5,000,000 Cash Funds, and \$35,096,231 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$8,667,347 General Funds, \$5,000,000 Cash Funds, and \$36,044,236 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$5,000,000 Cash Funds for state aid from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$5,000,000 Cash Funds for state aid from the Nebraska Health Care Cash Fund.

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

Sec. 114. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 347 - Public Assistance

	FY2009-10	FY2010-11
GENERAL FUND	236,141,182	248,179,818
CASH FUND	6,044,444	6,044,444
FEDERAL FUND est.	129,137,928	124,568,759
PROGRAM TOTAL	371,323,554	378,793,021

Notwithstanding other provisions of this act, the unexpended General Fund and Federal Fund estimate appropriation balances for Program 39 - Protection and Safety of Children existing on June 30, 2009, are hereby reappropriated to this program.

Notwithstanding other provisions of this act, the unexpended General Fund appropriation balance for Program 316 - Predisposition Detention existing on June 30, 2009, is hereby reappropriated to this program.

There is included in the appropriation to this program for FY2009-10 \$236,141,182 General Funds, \$6,044,444 Cash Funds, and \$129,137,928 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$248,179,818 General Funds, \$6,044,444 Cash Funds, and \$124,568,759 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to aid in carrying out the Nebraska Lifespan Respite Services Program and to provide payment to caregivers to purchase services under the respite subsidy program. There is included in the appropriation to this program for FY2010-11 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to aid in carrying out the Nebraska Lifespan Respite Services Program and to provide payment to caregivers to purchase services under the respite subsidy

program.

There is included in the appropriation to this program for FY2009-10 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund for state aid for the continuation of the behavioral health provider rate increase. There is included in the appropriation to this program for FY2010-11 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund for state aid for the continuation of the behavioral health provider rate increase.

There is included in the Federal Fund estimate \$7,000,000 for FY2009-10 and \$3,200,000 for FY2010-11, to be received as authorized by ARRA, for Title 8, Child Care.

There is included in the Federal Fund estimate \$956,235 for FY2009-10 and \$518,412 for FY2010-11, to be received as authorized by ARRA, for Title 5, Adoption Assistance.

There is included in the Federal Fund estimate \$671,479 for FY2009-10 and \$314,136 for FY2010-11, to be received as authorized by ARRA, for Title 5, Foster Care.

Sec. 115. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 348 - Medical Assistance

	FY2009-10	FY2010-11
GENERAL FUND	453,901,728	539,841,361
CASH FUND	23,144,586	23,144,586
FEDERAL FUND est.	1,134,179,079	1,110,855,790
PROGRAM TOTAL	1,611,225,393	1,673,841,737

There is included in the appropriation to this program for FY2009-10 \$453,901,728 General Funds, \$23,144,586 Cash Funds, and \$1,134,179,079 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$539,841,361 General Funds, \$23,144,586 Cash Funds, and \$1,110,855,790 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$4,765,896 Cash Funds for state aid for the continuation of the behavioral health provider rate increase and behavioral health provider rate increase for managed care, inpatient services, and residential treatment services provided with funds from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$4,765,896 Cash Funds for state aid for the continuation of the behavioral health provider rate increase and behavioral health provider rate increase for managed care, inpatient services, and residential treatment services provided with funds from the Nebraska Health Care Cash Fund.

There is included in the appropriation to this program for FY2009-10 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund and \$893,684 Federal Funds estimate for a state plan amendment covering tobacco-use cessation in compliance with Title XIX of the federal Social Security Act. There is included in the appropriation to this program for FY2010-11 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund and \$788,304 Federal Funds estimate for a state plan amendment covering tobacco-use cessation in compliance with Title XIX of the federal Social Security Act. The smoking cessation funding for FY2009-10 and FY2010-11 is for the costs of tobacco-use cessation counseling and tobacco-use cessation pharmaceuticals approved by the federal Food and Drug Administration for such purpose.

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

There is included in the Federal Fund estimate \$97,376,177 for FY2009-10 and \$63,082,483 for FY2010-11, to be received as authorized by ARRA, for Title 5, Federal Medicaid Assistance Participation rate (FMAP).

There is included in the Federal Fund estimate \$31,000,000 for FY2009-10 to be received as authorized by ARRA, for Title 5, Federal Medicaid Assistance Participation rate First Tier Unemployment Factor.

Sec. 116. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 350 - Child Abuse Prevention

	FY2009-10	FY2010-11
CASH FUND	250,000	250,000

PROGRAM TOTAL 250,000 250,000

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$248,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$248,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 117. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 365 - Mental Health Operations

	FY2009-10	FY2010-11
GENERAL FUND	34,496,260	35,583,007
CASH FUND	5,110,828	4,267,985
FEDERAL FUND est.	5,298,668	5,346,962
PROGRAM TOTAL	44,905,756	45,197,954
SALARY LIMIT	25,866,006	25,515,171

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

- No. 361 - Hastings Regional Center
- No. 363 - Lincoln Regional Center
- No. 379 - Evaluation and Screening - Community-Based Residential Services

Sec. 118. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 421 - Beatrice State Developmental Center

	FY2009-10	FY2010-11
GENERAL FUND	26,961,685	25,082,959
CASH FUND	4,161,368	2,711,482
FEDERAL FUND est.	29,715,113	24,477,558
PROGRAM TOTAL	60,838,166	52,271,999
SALARY LIMIT	36,979,592	37,608,234

It is the intent of the Legislature that the Department of Health and Human Services shall provide a quarterly report to the Developmental Disabilities Special Investigative Committee, the Appropriations Committee, and the Health and Human Services Committee of the Legislature regarding the usage of \$32,000,000 of General Funds appropriated to address the Department of Justice Compliance Agreement and the Beatrice State Developmental Center Action Plan. The initial quarterly report shall be submitted within two weeks after the quarter ending on June 30, 2009. Subsequent reports shall be submitted for the ensuing quarters, within two weeks after the end of each quarter, for FY2009-10 and FY2010-11.

The reports shall indicate expenditures incurred in each quarter for the interim management team and the permanent management team, as well as the independent expert and Department of Justice Coordinator. Expenditures for temporary medical/clinical staff, newly hired permanent medical/clinical staff, and additional costs for nurses, direct care staff, and shift supervisors shall be reported. The number of newly hired staff and the job titles of such staff shall also be reported. Contractual expenditures for medical services shall be reported based upon the category of care. Expenditures for clinical assessments of persons at the Beatrice State Developmental Center, training, and the expansion of the Outreach Treatment and Intensive Services Program shall be reported.

The reports shall detail transition expenditures by individual for each person transferred from the Beatrice State Developmental Center to another setting to receive services. The setting to which each person is transferred is also to be identified. The expenditures for the cost of care of persons transferred from the Beatrice State Developmental Center to other settings shall be reported by budget program and fund source.

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 FY2009-10 and FY2010-11 unexpended appropriation balances for the Beatrice State Developmental Center, Program 421, which are available to transition and maintain persons transferred from the Beatrice State Developmental Center to community-based developmental disability or other services. The budget administrator of the budget division of the Department of Administrative Services shall administratively transfer during FY2009-10 and FY2010-11 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.

Sec. 119. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program No. 422 - Beatrice State Developmental Center Contingency

Fund

	FY2009-10	FY2010-11
GENERAL FUND	25,000,000	24,477,558
PROGRAM TOTAL	25,000,000	24,477,558

There is included in the appropriation to this program for FY2009-10 \$25,000,000 General Funds and for FY2010-11 \$24,477,558 General Funds to be used solely to supplant federal funds lost due to federal action to decertify the participation of the Beatrice State Developmental Center in the medical assistance program.

No expenditures shall be made from this program. The chief executive officer of the Department of Health and Human Services, or his or her designee, shall certify to the budget administrator of the budget division of the Department of Administrative Services for FY2009-10 and FY2010-11 the amounts necessary to supplant federal funds not available to operate the Beatrice State Developmental Center due to federal decertification of the Beatrice State Developmental Center from participation in the medical assistance program. The budget administrator shall administratively transfer during FY2009-10 and FY2010-11 available appropriation balances as certified by the chief executive officer of the Department of Health and Human Services, or his or her designee, from appropriations contained in this section to the Beatrice State Developmental Center, Program 421.

Sec. 120. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program No. 424 - Developmental Disability Aid

	FY2009-10	FY2010-11
GENERAL FUND	83,769,149	91,708,053
CASH FUND	6,112,000	6,112,000
PROGRAM TOTAL	89,881,149	97,820,053

There is included in the appropriation to this program for FY2009-10 \$83,769,149 General Funds and \$6,112,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$91,708,053 General Funds and \$6,112,000 Cash Funds 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 for FY2009-10 \$1,844,913 General Funds and for FY2010-11 \$3,735,949 General Funds for an annual two and one-half percent increase in rates paid to providers of developmental disability services, which funds shall only be used for such purpose.

There is included in the amount shown as Cash Fund aid in this program for FY2009-10 \$5,000,000 Cash Funds and for FY2010-11 \$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, 2009, beginning with those who have been on the waiting list for the greatest length of time past their date of need.

There is included in the appropriation to this program for FY2009-10 a total of \$5,197,920 General Funds to be used for services for persons with developmental disabilities who are on the waiting list for such services beginning with those who have been on the waiting list for the greatest length of time past their date of need. Two-thirds of such funds, or \$3,467,013

General Funds, shall be provided for services to persons waiting the longest past their date of need. One-third of such funds, or \$1,730,907 General Funds, shall be provided to persons waiting the longest for services past their date of need who opt for supported services.

There is included in the appropriation to this program for FY2010-11 a total of \$10,525,788 General Funds to be used for services for persons with developmental disabilities who are on the waiting list for such services beginning with those who have been on the waiting list for the greatest length of time past their date of need. Two-thirds of such funds, or \$7,020,700 General Funds, shall be provided for services to persons waiting the longest past their date of need. One-third of such funds, or \$3,505,088 General Funds, shall be provided to persons waiting the longest for services past their date of need who opt for supported services.

It is the intent of the Legislature that the Department of Health and Human Services shall provide a quarterly report to the Legislature regarding the usage of General Funds and Federal Funds for the waiting list. The initial quarterly report shall be submitted within two weeks after the quarter ending on September 30, 2009. Subsequent reports shall be submitted for the ensuing quarters, within two weeks after the end of each quarter, for FY2009-10 and FY2010-11. The reports shall include, but not be limited to, the number of persons offered services, the type of service offered and the cost of such services, the number of persons accepting services, the services accepted, the cost of each type of service accepted in each fiscal year, and ongoing annual expenditures for such services.

Sec. 121. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 502 - Public Health Aid

	FY2009-10	FY2010-11
GENERAL FUND	3,806,575	3,990,874
CASH FUND	8,580,000	8,580,000
PROGRAM TOTAL	12,386,575	12,570,874

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$3,806,575 General Funds and \$8,580,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$3,990,874 General Funds and \$8,580,000 Cash Funds for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$1,850,875 General Funds and for FY2010-11 \$1,877,138 General Funds, for state aid, for the six community health centers funded through Federal Program 330, Public Law 104-299, the Health Centers Consolidation Act of 1996. Each center is to receive a base amount of \$100,000 with the balance of the funding to be distributed proportionally based on the previous fiscal year's percent of uninsured clients as reported on the Uniform Data System Report provided to the United States Department of Health and Human Services Bureau of Primary Health Care to Charles Drew Health Center, One World Community Health Center, Good Neighbor Community Health Center, Panhandle Community Health Center, and People's Health Center.

There is included in the appropriation to this program for FY2009-10 \$1,911,000 General Funds and \$5,600,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid for public health departments. There is included in the appropriation to this program for FY2010-11 \$2,023,665 General Funds and \$5,600,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid for public health departments.

There is included in the appropriation to this program for FY2009-10 \$23,700 General Funds and \$1,580,000 Cash Funds for state aid from the Nebraska Health Care Cash Fund for minority public health services in counties having a minority population equal to or exceeding five percent of the total population of the county in the first and third congressional districts as determined by the most recent federal decennial census. There is included in the appropriation to this program for FY2010-11 \$47,755 General Funds and \$1,580,000 Cash Funds for state aid from the Nebraska Health Care Cash Fund for minority public health services in counties having a minority population equal to or exceeding five percent of the total population of the county in the first and third congressional districts as determined by the most recent federal decennial census. The Department of Health and Human Services shall distribute the funds on a per capita basis for the purpose of implementing

a minority health initiative which may target, but shall not be limited to, infant mortality, cardiovascular disease, obesity, diabetes, and asthma.

There is included in the appropriation to this program for FY2009-10 \$21,000 General Funds and \$1,400,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to be distributed equally among federally qualified health centers in a congressional district with a minority population of greater than seventy-five thousand inhabitants. There is included in the appropriation to this program for FY2010-11 \$42,315 General Funds and \$1,400,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to be distributed equally among federally qualified health centers in a congressional district with a minority population of greater than seventy-five thousand inhabitants. Such funds shall be used for the purpose of implementing a minority health initiative which may target, but shall not be limited to, infant mortality, cardiovascular disease, obesity, diabetes, and asthma.

Sec. 122. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 514 - Health Aid

	FY2009-10	FY2010-11
GENERAL FUND	4,786,648	4,849,448
CASH FUND	10,555,484	11,295,817
FEDERAL FUND est.	35,381,001	36,011,715
PROGRAM TOTAL	50,723,133	52,156,980

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$4,786,648 General Funds, \$10,555,484 Cash Funds, and \$35,381,001 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$4,849,448 General Funds, \$11,295,817 Cash Funds, and \$36,011,715 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program \$650,507 General Funds for FY2009-10 and \$660,264 General Funds for FY2010-11, 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, gonorrhea, 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. 123. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 519 - Nebraska Veterans' Homes

	FY2009-10	FY2010-11
GENERAL FUND	26,561,231	27,995,258
CASH FUND	15,518,482	15,518,482
FEDERAL FUND est.	11,824,698	11,824,698
PROGRAM TOTAL	53,904,411	55,338,438
SALARY LIMIT	28,542,488	29,066,728

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

- No. 510 - Veterans' Home System Administration
- No. 519 - Grand Island Veterans' Home
- No. 520 - Norfolk Veterans' Home
- No. 521 - Western Nebraska Veterans' Home
- No. 522 - Eastern Nebraska Veterans' Home

Sec. 124. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 559 - Care Management

	FY2009-10	FY2010-11
GENERAL FUND	2,023,239	2,053,190
PROGRAM TOTAL	2,023,239	2,053,190

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$2,023,239 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,053,190 General Funds for state aid, which shall only be used for such purpose.

Sec. 125. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 571 - Community-Based Aging Services

	FY2009-10	FY2010-11
GENERAL FUND	5,895,569	6,072,435
FEDERAL FUND est.	9,329,303	9,469,241
PROGRAM TOTAL	15,224,872	15,541,676

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$5,895,569 General Funds and \$9,329,303 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$6,072,435 General Funds and \$9,469,241 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 126. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 621 - Stem Cell Research

	FY2009-10	FY2010-11
CASH FUND	500,000	500,000
PROGRAM TOTAL	500,000	500,000

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$485,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$485,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 127. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 622 - Cancer Research

	FY2009-10	FY2010-11
CASH FUND	3,889,348	3,892,010
PROGRAM TOTAL	3,889,348	3,892,010
SALARY LIMIT	84,561	86,673

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 an estimated \$3,464,330 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 an estimated \$3,464,330 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 128. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 623 - Biomedical Research

	FY2009-10	FY2010-11
CASH FUND	14,000,000	14,000,000

PROGRAM TOTAL 14,000,000 14,000,000

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program \$14,000,000 Cash Funds for FY2009-10 for state aid, which shall only be used for such purpose. There is included in the appropriation to this program \$14,000,000 Cash Funds for FY2010-11 for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$14,000,000 Cash Funds for state aid for biomedical research from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2010-11 \$14,000,000 Cash Funds for state aid for biomedical research from the Nebraska Health Care Cash Fund. At least \$700,000 of such appropriated funds shall be used annually for research to improve racial and ethnic minority health. Twenty-four percent of the appropriated funds shall be distributed annually to the University of Nebraska, sixteen percent for contracts with other postsecondary educational institutions having colleges of medicine in Nebraska and their affiliated research hospitals in Nebraska, and sixty percent to the University of Nebraska and for contracts with other postsecondary educational institutions having colleges of medicine in Nebraska and their affiliated research hospitals in Nebraska based on the percentage of all funds expended by such institutions from the National Institutes of Health of the United States Department of Health and Human Services in the prior year as contained in a certified report of such expenditures to the Department of Health and Human Services from such institutions, excluding any such funds expended for research involving the use of human fetal tissue obtained in connection with the performance of an induced abortion or involving the use of human embryonic stem cells. Each recipient of funds under this section shall report annually to the Legislature and to the Governor regarding the use of such funds received.

Sec. 129. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
 Program No. 870 - Norfolk Sex Offender Treatment

	FY2009-10	FY2010-11
GENERAL FUND	14,692,897	14,821,522
CASH FUND	42,456	42,456
PROGRAM TOTAL	14,735,353	14,863,978
SALARY LIMIT	8,605,651	8,502,221

Sec. 130. AGENCY NO. 27 - DEPARTMENT OF ROADS

Total expenditures by the Department of Roads for permanent and temporary salaries and per diems shall not exceed \$102,195,170 for FY2009-10. Total expenditures by the Department of Roads for permanent and temporary salaries and per diems shall not exceed \$104,766,272 for FY2010-11.

There is hereby appropriated for FY2009-10 \$368,000,000 from the Highway Cash Fund to the Roads Operations Cash Fund, which fund is hereby appropriated. There is included in the amount appropriated from the Highway Cash Fund to the Roads Operations Cash Fund for FY2009-10 \$3,024,088 for assistance to the local transit authorities program and intercity bus system assistance.

There is hereby appropriated for FY2010-11 \$370,000,000 from the Highway Cash Fund to the Roads Operations Cash Fund, which fund is hereby appropriated. There is included in the amount appropriated from the Highway Cash Fund to the Roads Operations Cash Fund for FY2010-11 \$3,024,088 for assistance to the local transit authorities program and intercity bus system assistance.

Sec. 131. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 113 - Branch Rail Revitalization

	FY2009-10	FY2010-11
GENERAL FUND	2,610	2,610
PROGRAM TOTAL	2,610	2,610

Sec. 132. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 185 - Rail Line Assistance

	FY2009-10	FY2010-11
REVOLVING FUND	2,850,806	-0-
PROGRAM TOTAL	2,850,806	-0-

There is included in the appropriation to this program for FY2009-10 \$2,850,806 Revolving Funds for state aid, which shall only be used for such purpose.

Sec. 133. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 305 - Assistance to Local Transit Authorities

	FY2009-10	FY2010-11
CASH FUND	3,024,088	3,024,088
PROGRAM TOTAL	3,024,088	3,024,088

There is included in the appropriation to this program for FY2009-10 \$3,024,088 Cash Funds for state aid, which shall only be used for such purpose. There is included within state aid for FY2009-10 \$100,188 Cash Funds for intercity bus system assistance and \$2,923,900 Cash Funds for the public transportation assistance program.

There is included in the appropriation to this program for FY2010-11 \$3,024,088 Cash Funds for state aid, which shall only be used for such purpose. There is included within state aid for FY2010-11 \$100,188 Cash Funds for intercity bus system assistance and \$2,923,900 Cash Funds for the public transportation assistance program.

Sec. 134. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 568 - Highway Administration

	FY2009-10	FY2010-11
CASH FUND est.	19,500,000	19,900,000
PROGRAM TOTAL	19,500,000	19,900,000

Cash Fund expenditures shall not be limited to the amount shown.

Sec. 135. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 569 - Construction

	FY2009-10	FY2010-11
CASH FUND est.	494,234,915	491,834,915
PROGRAM TOTAL	494,234,915	491,834,915

Cash Fund expenditures shall not be limited to the amount shown.

It is the intent of the Legislature that the Department of Roads shall apply for and make maximum use of available federal funding, including discretionary funding, on all highway construction projects which are eligible for such assistance.

Sec. 136. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 572 - Services and Supports

	FY2009-10	FY2010-11
CASH FUND est.	8,000,000	8,000,000
PROGRAM TOTAL	8,000,000	8,000,000

Cash Fund expenditures shall not be limited to the amount shown.

There is included in the appropriation to this program for FY2009-10 a retainer fee of \$41,053 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

There is included in the appropriation to this program for FY2010-11 a retainer fee of \$71,986 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The

retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

Sec. 137. AGENCY NO. 27 - DEPARTMENT OF ROADS
 Program No. 574 - Maintenance

	FY2009-10	FY2010-11
CASH FUND est.	135,000,000	139,000,000
PROGRAM TOTAL	135,000,000	139,000,000

Cash Fund expenditures shall not be limited to the amount shown.

Sec. 138. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS
 Program No. 36 - Departmental Administration

	FY2009-10	FY2010-11
GENERAL FUND	917,541	917,516
PROGRAM TOTAL	917,541	917,516
SALARY LIMIT	563,588	559,332

Sec. 139. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS
 Program No. 37 - Veterans' Cemeteries

	FY2009-10	FY2010-11
GENERAL FUND	41,852	280,939
PROGRAM TOTAL	41,852	280,939
SALARY LIMIT	84,134	125,050

Sec. 140. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 303 - State Aid - Small Watersheds

	FY2009-10	FY2010-11
CASH FUND	500,000	500,000
PROGRAM TOTAL	500,000	500,000

There is included in the appropriation to this program for FY2009-10 \$500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$500,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 141. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 304 - Nebraska Soil and Water Conservation Fund

	FY2009-10	FY2010-11
GENERAL FUND	2,489,835	2,489,835
CASH FUND	405,000	405,000
PROGRAM TOTAL	2,894,835	2,894,835

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$2,489,835 General Funds, any reappropriated amounts, and \$405,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,489,835 General Funds, any reappropriated amounts, and \$405,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 142. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 306 - Water Well Decommissioning

	FY2009-10	FY2010-11
CASH FUND	240,840	240,840
PROGRAM TOTAL	240,840	240,840

The unexpended Cash Fund appropriation balance existing on June 30,

2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$240,840 Cash Funds, plus any reappropriated amounts, for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$240,840 Cash Funds, plus any reappropriated amounts, for state aid, which shall only be used for such purpose.

Sec. 143. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 307 - Nebraska Resources Development Fund

	FY2009-10	FY2010-11
GENERAL FUND	3,373,066	3,373,066
CASH FUND	50,000	50,000
PROGRAM TOTAL	3,423,066	3,423,066

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$3,373,066 General Funds, any reappropriated amounts, and \$50,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$3,373,066 General Funds and \$50,000 Cash Funds for state aid, which shall only be used for such purpose.

The appropriation to this program for state aid shall first be utilized for projects which have been allocated funds but for which only a portion of the allocation has been actually obligated. The total amount of funds allocated for projects less the amounts obligated for such projects shall not exceed \$18,500,000. The definitions of the terms allocated and obligated shall be based on the terminology utilized by the Department of Natural Resources in the Nebraska Resources Development Fund Status Report.

Sec. 144. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 309 - Natural Resources Water Quality Fund

	FY2009-10	FY2010-11
CASH FUND	1,250,000	1,250,000
PROGRAM TOTAL	1,250,000	1,250,000

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$1,250,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,250,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 145. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 311 - Interrelated Water Management Plan Program

	FY2009-10	FY2010-11
GENERAL FUND	2,312,854	2,312,854
PROGRAM TOTAL	2,312,854	2,312,854

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$2,312,854 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,312,854 General Funds for state aid, which shall only be used for such purpose.

Sec. 146. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES
 Program No. 334 - Soil and Water Conservation

	FY2009-10	FY2010-11
GENERAL FUND	9,716,126	9,994,000
CASH FUND	3,498,250	3,498,250
FEDERAL FUND est.	503,214	503,214

PROGRAM TOTAL	13,717,590	13,995,464
SALARY LIMIT	6,160,414	6,299,301

There is included in the appropriation to this program for FY2009-10 \$3,000,000 Cash Funds and \$72,327 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$3,000,000 Cash Funds and \$72,327 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is hereby reappropriated an amount certified by the agency to the budget administrator of the budget division of the Department of Administrative Services of the unexpended General and Cash Fund appropriation balances existing on June 30, 2009, that are allocated in budget subprograms 19, 20, and 21 of Program 334.

It is the intent of the Legislature that the Department of Natural Resources (1) examine the use of consultants to carry out integrated water management projects and studies and (2) hire additional staff when cost-benefit analysis indicates that it is feasible to decrease the reliance upon consulting services used to carry out long-term integrated water management projects and studies.

Sec. 147. AGENCY NO. 30 - STATE ELECTRICAL BOARD
 Program No. 197 - Public Protection

	FY2009-10	FY2010-11
CASH FUND	1,617,199	1,667,929
PROGRAM TOTAL	1,617,199	1,667,929
SALARY LIMIT	854,513	875,602

Sec. 148. AGENCY NO. 31 - MILITARY DEPARTMENT
 Program No. 192 - Governor's Emergency Aid

	FY2009-10	FY2010-11
GENERAL FUND	1,000,000	1,000,000
FEDERAL FUND est.	4,500,000	4,500,000
PROGRAM TOTAL	5,500,000	5,500,000

There is no salary limitation for this program.

The unexpended General Fund and Cash Fund appropriation balances existing on June 30, 2009, are hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$1,000,000 General Funds, \$4,500,000 Federal Funds estimate, plus any reappropriated amount, for state aid. There is included in the appropriation to this program for FY2010-11 \$1,000,000 General Funds and \$4,500,000 Federal Funds estimate for state aid.

Expenditures from this program shall not be restricted to state aid if other expenditures are necessary to fulfill the goals of the Governor's Emergency Aid Program.

Sec. 149. AGENCY NO. 31 - MILITARY DEPARTMENT
 Program No. 544 - National and State Guard

	FY2009-10	FY2010-11
GENERAL FUND	2,893,967	2,901,629
CASH FUND	456,586	456,586
FEDERAL FUND est.	10,489,803	10,685,157
PROGRAM TOTAL	13,840,356	14,043,372
SALARY LIMIT	4,939,935	5,019,309

There is included in the appropriation to this program for FY2009-10 \$390,464 General Funds to provide the state match for the Air National Guard Facilities, Operations and Maintenance Agreement (FOMA), which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$396,565 General Funds to provide the state match for the Air National Guard Facilities, Operations and Maintenance Agreement (FOMA), which shall only be used for such purpose.

Sec. 150. AGENCY NO. 31 - MILITARY DEPARTMENT
 Program No. 545 - Emergency Management

	FY2009-10	FY2010-11
GENERAL FUND	967,337	988,992
CASH FUND est.	506,854	514,064
FEDERAL FUND est.	3,123,389	3,172,904
PROGRAM TOTAL	4,597,580	4,675,960
SALARY LIMIT	1,638,731	1,677,347

Cash Fund expenditures shall not be limited to the amounts shown.

There is included in the appropriation to this program for FY2009-10 \$1,570,604 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,570,604 Federal Funds estimate for state aid, which shall only be used for such purpose.

The Nebraska Emergency Management Agency shall by March 1 of each year provide a report to the Appropriations Committee of the Legislature on the past, present, and future use of homeland security funding. No expenditure of state, federal, or other funding sources administered by the Nebraska Emergency Management Agency for homeland security purposes shall be made for the ensuing fiscal year beginning July 1 until the agency has provided the report to the committee. The report shall include, but not be limited to, the planned use of known and anticipated future funding as well as information on the past use of funding within the last five years, including specific amounts allocated to any unit of state or local government. The report shall also assess the risk that state funding will be needed in the future to supplant nonstate sources of revenue in order to continue homeland security activities at both the state and local level.

Sec. 151. AGENCY NO. 31 - MILITARY DEPARTMENT
 Program No. 548 - Tuition Assistance

	FY2009-10	FY2010-11
GENERAL FUND	525,000	525,000
PROGRAM TOTAL	525,000	525,000
SALARY LIMIT	-0-	-0-

There is included in the appropriation to this program for FY2009-10 \$525,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$525,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 152. AGENCY NO. 32 - BOARD OF EDUCATIONAL LANDS AND FUNDS
 Program No. 529 - Land Surveys

	FY2009-10	FY2010-11
GENERAL FUND	348,468	360,161
CASH FUND	29,712	30,064
PROGRAM TOTAL	378,180	390,225
SALARY LIMIT	224,814	230,428

Any General Funds expended for costs associated with the administration of school lands shall be reimbursed, on a quarterly basis, to the General Fund by the Board of Educational Lands and Funds.

Sec. 153. AGENCY NO. 32 - BOARD OF EDUCATIONAL LANDS AND FUNDS
 Program No. 554 - Disputed Survey Settlements

	FY2009-10	FY2010-11
CASH FUND	21,558	21,561
PROGRAM TOTAL	21,558	21,561

Sec. 154. AGENCY NO. 32 - BOARD OF EDUCATIONAL LANDS AND FUNDS
 Program No. 582 - School Land Trust

	FY2009-10	FY2010-11
CASH FUND est.	9,317,000	9,597,000
PROGRAM TOTAL	9,317,000	9,597,000

Cash Fund expenditures shall not be limited to the amount shown. The appropriation contained in this program is provided pursuant to section 72-232.02.

Sec. 155. AGENCY NO. 33 - GAME AND PARKS COMMISSION
Program No. 162 - Environmental Trust

	FY2009-10	FY2010-11
CASH FUND	15,528,486	15,542,970
PROGRAM TOTAL	15,528,486	15,542,970
SALARY LIMIT	236,399	241,759

There is included in the appropriation to this program for FY2009-10 \$15,000,000 Cash Funds, plus any reappropriated amount, for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$15,000,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 156. AGENCY NO. 33 - GAME AND PARKS COMMISSION
Program No. 330 - Habitat Development

	FY2009-10	FY2010-11
CASH FUND	4,097,544	4,250,389
FEDERAL FUND est.	15,858	15,858
PROGRAM TOTAL	4,113,402	4,266,247
SALARY LIMIT	964,192	988,187

There is included in the appropriation to this program for FY2009-10 \$1,100,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,100,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 157. AGENCY NO. 33 - GAME AND PARKS COMMISSION
Program No. 336 - Wildlife Conservation

	FY2009-10	FY2010-11
GENERAL FUND	1,403,927	1,449,767
CASH FUND	19,181,162	19,724,694
FEDERAL FUND est.	2,039,991	2,153,572
PROGRAM TOTAL	22,625,080	23,328,033
SALARY LIMIT	12,077,319	12,528,284

There is included in the appropriation to this program for FY2009-10 \$500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$500,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 158. AGENCY NO. 33 - GAME AND PARKS COMMISSION
Program No. 337 - Administration

	FY2009-10	FY2010-11
GENERAL FUND	767,054	787,189
CASH FUND	4,137,127	4,352,169
FEDERAL FUND est.	52,734	54,695
PROGRAM TOTAL	4,956,915	5,194,053
SALARY LIMIT	2,764,381	2,833,634

Sec. 159. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 338 - Niobrara Council

	FY2009-10	FY2010-11
GENERAL FUND	47,500	47,500
CASH FUND	1,000	1,000
FEDERAL FUND est.	125,000	125,000
PROGRAM TOTAL	173,500	173,500

There is included in the appropriation to this program for FY2009-10 \$47,500 General Funds, \$1,000 Cash Funds, plus any reappropriated amount, and \$125,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$47,500 General Funds, \$1,000 Cash Funds, and \$125,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 160. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 549 - Parks - Administration and Operation

	FY2009-10	FY2010-11
GENERAL FUND	6,903,515	7,161,563
CASH FUND	15,402,988	15,923,776
FEDERAL FUND est.	6,520	6,520
PROGRAM TOTAL	22,313,023	23,091,859
SALARY LIMIT	10,590,116	10,219,654

Sec. 161. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 550 - Planning and Trails Coordination

	FY2009-10	FY2010-11
GENERAL FUND	167,607	172,836
CASH FUND	165,328	167,366
FEDERAL FUND est.	692	692
PROGRAM TOTAL	333,627	340,894
SALARY LIMIT	151,386	155,151

It is the intent of the Legislature that the amount expended for the development and maintenance of boundary fences along the Cowboy Trail be limited to \$64,000 Cash Funds during each fiscal year.

Sec. 162. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 617 - Engineering and Area Maintenance

	FY2009-10	FY2010-11
GENERAL FUND	2,390,990	2,438,901
CASH FUND	579,704	649,578
PROGRAM TOTAL	2,970,694	3,088,479
SALARY LIMIT	1,608,333	1,627,536

Sec. 163. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 628 - Credit Card Discount Sales

	FY2009-10	FY2010-11
CASH FUND est.	481,500	515,205
PROGRAM TOTAL	481,500	515,205

Cash Fund expenditures shall not be limited to the amount shown.

Sec. 164. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 846 - Nebraska Public Safety Communication System

	FY2009-10	FY2010-11
GENERAL FUND	37,384	37,384
CASH FUND	76,379	76,379
PROGRAM TOTAL	113,763	113,763
SALARY LIMIT	-0-	-0-

There is included in the appropriation to this program for FY2009-10 a retainer fee of \$37,384 General Funds and \$76,379 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

There is included in the appropriation to this program for FY2010-11 a retainer fee of \$37,384 General Funds and \$76,379 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

Sec. 165. AGENCY NO. 34 - NEBRASKA LIBRARY COMMISSION
Program No. 252 - Library and Information Services

	FY2009-10	FY2010-11
GENERAL FUND	2,600,079	2,600,079
CASH FUND	94,085	94,085
FEDERAL FUND est.	837,661	887,661
PROGRAM TOTAL	3,531,825	3,581,825
SALARY LIMIT	1,951,916	2,000,340

Sec. 166. AGENCY NO. 34 - NEBRASKA LIBRARY COMMISSION
Program No. 302 - Library Development

	FY2009-10	FY2010-11
GENERAL FUND	1,288,857	1,288,857
FEDERAL FUND est.	661,395	611,395
PROGRAM TOTAL	1,950,252	1,900,252
SALARY LIMIT	50,938	52,210

There is included in the appropriation to this program for FY2009-10 \$1,218,177 General Funds estimate and \$661,395 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,215,228 General Funds estimate and \$611,395 Federal Funds estimate for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations to carry out this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 167. AGENCY NO. 35 - NEBRASKA LIQUOR CONTROL COMMISSION
Program No. 73 - Licensing and Regulation

	FY2009-10	FY2010-11
GENERAL FUND	998,654	1,028,754
CASH FUND	74,441	74,441
PROGRAM TOTAL	1,073,095	1,103,195

SALARY LIMIT	576,808	589,753
Sec. 168. AGENCY NO. 36 - STATE RACING COMMISSION		
Program No. 74 - Enforcement of Standards - Horseracing		

	FY2009-10	FY2010-11
CASH FUND est.	1,064,918	1,065,578
PROGRAM TOTAL	1,064,918	1,065,578

SALARY LIMIT	508,902	521,348
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Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

There is included in the appropriation to this program for FY2009-10 \$180,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$180,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 169. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION COURT
Program No. 530 - Court Administration

	FY2009-10	FY2010-11
CASH FUND	4,065,606	4,427,503
FEDERAL FUND est.	50,386	33,208
PROGRAM TOTAL	4,115,992	4,460,711

SALARY LIMIT	2,052,168	2,103,421
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Sec. 170. AGENCY NO. 39 - NEBRASKA BRAND COMMITTEE
Program No. 75 - Nebraska Brand Committee

	FY2009-10	FY2010-11
CASH FUND	4,456,362	4,456,362
PROGRAM TOTAL	4,456,362	4,456,362

SALARY LIMIT	2,538,203	2,601,596
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Sec. 171. AGENCY NO. 40 - NEBRASKA MOTOR VEHICLE INDUSTRY LICENSING BOARD
Program No. 76 - Enforcement of Standards - Automotive Industry

	FY2009-10	FY2010-11
CASH FUND	699,080	719,756
PROGRAM TOTAL	699,080	719,756

SALARY LIMIT	439,348	450,176
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Sec. 172. AGENCY NO. 41 - STATE REAL ESTATE COMMISSION
Program No. 77 - Enforcement of Standards - Real Estate

	FY2009-10	FY2010-11
CASH FUND	1,115,476	1,148,972
PROGRAM TOTAL	1,115,476	1,148,972

SALARY LIMIT	493,813	505,871
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Sec. 173. AGENCY NO. 45 - BOARD OF BARBER EXAMINERS
Program No. 80 - Enforcement of Standards - Barbering

	FY2009-10	FY2010-11
CASH FUND	150,655	154,780
PROGRAM TOTAL	150,655	154,780

SALARY LIMIT	103,497	105,573
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Sec. 174. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL SERVICES
 Program No. 200 - Operations

	FY2009-10	FY2010-11
GENERAL FUND	120,838,106	144,059,217
CASH FUND	1,980,308	1,915,268
FEDERAL FUND est.	35,953,754	17,970,288
REVOLVING FUND est.	17,900,770	18,073,965
PROGRAM TOTAL	176,672,938	182,018,738
SALARY LIMIT	89,990,217	92,150,347

There is included in the Federal Fund estimate \$35,000,000 for FY2009-10 and \$17,000,000 for FY2010-11, to be received as authorized by ARRA, in General Fiscal Stabilization funds.

Included in the salary limitations provided by this section is \$3,407,954 for FY2009-10 and \$3,490,526 for FY2010-11 for Revolving Fund salaries for program classifications 390 and 563, that shall not be limited to the amounts shown.

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

- No. 260 - Nebraska Correctional Youth Facility
- No. 300 - Tecumseh Correctional Center
- No. 368 - Lincoln Community Corrections Center
- No. 369 - Omaha Community Corrections Center
- No. 370 - Central Office
- No. 372 - Nebraska State Penitentiary
- No. 373 - Nebraska Center for Women - York
- No. 375 - Diagnostic and Evaluation Center
- No. 376 - Lincoln Correctional Center
- No. 377 - Omaha Correctional Center
- No. 386 - McCook Incarceration Work Camp
- No. 389 - Adult Parole Administration
- No. 390 - Federal Surplus Property
- No. 495 - Department Central Warehouse
- No. 563 - Correctional Industries

Revolving Fund expenditures shall not be limited to the amounts shown.

The unexpended General Fund and Cash Fund appropriation balances existing on June 30, 2009, are hereby reappropriated.

It is intended that the Department of Correctional Services shall maintain a Department Contingency Fund and a Department Equipment Fund.

Sec. 175. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL SERVICES
 Program No. 367 - Parole Community Corrections

	FY2009-10	FY2010-11
CASH FUND	95,500	95,500
PROGRAM TOTAL	95,500	95,500

Sec. 176. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL SERVICES
 Program No. 725 - Building Depreciation Charges

	FY2009-10	FY2010-11
GENERAL FUND	71,915	71,915
PROGRAM TOTAL	71,915	71,915

There is included in the appropriation to this program for FY2009-10 \$71,915 General Funds for state building rental depreciation charges, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$71,915 General Funds for state building rental depreciation charges, which shall only be used for such purpose.

Sec. 177. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL SERVICES
 Program No. 750 - County Jail Reimbursement

	FY2009-10	FY2010-11
GENERAL FUND	3,910,000	3,910,000
PROGRAM TOTAL	3,910,000	3,910,000

There is included in the appropriation to this program for FY2009-10 \$3,910,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$3,910,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 178. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION
 Program No. 533 - Network Operations

	FY2009-10	FY2010-11
GENERAL FUND	9,464,350	9,689,381
CASH FUND	243,375	243,375
PROGRAM TOTAL	9,707,725	9,932,756
SALARY LIMIT	3,184,878	3,286,390

Sec. 179. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION
 Program No. 566 - Public Radio

	FY2009-10	FY2010-11
GENERAL FUND	503,674	513,358
CASH FUND	12,157	12,157
PROGRAM TOTAL	515,831	525,515
SALARY LIMIT	189,173	193,558

The limitation on expenditures for permanent and temporary salaries and per diems contained in this section does not include expenditures from trust funds.

Sec. 180. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
 Program No. 297 - Education Grant Program

	FY2009-10	FY2010-11
FEDERAL FUND est.	400,982	400,982
PROGRAM TOTAL	400,982	400,982
SALARY LIMIT	16,154	16,558

Sec. 181. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
 Program No. 640 - Postsecondary Education Coordination

	FY2009-10	FY2010-11
GENERAL FUND	1,303,819	1,303,819
CASH FUND	10,037	10,037
FEDERAL FUND est.	6,023	6,023
PROGRAM TOTAL	1,319,879	1,319,879
SALARY LIMIT	872,210	893,993

There is included in the appropriation to this program for FY2009-10 an estimated \$95,000 General Funds and for FY2010-11 an estimated \$95,000 General Funds for Midwestern Higher Education Compact state membership dues.

Sec. 182. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
 Program No. 690 - Nebraska Scholarship Program

	FY2009-10	FY2010-11
GENERAL FUND	6,717,065	6,717,065
CASH FUND	7,000,000	7,750,000
FEDERAL FUND est.	591,731	591,731
PROGRAM TOTAL	14,308,796	15,058,796

The unexpended General Fund, Cash Fund, and Federal Fund appropriation balances existing on June 30, 2009, for Program No. 690, are hereby reappropriated.

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

There is included in the appropriation to this program for FY2009-10 \$6,717,065 General Funds, \$7,000,000 Cash Funds, and \$591,731 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$6,717,065 General Funds, \$7,750,000 Cash Funds, and \$591,731 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 183. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

Program No. 691 - Access College Early Scholarship Program

	FY2009-10	FY2010-11
GENERAL FUND	275,250	445,250
PROGRAM TOTAL	275,250	445,250

The unexpended General Fund appropriation balance existing on June 30, 2009, for Program No. 691, is hereby reappropriated.

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

There is included in the appropriation to this program for FY2009-10 \$275,250 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$445,250 General Funds for state aid, which shall only be used for such purpose.

Sec. 184. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 48 - Nebraska State Colleges - System Office

	FY2009-10	FY2010-11
GENERAL FUND	46,174,099	47,015,210
CASH FUND est.	25,129,721	25,129,721
FEDERAL FUND est.	18,091,090	18,091,090
REVOLVING FUND est.	7,291,348	7,291,348
PROGRAM TOTAL	96,686,258	97,527,369

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

It is the intent of the Legislature that Cash Fund revenue from resident tuition, nonresident tuition, off-campus tuition, and fees separately assessed shall be individually accounted for on the Nebraska Information System.

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

The Legislature reaffirms its commitment to long-range and short-range computer planning by the Nebraska state colleges. It is the intent of the Legislature that comprehensive computer plans of the Nebraska state colleges be updated biennially and submitted to the Legislative Fiscal

Analyst, the Department of Administrative Services, and the Coordinating Commission for Postsecondary Education on or before October 15 of each odd-numbered year.

The Department of Administrative Services shall monitor the appropriations and expenditures of the Board of Trustees of the Nebraska State Colleges, Agency No. 50-0, and the Nebraska State Colleges, Agency Nos. 50-1, 50-3, and 50-4, according to NCHEMS-Program Classification Structure, Second Edition. Expenditure authority shall be limited to program appropriations.

The unexpended General Fund appropriation balance existing in Program 840 on June 30, 2009, is hereby reappropriated.

Sec. 185. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
 Program No. 781 - University - Administration

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

	FY2009-10	FY2010-11
GENERAL FUND	499,912,628	508,440,667
PROGRAM TOTAL	499,912,628	508,440,667

(2) It is intended that the University of Nebraska Central Administration, upon approval of the Board of Regents of the University of Nebraska, divide and distribute the funds appropriated in this section among all the campuses and the central administration, including the Nebraska College of Technical Agriculture at Curtis. At the direction of the board, these funds may be supplemented by Cash Funds, Federal Funds, Revolving Funds, and Trust Funds.

(3) There is included in the appropriation to this program for FY2009-10 an estimated \$2,639,103 General Funds and for FY2010-11 an estimated \$2,678,690 General Funds for the Nebraska College of Technical Agriculture at Curtis.

There is included in the appropriation to this program for FY2009-10 an estimated \$1,546,885 General Funds and for FY2010-11 an estimated \$1,572,794 General Funds for the Nebraska Forest Service Program.

It is the intent of the Legislature that the Institute of Agriculture and Natural Resources and the Cooperative Extension Program are treated fairly in the University of Nebraska 2009-2011 biennial budget setting process.

(4)(a) There is included in the appropriation to this program for the Board of Regents of the University of Nebraska for FY2009-10 an estimated \$11,201,281 General Funds and for FY2010-11 an estimated \$11,201,281 General Funds, to be administered by Central Administration, for the purpose of targeted research activities at the University of Nebraska. It is intended that none of these funds be used for new capital construction or renovation, except that a small portion may be used for short-term cash flow. Further, it is intended that an estimated \$304,255 of the estimated \$11,201,281 for FY2009-10 and an estimated \$304,255 of the estimated \$11,201,281 for FY2010-11 be used in conjunction with the Experimental Program to Stimulate Competitive Research (EPSCoR) which is expected to have an increased emphasis on applied research and technology transfer.

(b) It is intended that faculty teams, research centers, or individual faculty from the various colleges and departments of all of the campuses of the University of Nebraska should present research proposals to the Research Fund Advisory Committee and Central Administration for the various targeted research areas after the FY2009-10 appropriation has been made but prior to August 15, 2009. Inherent in this process is the concept that the best proposals be selected regardless of the campus of origin and that selections be made on a competitive basis.

(c) It is intended for the EPSCoR Program that faculty teams, clusters, research centers, or individual faculty from the various colleges and departments of all of the campuses of the University of Nebraska and Creighton University should present to the EPSCoR Planning Committee research proposals to be funded by the EPSCoR Program. Inherent in this process is the concept that the best proposals be selected regardless of the campus of origin and that selections be made on a competitive basis. Emphasis shall be placed on technology transfer and the research needs of business and industry. It is intended that the EPSCoR Planning Committee shall continue to develop the Nebraska State Science and Technology Transfer Plan as part of the EPSCoR Program. It is further intended that the existing Research Fund Advisory Committee and the existing EPSCoR Planning Committee coordinate and integrate the planning and project evaluation criteria and procedures for

both the Nebraska Research Initiative Program and the EPSCoR Program. Matching funds for any research grants to Creighton University shall be in the form of a contract in which specific services are identified and a time period is specified. Creighton University shall provide an appropriate share of any match.

(d) The unexpended appropriations balance from the \$11,201,281 estimated General Funds appropriated for research existing on June 30, 2009, and the unexpended appropriations balance from the estimated \$11,201,281 General Funds appropriated for research existing on June 30, 2010, are hereby reappropriated.

(5) The unexpended appropriations balance from any cash fund allocation established by the Board of Regents for the Tobacco Settlement funds received pursuant to section 24 of Laws 2001, LB 692, existing on June 30, 2009, and the unexpended appropriations balance existing on June 30, 2010, are hereby reappropriated.

(6) (a) There is included in the appropriation to this program for FY2009-10 an estimate of \$618,955 General Funds for optometry student contracts. There is included in the appropriation to this program for FY2010-11 an estimate of \$618,955 General Funds for optometry student contracts.

(b) The unexpended appropriations balance for optometry student contracts for FY2008-09 and existing on June 30, 2009, and the unexpended appropriations balance for optometry student contracts for FY2009-10 and existing on June 30, 2010, are hereby reappropriated.

(7) The unexpended General Fund appropriation balance existing in Program 740 on June 30, 2009, is hereby reappropriated.

(8) It is intended that:

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

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

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

(d) Comprehensive computer plans at the University of Nebraska shall be biennially updated and submitted to the Legislative Fiscal Analyst and to the budget division of the Department of Administrative Services on or before September 1 of odd-numbered years; and

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

Sec. 186. AGENCY NO. 52 - NEBRASKA STATE FAIR BOARD
 Program No. 694 - State Fair Support and Improvement

	FY2009-10	FY2010-11
CASH FUND est.	2,500,000	2,500,000
PROGRAM TOTAL	2,500,000	2,500,000

Cash Fund expenditures shall not be limited to the amount shown.

There is included in the appropriation to this program for FY2009-10 \$2,500,000 Cash Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,500,000 Cash Funds estimate for state aid, which shall only be used for such purpose.

Sec. 187. AGENCY NO. 53 - REAL PROPERTY APPRAISER BOARD
 Program No. 79 - Appraiser Licensing

	FY2009-10	FY2010-11
CASH FUND	286,715	291,170
PROGRAM TOTAL	286,715	291,170
SALARY LIMIT	106,992	109,495

There is included in the appropriation to this program for FY2009-10 \$55,000 Cash Funds, plus any reappropriated amount, for legal services, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$55,000 Cash Funds, plus any reappropriated amount, for legal services, which shall only be used for such purpose.

Sec. 188. AGENCY NO. 54 - NEBRASKA STATE HISTORICAL SOCIETY
Program No. 648 - Nebraska State Historical Society

	FY2009-10	FY2010-11
GENERAL FUND	4,505,813	4,505,813
CASH FUND	1,789,281	1,847,997
FEDERAL FUND est.	792,035	803,251
PROGRAM TOTAL	7,087,129	7,157,061
SALARY LIMIT	3,709,596	3,740,379

There is included in the appropriation to this program for FY2009-10 \$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 FY2010-11 \$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 FY2009-10 \$25,000 General Funds and for FY2010-11 \$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. 189. AGENCY NO. 56 - NEBRASKA WHEAT DEVELOPMENT, UTILIZATION, AND MARKETING BOARD

Program No. 381 - Nebraska Wheat Development, Utilization, and Marketing Board

	FY2009-10	FY2010-11
CASH FUND	1,410,422	1,410,422
PROGRAM TOTAL	1,410,422	1,410,422
SALARY LIMIT	122,590	125,674

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 190. AGENCY NO. 57 - NEBRASKA OIL AND GAS CONSERVATION COMMISSION

Program No. 335 - Oil and Gas Conservation

	FY2009-10	FY2010-11
CASH FUND	788,772	790,067
FEDERAL FUND est.	88,964	91,028
PROGRAM TOTAL	877,736	881,095
SALARY LIMIT	501,313	520,999

Sec. 191. AGENCY NO. 58 - BOARD OF ENGINEERS AND ARCHITECTS
 Program No. 82 - Enforcement of Standards - Engineers and Architects

	FY2009-10	FY2010-11
CASH FUND	778,559	794,909
PROGRAM TOTAL	778,559	794,909
SALARY LIMIT	344,475	353,941

Sec. 192. AGENCY NO. 59 - BOARD OF GEOLOGISTS
 Program No. 159 - Enforcement of Standards

	FY2009-10	FY2010-11
CASH FUND	32,461	33,002
PROGRAM TOTAL	32,461	33,002

Sec. 193. AGENCY NO. 60 - NEBRASKA ETHANOL BOARD
 Program No. 516 - Ethanol

	FY2009-10	FY2010-11
CASH FUND	560,329	560,329
PROGRAM TOTAL	560,329	560,329
SALARY LIMIT	280,426	286,923

Sec. 194. AGENCY NO. 61 - NEBRASKA DAIRY INDUSTRY DEVELOPMENT BOARD
 Program No. 114 - Nebraska Dairy Industry Development Board

	FY2009-10	FY2010-11
CASH FUND	1,400,000	1,400,000
PROGRAM TOTAL	1,400,000	1,400,000
SALARY LIMIT	-0-	-0-

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 195. AGENCY NO. 62 - STATE BOARD OF EXAMINERS FOR LAND SURVEYORS
 Program No. 83 - Enforcement of Standards - Land Surveyors

	FY2009-10	FY2010-11
CASH FUND	29,879	29,885
PROGRAM TOTAL	29,879	29,885

Sec. 196. AGENCY NO. 63 - NEBRASKA STATE BOARD OF PUBLIC ACCOUNTANCY
 Program No. 84 - Enforcement of Standards

	FY2009-10	FY2010-11
CASH FUND	424,490	433,803
PROGRAM TOTAL	424,490	433,803
SALARY LIMIT	171,294	174,947

Sec. 197. AGENCY NO. 64 - NEBRASKA STATE PATROL

Program No. 100 - Public Protection

	FY2009-10	FY2010-11
GENERAL FUND	53,573,574	55,242,223
CASH FUND	2,869,070	2,944,295
FEDERAL FUND est.	121,264	124,444
PROGRAM TOTAL	56,563,908	58,310,962
SALARY LIMIT	32,956,510	33,782,569

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

- No. 189 - Command and Support
- No. 190 - Criminal Investigations
- No. 195 - Road Operations

There is included in the appropriation to this program for FY2009-10 \$150,000 General Funds and \$100,000 Federal Funds from the Byrne Criminal History Improvement set-aside funds, subject to available federal appropriation, which shall only be expended for criminal justice information systems improvements. There is included in the appropriation to this program for FY2010-11 \$150,000 General Funds and \$100,000 Federal Funds from the Byrne Criminal History Improvement set-aside funds, subject to available federal appropriation, which shall only be expended for criminal justice information systems improvements. Federal Funds transferred to the Nebraska State Patrol pursuant to this section shall be expended consistent with all applicable federal laws, rules, and regulations pertaining to Byrne Criminal History Improvement set-aside funds.

There is included in the appropriation to this program for FY2009-10 \$507,810 Cash Funds and for FY2010-11 \$507,810 Cash Funds, which appropriation amounts shall only be expended to provide law enforcement coverage along state road construction zones. The Department of Roads shall contract with the Nebraska State Patrol for such law enforcement coverage and shall pay for such services from the Roads Operations Cash Fund to the Nebraska State Patrol Cash Fund in four equal quarterly amounts to be transferred by the State Treasurer on or before July 15, October 15, January 15, and April 15, for both FY2009-10 and FY2010-11.

Sec. 198. AGENCY NO. 64 - NEBRASKA STATE PATROL
 Program No. 205 - Carrier Enforcement

	FY2009-10	FY2010-11
CASH FUND	7,313,483	7,513,467
FEDERAL FUND est.	2,011,719	2,067,612
PROGRAM TOTAL	9,325,202	9,581,079
SALARY LIMIT	5,615,902	5,755,976

Sec. 199. AGENCY NO. 64 - NEBRASKA STATE PATROL
 Program No. 325 - Operational Improvements

	FY2009-10	FY2010-11
CASH FUND	1,460,000	1,489,000
PROGRAM TOTAL	1,460,000	1,489,000
SALARY LIMIT	-0-	-0-

The unexpended Cash Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Expenditures from this program shall be restricted to the Public Safety Cash Fund and the Nebraska State Patrol Drug Control and Education Cash Fund. These two cash funds shall not be expended from any other budget programs, except that the Public Safety Cash Fund may also be expended from administratively created budget Program No. 575, for the purpose of providing the required state match for federal Byrne Act grants awarded to the Nebraska State Patrol and from Program No. 850 for the Nebraska Public Safety Communication System Project. Expenditures from these two Cash Funds shall be

made from separate budget subprograms.

As funds become available, the Superintendent of Law Enforcement and Public Safety shall submit proposed lists of projects in writing to the budget division of the Department of Administrative Services, which shall forward them to the Governor for approval or rejection, except that no new projects shall be submitted by the superintendent or approved by the Governor during FY2009-10 or FY2010-11 until the Nebraska State Patrol has first reserved the full Cash Fund appropriations and Cash Fund balances necessary to completely meet the following obligations, as listed in highest to lowest priority order:

(1) All active and outstanding operational improvement project balances remaining unexpended as of June 30, 2009, in Program 325, and as reappropriated on June 30, 2009; and

(2) An estimated \$274,146 Cash Funds in FY2009-10 and an estimated \$274,146 Cash Funds in FY2010-11, plus any adjustments needed to meet the actual state matching requirements for federal Byrne Act grants awarded to the Nebraska State Patrol.

Sec. 200. AGENCY NO. 64 - NEBRASKA STATE PATROL
 Program No. 630 - State Capitol Security

	FY2009-10	FY2010-11
GENERAL FUND	421,151	433,429
REVOLVING FUND	823,530	847,530
PROGRAM TOTAL	1,244,681	1,280,959
SALARY LIMIT	684,406	702,480

Any security agreements entered into by the Nebraska State Patrol, on behalf of the State Capitol Security Division, shall require that all such revenue be credited directly to the Capitol Security Revolving Fund.

For budgeting purposes only, the amount of projected revenue to be received from security agreements entered into by the Nebraska State Patrol, on behalf of the State Capitol Security Division, to be credited directly to the Capitol Security Revolving Fund is estimated to be \$262,428 for FY2009-10 and \$262,428 for FY2010-11.

Sec. 201. AGENCY NO. 64 - NEBRASKA STATE PATROL
 Program No. 850 - Nebraska Public Safety Communication System

	FY2009-10	FY2010-11
GENERAL FUND	1,401,526	1,439,236
CASH FUND	3,115,094	3,115,094
PROGRAM TOTAL	4,516,620	4,554,330
SALARY LIMIT	125,800	125,800

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated. The unexpended Cash Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 a retainer fee of \$280,188 General Funds and \$746,142 Cash Funds and there is included in the appropriation to this program for FY2010-11 a retainer fee of \$350,929 General Funds and \$934,527 Cash Funds which shall be paid in four equal quarterly amounts to the Nebraska Public Safety Communication System Revolving Fund on or before July 15, October 15, January 15, and April 15 for Department of Administrative Services central costs of operating the Nebraska Public Safety Communication System, which shall only be used for such purpose. The retainer fee amounts shall only be expended against budget subprogram 1 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

There is included in the appropriation to this program for FY2009-10 \$889,890 Cash Funds to enter into an ongoing seven-year master lease financing agreement through the Department of Administrative Services for the acquisition of necessary radio equipment to connect to the Nebraska Public Safety Communication System. The master lease payments for radio equipment shall only be expended against budget subprogram 2 as a separate and distinct budget subprogram and shall not be commingled with any other expenses. The office of Chief Information Officer shall coordinate this master lease agreement with the accounting and budget divisions of the Department of Administrative Services and any other authorized state agencies.

There is included in the appropriation to this program for FY2009-10 \$1,580,069 Cash Funds to enter into an ongoing three-year master lease financing agreement through the Department of Administrative Services for the acquisition of necessary mobile laptop computer equipment to connect to the Nebraska Public Safety Communication System. The master lease payments for mobile laptop computer equipment shall only be expended against budget subprogram 3 as a separate and distinct budget subprogram and shall not be commingled with any other expenses. The office of Chief Information Officer shall coordinate this master lease agreement with the accounting and budget divisions of the Department of Administrative Services and any other authorized state agencies.

All other Nebraska State Patrol costs of operating the Nebraska Public Safety Communication System shall only be expended against budget subprogram 4 as a separate and distinct budget subprogram and shall not be commingled with any other expenses.

Sec. 202. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 49 - Departmental Administration

	FY2009-10	FY2010-11
REVOLVING FUND	2,168,310	2,148,664
PROGRAM TOTAL	2,168,310	2,148,664
SALARY LIMIT	1,482,630	1,519,579

The unexpended Revolving Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 203. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 101 - Chief Information Officer

	FY2009-10	FY2010-11
GENERAL FUND	423,106	423,394
PROGRAM TOTAL	423,106	423,394
SALARY LIMIT	337,277	345,635

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

Sec. 204. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 169 - Federal Liaison

	FY2009-10	FY2010-11
GENERAL FUND	8,197	8,197
PROGRAM TOTAL	8,197	8,197
SALARY LIMIT	-0-	-0-

Sec. 205. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 170 - Intergovernmental Data Services

	FY2009-10	FY2010-11
REVOLVING FUND	3,018,020	3,018,598
PROGRAM TOTAL	3,018,020	3,018,598
SALARY LIMIT	248,527	251,902

Sec. 206. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 171 - Materiel Division

	FY2009-10	FY2010-11
CASH FUND	67,064	67,064
REVOLVING FUND	21,606,907	22,058,302
PROGRAM TOTAL	21,673,971	22,125,366
SALARY LIMIT	2,688,406	2,752,635

Sec. 207. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 172 - Information Management Services Division

	FY2009-10	FY2010-11
REVOLVING FUND	48,000,000	48,000,000
PROGRAM TOTAL	48,000,000	48,000,000
SALARY LIMIT	13,468,481	13,800,919

Sec. 208. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 173 - Communications Division

	FY2009-10	FY2010-11
CASH FUND	5,122,139	5,105,273
REVOLVING FUND	27,726,884	27,714,970
PROGRAM TOTAL	32,849,023	32,820,243
SALARY LIMIT	2,292,146	2,349,061

Sec. 209. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 180 - Transportation Services Bureau

	FY2009-10	FY2010-11
REVOLVING FUND	8,846,773	9,247,949
PROGRAM TOTAL	8,846,773	9,247,949
SALARY LIMIT	447,257	458,362

Sec. 210. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 245 - Nebraska Public Safety Communication System

	FY2009-10	FY2010-11
REVOLVING FUND	1,242,726	1,548,332
PROGRAM TOTAL	1,242,726	1,548,332
SALARY LIMIT	294,048	301,361

The unexpended General Fund and Federal Fund appropriation balances existing on June 30, 2009, are hereby reappropriated.

Sec. 211. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 509 - Budget Division

	FY2009-10	FY2010-11
GENERAL FUND	1,624,177	1,212,026
PROGRAM TOTAL	1,624,177	1,212,026
SALARY LIMIT	900,137	858,983

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$404,356 General Funds to address the costs associated with implementation, coordination, transparency, and accountability systems as they relate to the American Recovery and Reinvestment Act of 2009, which shall only be used for such purpose.

It is the intent of the Legislature that in making decisions regarding a contract for or purchase of software utilized for administration of the American Recovery and Reinvestment Act of 2009 (ARRA) and any other legislation passed by the Legislature requiring reporting of state expenditures and performance data related to ARRA funds, the Department of Administrative Services shall give preferential status to software capable of performance management through budgeting, planning, business intelligence, reporting, or analysis. In addition, software that has the ability to generate and use dashboards, can interact with metrics and key performance indicators, and is capable of being implemented in every state agency shall be preferred.

Sec. 212. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 535 - Risk Management Division

	FY2009-10	FY2010-11
GENERAL FUND	84,872	84,872
REVOLVING FUND	408,496	408,496
PROGRAM TOTAL	493,368	493,368
SALARY LIMIT	167,461	171,421

Sec. 213. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
Program No. 560 - State Building Division

	FY2009-10	FY2010-11
GENERAL FUND	275,449	291,599
CASH FUND	241,500	241,500
REVOLVING FUND	35,547,562	37,147,847
PROGRAM TOTAL	36,064,511	37,680,946
SALARY LIMIT	3,209,401	3,281,303

Charges assessed by the Department of Administrative Services pursuant to provisions of subdivision (4)(b) of section 81-1108.17 for the Ferguson House shall not annually exceed an amount calculated as follows:

(1) Multiply the insured replacement value of the Ferguson House property by two one-hundredths;

(2) Divide the amount of tenant-occupied gross square feet of Ferguson House space by the Ferguson House gross square feet of total space; and

(3) Multiply the amount computed in subdivision (1) of this section by the amount computed in subdivision (2) of this section.

Sec. 214. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
Program No. 567 - Accounting Division

	FY2009-10	FY2010-11
REVOLVING FUND	4,537,949	4,570,781
PROGRAM TOTAL	4,537,949	4,570,781
SALARY LIMIT	1,825,513	1,865,763

There is included in the appropriation to this program for FY2009-10 \$195,644 Revolving Funds to address the costs associated with implementation, coordination, transparency, and accountability systems as they relate to the American Recovery and Reinvestment Act of 2009, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2010-11 \$190,762 Revolving Funds to address the costs associated with implementation, coordination, transparency, and accountability systems as they relate to the American Recovery and Reinvestment Act of 2009, which shall only be used for such purpose.

Sec. 215. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
Program No. 573 - Task Force for Building Renewal

	FY2009-10	FY2010-11
CASH FUND	480,271	479,155
PROGRAM TOTAL	480,271	479,155
SALARY LIMIT	320,485	328,476

Sec. 216. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
Program No. 591 - Tort Claims

	FY2009-10	FY2010-11
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) \$198 from the Department of Motor Vehicles;
- (b) \$15,048 from the Department of Roads;
- (c) \$4,884 from the Game and Parks Commission; and
- (d) \$254 from the Department of Administrative Services state building division.

Such sums shall be transferred to the risk management and state claims division no later than August 1, 2009, 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) \$198 from the Department of Motor Vehicles;
- (b) \$15,048 from the Department of Roads;
- (c) \$4,884 from the Game and Parks Commission; and
- (d) \$254 from the Department of Administrative Services state building division.

Such sums shall be transferred to the risk management and state claims division no later than August 1, 2010, 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 FY2010-11 be adjusted by the One Hundred First Legislature, Second Session, 2010, in accordance with information available after July 1, 2009.

Sec. 217. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 592 - Indemnification Claims

	FY2009-10	FY2010-11
GENERAL FUND	241,250	241,250
PROGRAM TOTAL	241,250	241,250
SALARY LIMIT	-0-	-0-

Sec. 218. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 593 - Workers' Compensation Claims

	FY2009-10	FY2010-11
REVOLVING FUND	15,510,825	15,560,825
PROGRAM TOTAL	15,510,825	15,560,825
SALARY LIMIT	-0-	-0-

It is the intent of the Legislature that state agencies, boards, and commissions make the workers' compensation insurance premium payments to the Workers' Compensation Claims Revolving Fund, which are appropriated for FY2009-10 in this program under the authority of sections 81-8,239.02 and 81-8,239.03, to the risk management and state claims division no later than August 1, 2009, 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 state agencies, boards, and commissions make the workers' compensation insurance premium payments to the Workers' Compensation Claims Revolving Fund, which are appropriated for FY2010-11 in this program under the authority of sections 81-8,239.02 and 81-8,239.03, to the risk management and state claims division no later than August 1, 2010, or in four equal payments on August 1, October 1, January 1, and April 1, at the discretion of the Risk Manager.

There is included in the appropriation to this program for FY2009-10 an amount not to exceed \$25,000 Revolving Funds, which may be used to contract for rehabilitation services to assist worker rehabilitation in relation to workers' compensation cases. There is included in the appropriation to this program for FY2010-11 an amount not to exceed \$25,000 Revolving Funds, which may be used to contract for rehabilitation services to assist worker rehabilitation in relation to workers' compensation cases.

Sec. 219. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 594 - State Insurance

	FY2009-10	FY2010-11
REVOLVING FUND	7,115,874	7,115,874
PROGRAM TOTAL	7,115,874	7,115,874
SALARY LIMIT	-0-	-0-

Sec. 220. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 605 - Personnel Division

	FY2009-10	FY2010-11
GENERAL FUND	1,550,937	1,544,579
REVOLVING FUND	5,234,664	5,318,405
PROGRAM TOTAL	6,785,601	6,862,984
SALARY LIMIT	4,883,637	4,984,027

The unexpended General Fund appropriation balance existing on June 30, 2009, is hereby reappropriated. The unexpended Revolving Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

It is the intent of the Legislature that a portion of the Revolving Funds appropriated to this program be used to procure, implement, and maintain a Talent Management System.

It is the intent of the Legislature that the personnel division update the technical panel of the Nebraska Information Technology Commission on the progress made toward the implementation of a Talent Management System on a quarterly basis.

It is the intent of the Legislature that the personnel division of the Department of Administrative Services be able to accurately track vacant positions in state government through either the Nebraska Information System (NIS) or the new Talent Management System. It is intended that reports be available on a quarterly basis.

Sec. 221. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 606 - Benefits Administration

	FY2009-10	FY2010-11
CASH FUND	800,000	820,000
PROGRAM TOTAL	800,000	820,000
SALARY LIMIT	299,887	306,688

Sec. 222. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 608 - Employee Relations Division

	FY2009-10	FY2010-11
GENERAL FUND	388,936	388,936
PROGRAM TOTAL	388,936	388,936
SALARY LIMIT	370,464	377,197

Sec. 223. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 672 - City of the Primary Class Development Project

	FY2009-10	FY2010-11
CASH FUND	1,000,000	1,000,000
PROGRAM TOTAL	1,000,000	1,000,000
SALARY LIMIT	-0-	-0-

The unexpended Cash Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$1,000,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,000,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 224. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 673 - City of the Metropolitan Class Development Project

	FY2009-10	FY2010-11
CASH FUND	1,500,000	1,500,000
PROGRAM TOTAL	1,500,000	1,500,000
SALARY LIMIT	-0-	-0-

The unexpended Cash Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$1,500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,500,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 225. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES
Program No. 685 - Office of the Nebraska Capitol Commission

	FY2009-10	FY2010-11
GENERAL FUND	4,206,744	4,176,548
CASH FUND	37,250	37,250
REVOLVING FUND	5,000	5,000
PROGRAM TOTAL	4,248,994	4,218,798
SALARY LIMIT	1,174,072	1,202,354

Sec. 226. AGENCY NO. 66 - ABSTRACTERS BOARD OF EXAMINERS
Program No. 58 - Enforcement of Standards - Abstracters

	FY2009-10	FY2010-11
CASH FUND	46,041	47,354
PROGRAM TOTAL	46,041	47,354
SALARY LIMIT	21,700	22,900

Sec. 227. AGENCY NO. 67 - EQUAL OPPORTUNITY COMMISSION
Program No. 59 - Enforcement of Standards

	FY2009-10	FY2010-11
GENERAL FUND	1,326,333	1,370,691
FEDERAL FUND est.	788,513	811,886
PROGRAM TOTAL	2,114,846	2,182,577
SALARY LIMIT	1,419,685	1,451,354

Sec. 228. AGENCY NO. 68 - COMMISSION ON MEXICAN-AMERICANS
Program No. 537 - Commission on Mexican-Americans

	FY2009-10	FY2010-11
GENERAL FUND	200,461	210,352
CASH FUND	37,162	35,000
PROGRAM TOTAL	237,623	245,352
SALARY LIMIT	158,932	163,761

Sec. 229. AGENCY NO. 69 - NEBRASKA ARTS COUNCIL
Program No. 326 - Promotion and Development of the Arts

	FY2009-10	FY2010-11
GENERAL FUND	626,894	623,722
CASH FUND	10,000	10,000

FEDERAL FUND est.	129,393	129,465
PROGRAM TOTAL	766,287	763,187
SALARY LIMIT	447,695	458,587

Sec. 230. AGENCY NO. 69 - NEBRASKA ARTS COUNCIL
 Program No. 327 - Aid to the Arts

	FY2009-10	FY2010-11
GENERAL FUND	661,654	661,654
FEDERAL FUND est.	520,810	520,810
PROGRAM TOTAL	1,182,464	1,182,464

There is included in the appropriation to this program for FY2009-10 \$661,654 General Funds and \$520,810 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$661,654 General Funds and \$520,810 Federal Funds estimate for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations to carry out this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 231. AGENCY NO. 69 - NEBRASKA ARTS COUNCIL
 Program No. 328 - Humanities Aid

	FY2009-10	FY2010-11
GENERAL FUND	200,000	200,000
PROGRAM TOTAL	200,000	200,000

There is included in the appropriation to this program for FY2009-10 \$200,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$200,000 General Funds for state aid, which shall only be used for such purpose.

The budget division of the Department of Administrative Services shall allot funds appropriated to this program subject to the following conditions: Through the Nebraska Arts Council, the Nebraska Humanities Council shall, for every two dollars to be allotted, provide to the budget division evidence of one dollar in matching funds derived from private sources or to be so derived as evidenced by pledge agreements with private sources. Funds eligible for this matching requirement shall be those private funds received or pledged to be received within the current or prior fiscal year. Such matching funds shall exclude any manner of in-kind matching. The Nebraska Humanities Council shall account separately for state funds appropriated in this section and shall provide such financial and other records as requested by the Nebraska Arts Council, the Legislature, and the Department of Administrative Services to assure accountability for such appropriated funds.

Notwithstanding other provisions of this act, all appropriations to carry out this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 232. AGENCY NO. 69 - NEBRASKA ARTS COUNCIL
 Program No. 329 - Arts and Humanities Preservation

	FY2009-10	FY2010-11
CASH FUND	1,500,000	1,500,000
PROGRAM TOTAL	1,500,000	1,500,000

There is included in the appropriation to this program for FY2009-10 \$1,500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,500,000 Cash Funds for state aid, which shall only be used for such purpose.

The budget division of the Department of Administrative Services shall only allot funds appropriated to this program if the Nebraska Arts Council provides evidence of dollar-for-dollar matching funds derived from nonstate sources, as required in subsection (1) of section 82-332.

Notwithstanding other provisions of this act, all appropriations to carry out this program existing on June 30, 2009, in excess of expended or

encumbered amounts are hereby lapsed.

Sec. 233. AGENCY NO. 70 - STATE FOSTER CARE REVIEW BOARD
 Program No. 116 - State Foster Care Review Board

	FY2009-10	FY2010-11
GENERAL FUND	1,421,906	1,458,318
CASH FUND	6,000	6,000
FEDERAL FUND est.	635,331	651,043
PROGRAM TOTAL	2,063,237	2,115,361
SALARY LIMIT	1,214,214	1,239,769

Sec. 234. AGENCY NO. 71 - STATE ENERGY OFFICE
 Program No. 106 - Energy Office Administration

	FY2009-10	FY2010-11
CASH FUND	1,676,215	1,656,138
FEDERAL FUND est.	6,118,337	6,112,426
PROGRAM TOTAL	7,794,552	7,768,564
SALARY LIMIT	1,025,133	1,049,744

There is included in the appropriation to this program for FY2009-10 \$1,250,000 Cash Funds and \$5,120,550 Federal Funds estimate for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2009-10 shall not be limited to the amount shown. There is included in the appropriation to this program for FY2010-11 \$1,250,000 Cash Funds and \$5,081,397 Federal Funds estimate for state aid, which shall only be used for such purpose. Cash Fund expenditures for state aid for FY2010-11 shall not be limited to the amount shown.

Sec. 235. AGENCY NO. 71 - STATE ENERGY OFFICE
 Program No. 107 - School Weatherization

	FY2009-10	FY2010-11
CASH FUND	30,255	30,201
PROGRAM TOTAL	30,255	30,201
SALARY LIMIT	19,409	19,898

Sec. 236. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 134 - Rural Development Commission

	FY2009-10	FY2010-11
GENERAL FUND	1,160,879	1,164,766
PROGRAM TOTAL	1,160,879	1,164,766
SALARY LIMIT	116,441	118,678

There is included in the appropriation to this program for FY2009-10 \$1,000,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,000,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 237. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 600 - Administration

	FY2009-10	FY2010-11
GENERAL FUND	1,324,602	1,356,788
CASH FUND	286,659	287,040
FEDERAL FUND est.	152,037	156,823
PROGRAM TOTAL	1,763,298	1,800,651
SALARY LIMIT	932,469	954,630

There is included in the appropriation to this program for FY2009-10

\$100,000 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 FY2010-11 \$100,000 General Funds and \$15,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 238. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 601 - Community and Rural Development

	FY2009-10	FY2010-11
GENERAL FUND	748,411	748,815
CASH FUND	11,432,804	11,438,906
FEDERAL FUND est.	20,505,488	20,539,658
PROGRAM TOTAL	32,686,703	32,727,379
SALARY LIMIT	878,010	898,246

There is included in the appropriation to this program for FY2009-10 \$497,500 General Funds, \$11,000,000 Cash Funds, and \$19,337,950 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$497,500 General Funds, \$11,000,000 Cash Funds, and \$19,337,950 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 239. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 603 - Industrial Recruitment

	FY2009-10	FY2010-11
GENERAL FUND	2,939,626	2,896,491
CASH FUND	1,245,203	1,249,896
FEDERAL FUND est.	325,515	325,515
PROGRAM TOTAL	4,510,344	4,471,902
SALARY LIMIT	1,515,864	1,551,673

The unexpended Cash Fund appropriation balance existing on June 30, 2009, is hereby reappropriated.

There is included in the appropriation to this program for FY2009-10 \$1,107,944 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 FY2010-11 \$1,107,944 Cash Funds and \$249,341 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 240. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 618 - Tourism Promotion

	FY2009-10	FY2010-11
GENERAL FUND	500,000	500,000
CASH FUND	4,445,095	3,464,371
FEDERAL FUND est.	959,815	959,815
PROGRAM TOTAL	5,904,910	4,924,186
SALARY LIMIT	770,328	781,235

There is included in the appropriation to this program for FY2009-10 \$1,000,000 Cash Funds to provide funding for the promotion and support of the hosting of a Special Olympics national event by a city of the primary class, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$250,000 General Funds to provide funding for promotional and visitor development activities related to the hosting of a United States Senior Open event by a city of the metropolitan class, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$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 FY2010-11 \$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 FY2009-10 \$250,000 General Funds, which shall be used by the Department of Economic

Development for advertising, marketing, and promotional efforts for tourism activities and travel destinations. Such promotional activities shall be representative of the statewide tourism economy and targeted toward external markets in an effort to bring outside capital into the state. There is included in the appropriation to this program for FY2010-11 \$500,000 General Funds, which shall be used by the Department of Economic Development for advertising, marketing, and promotional efforts for tourism activities and travel destinations. Such promotional activities shall be representative of the statewide tourism economy and targeted toward external markets in an effort to bring outside capital into the state.

Sec. 241. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT
 Program No. 655 - Local Civic/Convention Finance Aid

	FY2009-10	FY2010-11
CASH FUND	650,000	650,000
PROGRAM TOTAL	650,000	650,000

There is included in the appropriation to this program for FY2009-10 \$650,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$650,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 242. AGENCY NO. 73 - STATE BOARD OF LANDSCAPE ARCHITECTS
 Program No. 597 - State Board of Landscape Architects

	FY2009-10	FY2010-11
CASH FUND	22,861	22,865
PROGRAM TOTAL	22,861	22,865

Sec. 243. AGENCY NO. 74 - NEBRASKA POWER REVIEW BOARD
 Program No. 72 - Enforcement of Standards

	FY2009-10	FY2010-11
CASH FUND	402,090	411,652
PROGRAM TOTAL	402,090	411,652
SALARY LIMIT	184,093	188,104

Sec. 244. AGENCY NO. 75 - NEBRASKA INVESTMENT COUNCIL
 Program No. 610 - Investments Administration

	FY2009-10	FY2010-11
CASH FUND	2,430,902	2,629,099
PROGRAM TOTAL	2,430,902	2,629,099
SALARY LIMIT	870,728	902,124

It is the intent of the Legislature that the value of certain credits for services and supplies received be accounted for as an expenditure attributable to agency operations. The Nebraska Investment Council shall submit to the Department of Administrative Services a quarterly reconciliation report of all credits for services and supplies received in support of operations. The Department of Administrative Services shall establish the appropriate subprogram and accounts to separately identify all such transactions.

Such amounts are hereby appropriated as reported to the Department of Administrative Services. Such amounts shall not be included for purposes of calculating investment charges pursuant to section 72-1249.02.

Sec. 245. AGENCY NO. 76 - COMMISSION ON INDIAN AFFAIRS
 Program No. 584 - Indian Affairs

	FY2009-10	FY2010-11
GENERAL FUND	195,000	195,000
PROGRAM TOTAL	195,000	195,000
SALARY LIMIT	129,358	132,520

Sec. 246. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL RELATIONS
 Program No. 490 - Commissioner Expenses

	FY2009-10	FY2010-11
GENERAL FUND	105,774	105,774
PROGRAM TOTAL	105,774	105,774
SALARY LIMIT	89,300	89,300

Sec. 247. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL RELATIONS
 Program No. 531 - Administration

	FY2009-10	FY2010-11
GENERAL FUND	227,181	227,181
PROGRAM TOTAL	227,181	227,181
SALARY LIMIT	127,071	130,260

Sec. 248. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
 CRIMINAL JUSTICE
 Program No. 150 - Juvenile Services Act

	FY2009-10	FY2010-11
GENERAL FUND	704,813	707,666
PROGRAM TOTAL	704,813	707,666
SALARY LIMIT	60,212	61,714

There is included in the appropriation to this program for FY2009-10 \$587,812 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$587,812 General Funds for state aid, which shall only be used for such purpose.

Sec. 249. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
 CRIMINAL JUSTICE
 Program No. 155 - County Juvenile Services Aid

	FY2009-10	FY2010-11
GENERAL FUND	1,492,500	1,492,500
PROGRAM TOTAL	1,492,500	1,492,500
SALARY LIMIT	-0-	-0-

There is included in the appropriation to this program for FY2009-10 \$1,492,500 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,492,500 General Funds for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 250. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
 CRIMINAL JUSTICE
 Program No. 198 - Central Administration

	FY2009-10	FY2010-11
GENERAL FUND	570,114	582,217
CASH FUND	38,733	39,575
FEDERAL FUND est.	5,036,236	5,050,420
PROGRAM TOTAL	5,645,083	5,672,212
SALARY LIMIT	543,527	557,878

There is included in the appropriation to this program for FY2009-10 \$13,457 General Funds and \$4,384,440 Federal Funds estimate for state

aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$13,457 General Funds and \$4,384,440 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$56,000 General Funds and \$224,000 Federal Funds estimate from the federal Victims of Crime Act of 1984 to operate a victim notification system, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$56,000 General Funds and \$224,000 Federal Funds estimate from the federal Victims of Crime Act of 1984 to operate a victim notification system, which shall only be used for such purpose.

Sec. 251. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 199 - Nebraska Law Enforcement Training Center

	FY2009-10	FY2010-11
GENERAL FUND	2,145,151	2,187,791
CASH FUND	641,563	404,125
FEDERAL FUND est.	56,570	57,693
PROGRAM TOTAL	2,843,284	2,649,609
SALARY LIMIT	806,630	827,781

There is included in the appropriation to this program for FY2009-10 \$827,779 General Funds for Training Center building rental charges to be paid to the state building division, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$827,779 General Funds for Training Center building rental charges to be paid to the state building division, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$432,327 General Funds for the annual depreciation charge to be paid to the state building division, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$432,327 General Funds for the annual depreciation charge to be paid to the state building division, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$129,000 Cash Funds and for FY2010-11 \$129,000 Cash Funds, which appropriations shall only be expended from a separate and distinct budget subprogram and shall not be commingled with any other expenses, and such appropriations shall only be used for capital outlay and equipment purchases, including replacement costs at the Nebraska Law Enforcement Training Center.

All food service charges for students shall be separate and distinct from tuition and fee charges assessed, and such food service charges shall not be included or commingled for purposes of establishing annual tuition and fee rates.

Any rules, regulations, or operating instructions adopted by the Nebraska Commission on Law Enforcement and Criminal Justice shall be consistent with the provisions of this section.

Sec. 252. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 201 - Victim-Witness Assistance

	FY2009-10	FY2010-11
GENERAL FUND	56,545	56,663
FEDERAL FUND est.	2,500,048	2,502,086
PROGRAM TOTAL	2,556,593	2,558,749
SALARY LIMIT	45,810	46,959

There is included in the appropriation to this program for FY2009-10 \$52,559 General Funds and \$2,433,697 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$52,559 General Funds and \$2,433,697 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 253. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 202 - Crime Victims' Reparations

	FY2009-10	FY2010-11
GENERAL FUND	28,418	28,418
CASH FUND	65,000	65,000
FEDERAL FUND est.	27,000	27,000
PROGRAM TOTAL	120,418	120,418
SALARY LIMIT	-0-	-0-

There is included in the appropriation to this program for FY2009-10 \$20,000 General Funds, \$65,000 Cash Funds, and \$27,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$20,000 General Funds, \$65,000 Cash Funds, and \$27,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 254. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 203 - Jail Standards Board

	FY2009-10	FY2010-11
GENERAL FUND	299,370	307,475
PROGRAM TOTAL	299,370	307,475
SALARY LIMIT	169,545	173,843

Sec. 255. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 210 - State Agency Byrne Grants

	FY2009-10	FY2010-11
CASH FUND	443,317	443,317
FEDERAL FUND est.	1,329,951	1,329,951
PROGRAM TOTAL	1,773,268	1,773,268
SALARY LIMIT	-0-	-0-

Sec. 256. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 215 - Criminal Justice Information System

	FY2009-10	FY2010-11
GENERAL FUND	148,393	151,115
FEDERAL FUND est.	107,679	109,658
PROGRAM TOTAL	256,072	260,773
SALARY LIMIT	92,843	95,521

Funds appropriated to this program shall be used to support criminal justice information systems projects for state law enforcement agencies and to assist with the sharing of criminal justice information by federal, state, and local agencies.

Subject to available Federal Funds from the Byrne Criminal History Improvement set-aside funds, the Nebraska Commission on Law Enforcement and Criminal Justice shall transfer \$100,000 Federal Funds to the Nebraska State Patrol for FY2009-10 and \$100,000 Federal Funds to the Nebraska State Patrol for FY2010-11 to be used for criminal justice information systems improvements. Federal Funds transferred to the Nebraska State Patrol pursuant to this section shall be expended consistent with all applicable federal laws, rules, and regulations pertaining to Byrne Criminal History Improvement set-aside funds.

Sec. 257. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 220 - Community Corrections Council Office

	FY2009-10	FY2010-11
GENERAL FUND	5,831,581	5,888,876
CASH FUND	426,558	427,281
PROGRAM TOTAL	6,258,139	6,316,157
SALARY LIMIT	213,993	219,492

Sec. 258. AGENCY NO. 81 - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED
 Program No. 357 - Blind and Visually Impaired

	FY2009-10	FY2010-11
GENERAL FUND	1,054,557	1,087,202
CASH FUND	90,500	90,617
FEDERAL FUND est.	3,417,800	3,519,806
PROGRAM TOTAL	4,562,857	4,697,625
SALARY LIMIT	2,120,991	2,173,484

There is included in the appropriation to this program for FY2009-10 \$190,000 General Funds, \$25,163 Cash Funds, and \$499,670 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$190,000 General Funds, \$25,163 Cash Funds, and \$499,670 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2009-10 \$130,000 General Funds and for FY2010-11 \$135,000 General Funds for services for the older blind, which shall only be used for such purpose. It is the intent of the Legislature that services for the older blind be coordinated and integrated to the extent possible with services provided to the aged by other state agencies.

Sec. 259. AGENCY NO. 82 - COMMISSION FOR THE DEAF AND HARD OF HEARING
 Program No. 578 - Hearing Impaired

	FY2009-10	FY2010-11
GENERAL FUND	875,312	898,083
CASH FUND	11,630	13,430
PROGRAM TOTAL	886,942	911,513
SALARY LIMIT	544,670	558,272

Sec. 260. AGENCY NO. 83 - AID TO COMMUNITY COLLEGES
 Program No. 151 - Aid to Community Colleges

	FY2009-10	FY2010-11
GENERAL FUND	88,575,473	89,904,105
PROGRAM TOTAL	88,575,473	89,904,105

There is included in the appropriation to this program for FY2009-10 \$88,575,473 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$89,904,105 General Funds for state aid, which shall only be used for such purpose.

Sec. 261. AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL QUALITY
 Program No. 513 - Environmental Quality

	FY2009-10	FY2010-11
GENERAL FUND	7,948,774	7,984,101
CASH FUND	32,354,512	32,350,017

FEDERAL FUND est.	16,064,292	16,050,009
PROGRAM TOTAL	56,367,578	56,384,127
SALARY LIMIT	11,489,637	11,783,839

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

- No. 513 - Administration
- No. 586 - Water Quality
- No. 587 - Land Quality
- No. 588 - Air Quality

There is included in the appropriation to this program for FY2009-10 \$4,458,711 General Funds, \$16,000,000 Cash Funds, and \$265,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$4,477,311 General Funds, \$16,000,000 Cash Funds, and \$265,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

It is the intent of the Legislature that the unexpended General Fund appropriation balance earmarked as state aid in FY2008-09, and reappropriated under the provisions of this act, be used by the Department of Environmental Quality to meet Superfund program cost-share requirements, including cost-share requirements under the American Recovery and Reinvestment Act of 2009.

Sec. 262. AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL QUALITY
 Program No. 523 - Wastewater Loan Fund

	FY2009-10	FY2010-11
CASH FUND	1,200,000	1,200,000
FEDERAL FUND est.	5,140,000	5,140,000
PROGRAM TOTAL	6,340,000	6,340,000

There is included in the appropriation to this program for FY2009-10 \$1,200,000 Cash Funds and \$5,140,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$1,200,000 Cash Funds and \$5,140,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

Funds set aside for grants to small communities shall not be commingled with funds deposited in the Wastewater Treatment Facilities Construction Loan Fund.

Sec. 263. AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL QUALITY
 Program No. 528 - Drinking Water Facilities Loan Fund

	FY2009-10	FY2010-11
CASH FUND	500,000	500,000
FEDERAL FUND est.	8,500,000	8,500,000
PROGRAM TOTAL	9,000,000	9,000,000

There is included in the appropriation to this program for FY2009-10 \$500,000 Cash Funds and \$8,500,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$500,000 Cash Funds and \$8,500,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 264. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD

Program No. 41 - Administration of Retirement Systems and Deferred Compensation

	FY2009-10	FY2010-11
CASH FUND	6,757,666	5,329,268
PROGRAM TOTAL	6,757,666	5,329,268
SALARY LIMIT	1,988,673	2,036,163

Notwithstanding other provisions of this act, all General Fund

appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 265. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD
 Program No. 42 - Board Member Expenses

	FY2009-10	FY2010-11
CASH FUND	36,434	36,434
PROGRAM TOTAL	36,434	36,434
SALARY LIMIT	7,000	7,000

It is the intent of the Legislature that all expenses of the members of the Public Employees Retirement Board, including conference registration expenses, be paid exclusively from this program.

Sec. 266. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD
 Program No. 515 - Public Employees Retirement

	FY2009-10	FY2010-11
GENERAL FUND	25,589,490	47,579,490
PROGRAM TOTAL	25,589,490	47,579,490

Pursuant to section 84-1319.01, each state agency participating in the State Employees Retirement System of the State of Nebraska shall contribute an amount to the State Equal Retirement Benefit Fund to provide all similarly situated male and female members with equal benefits. It is the intent of the Legislature that the Public Employees Retirement Board notify each state agency of the amount to be paid to the fund for FY2009-10 and FY2010-11.

Sec. 267. AGENCY NO. 86 - DRY BEAN COMMISSION
 Program No. 137 - Dry Bean Commission

	FY2009-10	FY2010-11
CASH FUND	400,000	400,000
PROGRAM TOTAL	400,000	400,000
SALARY LIMIT	43,261	44,133

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 268. AGENCY NO. 87 - NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION
 Program No. 94 - Nebraska Political Accountability

	FY2009-10	FY2010-11
GENERAL FUND	426,435	441,387
CASH FUND	163,793	168,465
PROGRAM TOTAL	590,228	609,852
SALARY LIMIT	370,534	379,599

Sec. 269. AGENCY NO. 87 - NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION
 Program No. 95 - Campaign Finance Limitation Act

	FY2009-10	FY2010-11
CASH FUND	863,502	969,902
PROGRAM TOTAL	863,502	969,902

There is included in the appropriation to this program for FY2009-10 \$863,502 Cash Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$969,902 Cash Funds estimate for state aid, which shall only be used for such purpose.

Notwithstanding other provisions of this act, all appropriations

within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 270. AGENCY NO. 88 - CORN DEVELOPMENT, UTILIZATION, AND MARKETING BOARD

Program No. 384 - Corn Development, Utilization, and Marketing Board

	FY2009-10	FY2010-11
CASH FUND	5,211,611	5,211,611
FEDERAL FUND est.	399,018	399,018
PROGRAM TOTAL	5,610,629	5,610,629
SALARY LIMIT	422,446	432,241

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 271. AGENCY NO. 92 - GRAIN SORGHUM DEVELOPMENT, UTILIZATION, AND MARKETING BOARD

Program No. 406 - Grain Sorghum Development

	FY2009-10	FY2010-11
CASH FUND	304,000	304,000
PROGRAM TOTAL	304,000	304,000
SALARY LIMIT	60,682	62,203

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 272. AGENCY NO. 93 - TAX EQUALIZATION AND REVIEW COMMISSION

Program No. 115 - Operations

	FY2009-10	FY2010-11
GENERAL FUND	875,451	875,451
CASH FUND	100,000	100,000
PROGRAM TOTAL	975,451	975,451
SALARY LIMIT	597,028	611,902

There is included in the appropriation to this program for FY2009-10 \$38,025 General Funds and \$35,000 Cash Funds for the purpose of resolving valuation appeals including, but not limited to, contract mediation as described in subsection (5) of section 77-5009, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$38,025 General Funds and \$35,000 Cash Funds for the purpose of resolving valuation appeals including, but not limited to, contract mediation as described in subsection (5) of section 77-5009, which shall only be used for such purpose.

Sec. 273. AGENCY NO. 94 - COMMISSION ON PUBLIC ADVOCACY

Program No. 425 - Operations

	FY2009-10	FY2010-11
CASH FUND	1,059,954	1,089,934
PROGRAM TOTAL	1,059,954	1,089,934
SALARY LIMIT	664,136	680,722

Sec. 274. AGENCY NO. 94 - COMMISSION ON PUBLIC ADVOCACY

Program No. 426 - Legal Services Aid

	FY2009-10	FY2010-11
CASH FUND	2,547,000	2,547,000
PROGRAM TOTAL	2,547,000	2,547,000
SALARY LIMIT	-0-	-0-

There is included in the appropriation to this program for FY2009-10 \$2,547,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 \$2,547,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 275. AGENCY NO. 94 - COMMISSION ON PUBLIC ADVOCACY
 Program No. 455 - DNA Testing

	FY2009-10	FY2010-11
CASH FUND	75,000	75,000
PROGRAM TOTAL	75,000	75,000
SALARY LIMIT	-0-	-0-

Sec. 276. CASH FUNDS.

The receipts for FY2009-10 and FY2010-11 inuring to the several Cash Funds, together with any amounts held in account by the State Treasurer on June 30, 2009, are hereby credited to each of the funds respectively.

Expenditure of Cash Funds appropriated in this act shall be limited to the amount shown by program except when specific exceptions are made. The amounts appropriated in this act include the following funds:

(1) Legislative Council: Nebraska Legislative Shared Information System Cash Fund, Donations/Contributions Cash Fund, Nebraska Health Care Cash Fund;

(2) Supreme Court: Supreme Court Reports Cash Fund, Probation Program Cash Fund, Probation Cash Fund, State Probation Contractual Services Cash Fund, Dispute Resolution Cash Fund, Counsel for Discipline Cash Fund, Civil Legal Services Fund, Supreme Court Education Fund, Supreme Court Automation Cash Fund, Parenting Act Fund;

(3) Governor: Governor's Policy Research Cash Fund;

(4) Secretary of State: Nebraska Collection Agency Fund, Records Management Cash Fund, Secretary of State Administration Cash Fund, Uniform Commercial Code Cash Fund, Corporation Cash Fund, Election Administration Fund;

(5) Auditor of Public Accounts: Cooperative Audit Cash Fund;

(6) Attorney General: Motor Vehicle Fraud Cash Fund, Department of Justice Natural Resources Enforcement Fund, State Settlement Cash Fund, Nebraska Health Care Cash Fund;

(7) State Treasurer: State Treasurer Administrative Fund, Unclaimed Property Cash Fund, Mutual Finance Assistance Fund, Nebraska Educational Savings Plan Trust Administrative Fund, Convention Center Support Fund, State Disbursement Unit Cash Fund, Treasury Management Cash Fund;

(8) State Department of Education: State Department of Education Cash Fund, Certification Fund, Diagnostic Resource Center Cash Fund, Professional Practices Commission Fund, Tax Equity and Educational Opportunities Fund, Education Innovation Fund, School Technology Fund, Tuition Recovery Cash Fund, Private Postsecondary Career Schools Cash Fund, Excellence in Teaching Cash Fund, School District Reorganization Fund;

(9) Public Service Commission: Nebraska Grain Warehouse Surveillance Cash Fund, Nebraska Telecommunications Relay System Fund, Modular Housing Units Cash Fund, Manufactured Homes and Recreational Vehicles Cash Fund, Nebraska Telecommunications Universal Service Fund, Nebraska Internet Enhancement Fund, Nebraska Competitive Telephone Marketplace Fund, Enhanced Wireless 911 Fund, Moisture Testing Examination Fund, Grain Warehouse Auditing Fund, Municipal Rate Negotiations Revolving Loan Fund;

(10) Department of Revenue: Department of Revenue Enforcement Fund, State Lottery Operation Cash Fund, Marijuana and Controlled Substances Tax Administration Cash Fund, Department of Revenue Contractor Enforcement Fund, Waste Reduction and Recycling Incentive Fees Collection Fund, Petroleum Release Remedial Action Collection Fund, Litter Fee Collection Fund, Energy Conservation Improvement Fund, Motor Fuels Refund Administration Cash Fund, Severance Tax Administration Fund, Rural Economic Opportunities Fund, Department of Revenue Miscellaneous Receipts Fund, Charitable Gaming Operations Fund, Tobacco Products Administration Cash Fund, Nebraska Incentives Fund, Motor Fuel Tax Enforcement and Collection Cash Fund, Nebraska Health Care Cash Fund, State Athletic Commissioner's Cash Fund, Department of Revenue Property Assessment Division Cash Fund, Airline and Carline Cash Fund, and Property Tax Credit Cash Fund;

(11) Department of Aeronautics: Department of Aeronautics Cash Fund;

(12) Department of Agriculture: Fertilizers and Soil Conditioners Administrative Fund, Commercial Feed Administration Cash Fund, Pure Milk Cash

Fund, Soil and Plant Analysis Laboratory Cash Fund, Livestock Auction Market Fund, Nebraska Potato Development Fund, Graded Egg Fund, Weights and Measures Administrative Fund, Nebraska Poultry and Egg Development, Utilization, and Marketing Fund, Agricultural Products Marketing Information Cash Fund, Manufacturing Milk Cash Fund, Pure Food Cash Fund, Nebraska Agricultural Products Marketing Cash Fund, State Apiary Cash Fund, Pseudorabies Control Cash Fund, Weed Book Cash Fund, Pesticide Administrative Cash Fund, Nebraska Seed Administrative Cash Fund, Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash Fund, Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive Fund, Winery and Grape Producers Promotional Fund, Commercial Dog and Cat Operator Inspection Program Cash Fund, Domesticated Cervine Animal Cash Fund;

(13) Department of Banking and Finance: Financial Institution Assessment Cash Fund, Securities Act Cash Fund;

(14) State Fire Marshal: Nebraska Natural Gas Pipeline Safety Cash Fund, State Fire Marshal Cash Fund, Underground Storage Tank Fund, Training Division Cash Fund;

(15) Department of Insurance: Department of Insurance Cash Fund;

(16) Department of Labor: Employment Security Special Contingent Fund, Nebraska Amusement Ride Fund, Farm Labor Contractors Fund, Contractor Registration Cash Fund, Boiler Inspection Cash Fund, Elevator Inspection Fund, Workplace Safety Consultation Program Cash Fund;

(17) Department of Motor Vehicles: Motor Carrier Division Cash Fund, Department of Motor Vehicles Cash Fund, License Plate Cash Fund, Motorcycle Safety Education Fund;

(18) Department of Health and Human Services: Health and Human Services Cash Fund, Veterans' Home Building Fund, Institution Cash Fund, Small Business Enterprises Cash Fund, School District Reimbursement Fund, Compulsive Gamblers Assistance Fund, Nebraska Child Abuse Prevention Fund, Nebraska Health Care Cash Fund, Nursing Facility Conversion Cash Fund, Children's Health Insurance Cash Fund, Childhood Care Cash Fund, University of Nebraska Medical Center Medical Education Revolving Fund, Behavioral Health Services Fund, Health and Human Services Reimbursement Fund, Professional and Occupational Credentialing Cash Fund, Rural Health Professional Incentive Fund, Organ and Tissue Donor Awareness and Education Fund, Tobacco Prevention and Control Cash Fund;

(19) Department of Roads: Highway Cash Fund, Grade Crossing Protection Fund, State Recreation Road Fund, Roads Operations Cash Fund, Midwest Interstate Passenger Rail Compact Cash Fund, Light-Density Rail Line Assistance Cash Fund;

(20) Department of Veterans' Affairs: Veteran Cemetery Construction Fund, Nebraska Veteran Cemetery System Operation Fund;

(21) Department of Natural Resources: Department of Natural Resources Cash Fund, Small Watersheds Flood Control Fund, Nebraska Soil and Water Conservation Fund, Nebraska Resources Development Fund, Water Well Decommissioning Fund, Natural Resources Water Quality Fund, Carbon Sequestration Assessment Cash Fund, Water Resources Cash Fund;

(22) State Electrical Board: Electrical Division Fund;

(23) Military Department: Military Department Cash Fund, Governor's Emergency Cash Fund, Nebraska Emergency Management Agency Cash Fund, Nebraska Emergency Planning and Community Right to Know Cash Fund;

(24) Board of Educational Lands and Funds: Surveyors' Cash Fund, Board of Educational Lands and Funds Cash Fund, Survey Record Repository Fund;

(25) Game and Parks Commission: State Game Fund, State Park Cash Revolving Fund, Nebraska Habitat Fund, Nebraska Aquatic Habitat Fund, Nebraska Snowmobile Trail Cash Fund, Nebraska Outdoor Recreation Development Cash Fund, Wildlife Conservation Fund, Nebraska Environmental Trust Fund, Trail Development Assistance Fund, Cowboy Trail Fund, Game Law Investigation Cash Fund, Niobrara Council Fund, Nebraska Environmental Endowment Fund, Ferguson House Fund;

(26) Nebraska Library Commission: Nebraska Library Commission Cash Fund;

(27) Nebraska Liquor Control Commission: Nebraska Liquor Control Commission Rule and Regulation Cash Fund;

(28) State Racing Commission: Racing Commission's Cash Fund, Track Distribution Fund;

(29) Nebraska Workers' Compensation Court: Compensation Court Cash Fund;

(30) Nebraska Commission on the Status of Women: Nebraska Commission on the Status of Women Donation Fund;

(31) Nebraska Brand Committee: Nebraska Brand Inspection and Theft

Prevention Fund;

(32) Nebraska Motor Vehicle Industry Licensing Board: Nebraska Motor Vehicle Industry Licensing Fund;

(33) State Real Estate Commission: State Real Estate Commission's Fund;

(34) Board of Barber Examiners: Board of Barber Examiners Fund;

(35) Department of Correctional Services: Department of Correctional Services Facility Cash Fund, Parole Program Cash Fund;

(36) Nebraska Educational Telecommunications Commission: State Educational Telecommunications Fund, NEB*SAT Cash Fund;

(37) Coordinating Commission for Postsecondary Education: Coordinating Commission for Postsecondary Education Cash Fund, Nebraska Scholarship Fund;

(38) Nebraska State Colleges: Chadron Cash Fund, Peru Cash Fund, Wayne Cash Fund, Chadron State College Designated Cash Fund, Peru State College Designated Cash Fund, Wayne State College Designated Cash Fund, Board of Trustees Cash Fund;

(39) University of Nebraska: University Cash Fund, Temporary University Fund, University of Nebraska at Omaha Cash Fund, University of Nebraska Medical Center Cash Fund, University of Nebraska at Kearney Cash Fund, University of Nebraska Central Administration Designated Cash Fund, University of Nebraska-Lincoln Designated Cash Fund, University of Nebraska at Omaha Designated Cash Fund, University of Nebraska Medical Center Designated Cash Fund, University of Nebraska at Kearney Designated Cash Fund;

(40) Nebraska State Fair Board: Antique Farm Machinery and Equipment Fund;

(41) Real Property Appraiser Board: Real Property Appraiser Fund;

(42) Nebraska State Historical Society: Historical Society Fund, Historical Landmark Cash Fund;

(43) Nebraska Wheat Development, Utilization, and Marketing Board: Nebraska Wheat Development, Utilization, and Marketing Fund;

(44) Nebraska Oil and Gas Conservation Commission: Oil and Gas Conservation Fund;

(45) Board of Engineers and Architects: Engineers and Architects Regulation Fund;

(46) Board of Geologists: Geologists Regulation Fund;

(47) Nebraska Ethanol Board: Agricultural Alcohol Fuel Tax Fund, Ethanol Production Incentive Cash Fund;

(48) Nebraska Dairy Industry Development Board: Nebraska Dairy Industry Development Fund;

(49) State Board of Examiners for Land Surveyors: Land Surveyor Examiner's Fund;

(50) Nebraska State Board of Public Accountancy: Public Accountants Fund;

(51) Nebraska State Patrol: Nebraska State Patrol Cash Fund, Investigation Petty Cash Fund, Carrier Enforcement Cash Fund, Nebraska State Patrol Drug Control and Education Cash Fund, Public Safety Cash Fund, Nebraska State Patrol Vehicle Replacement Cash Fund, Nebraska Public Safety Communication System Cash Fund;

(52) Department of Administrative Services: Telecommunications Cash Fund, Building Renewal Allocation Fund, State Building Renewal Assessment Fund, University Building Renewal Assessment Fund, State College Building Renewal Assessment Fund, Recyclable Paper Cash Fund, Capitol Restoration Cash Fund, Nebraska State Fairgrounds Building Fund, Vacant Building and Excess Land Cash Fund, Resource Recovery Fund, Americans with Disabilities Account, Nebraska Fire, Life Safety, and Hazardous Materials Account, Tort Claims Fund, Tort and Sundry Claims Fund, Information Technology Infrastructure Fund, Health and Life Benefit Administration Cash Fund, City of the Primary Class Development Fund, City of the Metropolitan Class Development Fund, World Day on the Mall Fund;

(53) Abstracters Board of Examiners: Abstracters Board of Examiners Cash Fund;

(54) Commission on Mexican-Americans: Hispanic Awareness Cash Fund;

(55) Nebraska Arts Council: Nebraska Arts Council Cash Fund, Nebraska Arts and Humanities Cash Fund;

(56) State Foster Care Review Board: Foster Care Review Board Cash Fund;

(57) Nebraska Energy Office: School Weatherization Fund, State Energy Office Cash Fund;

(58) Department of Economic Development: Nebraska Agricultural Products Research Fund, Aerospace Museum Cash Fund, State Visitors Promotion Cash Fund, Job Training Cash Fund, Administrative Cash Fund, Tourist Promotion

Fund, Affordable Housing Trust Fund, Comprehensive Housing Strategy Cash Fund, Economic Development Cash Fund, Local Civic, Cultural, and Convention Center Financing Fund;

(59) State Board of Landscape Architects: State Board of Landscape Architects Cash Fund;

(60) Nebraska Power Review Board: Nebraska Power Review Fund;

(61) Nebraska Investment Council: State Investment Officer's Cash Fund;

(62) Nebraska Commission on Law Enforcement and Criminal Justice: Nebraska Law Enforcement Training Center Cash Fund, Law Enforcement Improvement Fund, Victim's Compensation Fund, Community Corrections Uniform Data Analysis Cash Fund;

(63) Commission for the Blind and Visually Impaired: Commission for the Blind and Visually Impaired Cash Fund;

(64) Commission for the Deaf and Hard of Hearing: Commission for the Deaf and Hard of Hearing Fund;

(65) Department of Environmental Quality: Integrated Solid Waste Management Cash Fund, Nebraska Litter Reduction and Recycling Fund, Department of Environmental Quality Cash Fund, Chemigation Costs Fund, Low-Level Radioactive Waste Cash Fund, Petroleum Products and Hazardous Substances Storage and Handling Fund, Petroleum Release Remedial Action Cash Fund, Wastewater Treatment Operator Certification Cash Fund, Community Improvements Cash Fund, Local Site Selection Cash Fund, Local Monitoring Committee Cash Fund, Waste Reduction and Recycling Incentive Fund, Construction Administration Fund, Remedial Action Plan Monitoring Fund, Scrap Tire Reduction and Recycling Incentive Fund, Livestock Waste Management Cash Fund, Drinking Water Administration Fund, Clean Air Title V Cash Fund;

(66) Public Employees Retirement Board: School Expense Fund, Judges Expense Fund, State Patrol Expense Fund, Deferred Compensation Expense Fund, State Employees Retirement System Expense Fund, County Employees Retirement System Expense Fund, State Employer Retirement Expense Fund, County Employer Retirement Expense Fund, State Cash Balance Expense Fund, County Cash Balance Expense Fund;

(67) Dry Bean Commission: Dry Bean Development, Utilization, Promotion, and Education Fund;

(68) Nebraska Accountability and Disclosure Commission: Nebraska Accountability and Disclosure Commission Cash Fund, Campaign Finance Limitation Cash Fund;

(69) Corn Development, Utilization, and Marketing Board: Nebraska Corn Development, Utilization, and Marketing Fund;

(70) Community College Aid: Nebraska Community College Aid Cash Fund;

(71) Grain Sorghum Development, Utilization, and Marketing Board: Grain Sorghum Development, Utilization, and Marketing Fund;

(72) Tax Equalization and Review Commission: Tax Equalization and Review Commission Cash Fund; and

(73) Commission on Public Advocacy: Commission on Public Advocacy Operations Cash Fund, Legal Aid and Services Fund.

Sec. 277. FEDERAL FUNDS.

The receipts for FY2009-10 and FY2010-11 inuring to the several Federal Funds, together with any amounts held in account by the State Treasurer on June 30, 2009, are hereby credited to each of the funds respectively. Expenditure of Federal Funds appropriated in this act shall not be limited to the amount shown.

Any Federal Funds, including funds received pursuant to the American Recovery and Reinvestment Act of 2009, not otherwise appropriated, any additional Federal Funds made available to the credit of the State Treasurer, and any amounts on hand in any such Federal Funds on June 30, 2009, are hereby appropriated to the expending agency designated by the federal government or, if none is designated, to such expending agency as may be designated by the Governor.

Sec. 278. REVOLVING FUNDS.

The receipts for FY2009-10 and FY2010-11 inuring to the several Revolving Funds, together with any amounts held in account by the State Treasurer on June 30, 2009, are hereby credited to each of the funds respectively. Expenditure of Revolving Funds appropriated in this act shall be limited to the amount shown by program except when specific exceptions are made. The amounts appropriated in this act include the following funds:

(1) Governor: Governor's Policy Research Office Revolving Fund;

(2) Secretary of State: Records Management Micrographics Services Revolving Fund;

(3) Attorney General: Department of Justice Revolving Fund;

(4) State Department of Education: State Department of Education Revolving Fund;

(5) Department of Revenue: Miscellaneous Services Revolving Fund;

(6) Department of Agriculture: Management Services Expense Revolving Fund;

(7) Department of Roads: Light-Density Rail Line Assistance Revolving Fund;

(8) Department of Correctional Services: Correctional Industries Revolving Fund, Federal Surplus Property Fund, Department of Correctional Services Warehouse Revolving Fund;

(9) Nebraska State Colleges: The money accruing to the Auxiliary Enterprise Revolving Funds for student activity fees, dormitory rentals, dormitory operations and maintenance, cafeteria operations, and student union operations at Chadron, Peru, and Wayne State Colleges, and the State College Capital Improvement Fund;

(10) University of Nebraska: University of Nebraska-Lincoln Revolving Fund, University of Nebraska at Omaha Revolving Fund, University of Nebraska Medical Center Revolving Fund, University of Nebraska Medical Center Medical Education Revolving Fund, University of Nebraska at Kearney Revolving Fund, University Tractor Test Revolving Fund;

(11) Nebraska State Patrol: Capitol Security Revolving Fund; and

(12) Department of Administrative Services: Department of Administrative Services Revolving Fund, Materiel Division Revolving Fund, Telephone Expense Revolving Fund, Transportation Services Bureau Revolving Fund, Capitol Buildings Parking Revolving Fund, State Building Revolving Fund, Central Stores Revolving Fund, State Surplus Property Revolving Fund, Data Processing Revolving Fund, Temporary Employee Pool Revolving Fund, State Insurance Fund, State Self-Insured Property Fund, State Self-Insured Indemnification and Liability Fund, Accounting Division Revolving Fund, Intergovernmental Data Services Program Revolving Fund, State Workers' Compensation Claims Revolving Fund, Personnel Division Revolving Fund, Training Revolving Fund, Nebraska Public Safety Communication System Revolving Fund.

Sec. 279. TRUST FUNDS.

The receipts for FY2009-10 and FY2010-11 inuring to the several trust funds, together with any amounts held in account by the State Treasurer on June 30, 2009, are hereby credited to each of the funds respectively, which funds are hereby appropriated for FY2009-10 and FY2010-11:

(1) Governor: Thermo Study Trust Fund, Nebraska Energy Settlement Fund;

(2) Attorney General: State Settlement Trust Fund;

(3) State Treasurer: Highway Trust Fund, Highway Tax Trust Fund, Bessey Memorial Fund, Common School Fund, Highway Revenue Bonds Redemption Trust Fund, Escheat Trust Fund, Revenue-Sharing Trust Fund, Michael B. Amos Educational Trust Fund, James M. Amos Educational Trust Fund, Excess Liability Fund, Insurance Investments Inc. Trust Fund, Financial Responsibility Act Trust Fund, Importing Dealers Trust Fund, Special Fuel Dealers Trust Fund, Nebraska Cultural Preservation Endowment Fund, Nebraska educational savings plan trust program fund, Nebraska educational savings plan trust endowment fund;

(4) State Department of Education: State Department of Education Trust Fund, temporary school fund;

(5) Public Service Commission: Public Service Commission Elevator Trust Fund;

(6) Department of Revenue: State Lottery Operation Trust Fund, State Lottery Prize Trust Fund, Municipal Equalization Fund;

(7) Department of Aeronautics: Department of Aeronautics Trust Fund;

(8) Department of Banking and Finance: First Investors Inc., Settlement Trust Fund;

(9) Department of Insurance: Securities Deposit Trust Fund, Premium and Retaliatory Tax Suspense Fund;

(10) Department of Labor: State Unemployment Insurance Trust Fund, Nebraska Training and Support Trust Fund;

(11) Department of Motor Vehicles: Motor Vehicle Responsibility Act Fund;

(12) Department of Health and Human Services: Dormant Trust Funds, Institution Canteen Amusement Trust Funds, Alcoholism Contribution Trust Fund, Visual Impairment Trust Fund, Finance and Support Trust Fund, State Wards Accounts Trust Fund, Medically Handicapped Children Trust Fund, Store and Canteen Accounts Trust Fund, Welfare and Club Accounts Trust Fund, Juvenile Trust Fund, Nebraska Tobacco Settlement Trust Fund, Nebraska Medicaid Intergovernmental Trust Fund;

- (13) Department of Roads: Highway Restoration and Improvement Bond Fund;
- (14) Department of Veterans' Affairs: Veterans' Aid Income Fund, Nebraska Veteran Cemetery System Endowment Fund;
- (15) Board of Educational Lands and Funds: Nebraska Veterans' Aid Fund, Permanent University Fund, permanent school fund, Normal School Endowment Investment Fund, Agricultural Endowment Fund, Agricultural and University Land Lease Fund;
- (16) Nebraska Library Commission: Nebraska Library Commission Trust Fund;
- (17) Nebraska Workers' Compensation Court: Workers' Compensation Trust Fund;
- (18) Department of Correctional Services: Store and Canteen Accounts Trust Fund, Welfare and Club Accounts Trust Fund, Inmate Trust Fund;
- (19) Nebraska Educational Telecommunications Commission: Public Radio Nebraska Foundation Trust Fund, Nebraska Educational Telecommunications Trust Fund;
- (20) Coordinating Commission for Postsecondary Education: Coordinating Commission for Postsecondary Education Trust Fund, SUN-MART Scholarship Trust Fund;
- (21) Board of Trustees of the Nebraska State Colleges: State College Endowment Fund, Education Enhancement Trust Fund, LB 1100 Construction Trust Fund, Davis Scholarship Trust Fund;
- (22) Nebraska State Colleges: Student Activity Trust Funds at Chadron, Peru, and Wayne State Colleges, Wayne State Bequests Trust Fund, Wayne State College EFT Loan Trust Fund, Peru State Construction Trust Fund;
- (23) University of Nebraska: University Trust Fund, University of Nebraska at Omaha Trust Fund, University of Nebraska Medical Center Trust Fund, University of Nebraska at Kearney Trust Fund, University of Nebraska-Lincoln Federal Student Loan Trust Fund, University of Nebraska Medical Center Student Loan Trust Fund, University of Nebraska at Omaha Electronic Funds Transfer Trust Fund, University of Nebraska at Omaha Federal Student Loan Trust Fund, Deferred Maintenance Project Trust Fund, Nebraska College of Technical Agriculture at Curtis Scholarship Trust Fund, UNMC RHOP Loan Trust Fund, UNL Minority Students Scholarship Trust Fund, UNMC Capital and Program Reserve Trust Fund;
- (24) Nebraska State Historical Society: Hall of Fame Trust Fund, Library Archives Trust Fund, Collections Trust Fund, Cheyenne Outbreak Barracks Trust Fund, Bridge Book Sale Trust Fund;
- (25) Nebraska Oil and Gas Conservation Commission: Oil and Gas Conservation Trust Fund;
- (26) Department of Administrative Services: Joseph Soukup Trust Fund, Master Lease Program Trust Fund, Flexible Spending Fund, State Employees Insurance Fund;
- (27) Nebraska Arts Council: Nebraska Arts Council Trust Fund, Nebraska Cultural Preservation Endowment Fund;
- (28) Department of Environmental Quality: Hazardous Waste Sites Trust Fund, Leaking Underground Storage Tanks Trust Fund, Wastewater Treatment Facilities Construction Loan Fund, Drinking Water Facilities Loan Fund; and
- (29) Public Employees Retirement Board: Annuity Reserve Fund, Nebraska Retirement Fund for Judges, Contingent Fund, School Employees Savings Fund, State Patrol Retirement Fund, School Employers Deposit Fund, Service Annuity Fund, Retired Teachers Supplementary Benefits Fund, State Equal Retirement Benefit Fund, County Equal Retirement Benefit Fund, Judges Contingent Trust Fund, State Patrol Contingent Trust Fund, School Operating Trust Fund, School Retirement Fund, State Cash Balance Retirement Fund, County Cash Balance Retirement Fund.

Sec. 280. REFUND AND DISTRIBUTIVE FUNDS.

The receipts for FY2009-10 and FY2010-11 inuring to the several refund and distributive funds, together with any amounts held in account by the State Treasurer on June 30, 2009, are hereby credited to each of the funds respectively, which funds are hereby appropriated for FY2009-10 and FY2010-11:

- (1) State Treasurer: Car Line Refund Fund, Insurance Tax Fund, Highway Allocation Fund, Aircraft Fuel Tax Fund, Severance Tax Fund, Suspense Fund, State Treasurer's Land Sales Distributive Fund;
- (2) State Department of Education: Public Grazing Fund, Forest Reserve Fund, Flood Control Fund, Insurance Tax Fund;
- (3) Department of Labor: Income Tax Setoff Fund;
- (4) Department of Motor Vehicles: International Registration Plan Distributive Fund;
- (5) Department of Health and Human Services: Child Support Operations Distribution Fund, Supplemental Security Income Distribution Fund,

Food Distribution Fund;

(6) Department of Roads: State Aid Bridge Fund;

(7) Nebraska Library Commission: NEBASE Fund;

(8) Coordinating Commission for Postsecondary Education: State Student Incentive Grant Match Fund;

(9) Department of Administrative Services: Imprest Payroll Distributive Fund, State Purchasing Card Distributive Fund; and

(10) Public Employees Retirement Board: Deferred Compensation Fund.

Sec. 281. FUND LAPSES AND TRANSFERS.

The State Treasurer shall make the transfers specified in this section between funds, in the amounts indicated. Unless otherwise noted, transfers for FY2009-10 shall occur on July 1, 2009, or as soon thereafter as administratively possible, and transfers for FY2010-11 shall occur on July 1, 2010, or as soon thereafter as administratively possible. All agencies with administrative responsibilities for these funds shall assist the State Treasurer as needed in implementing the transfers.

(1) Transfers for FY2009-10 shall include:

(a) From the General Fund to the Nebraska State Patrol Cash Fund: \$115,000 less the unexpended balance existing on June 30, 2009, in (i) the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash Fund, (iii) any special checking account or accounts used by the Nebraska State Patrol, and (iv) the possession of agency personnel involved in investigations, when the unexpended balances resulted from General Fund transfers to the Nebraska State Patrol Cash Fund or from General Fund appropriations. Any transfers made shall be subject to a final reconciliation of available investigation cash fund balances as of June 30, 2009, by the Nebraska State Patrol.

It is the intent of the Legislature that the Nebraska State Patrol have available a total of \$115,000 from the General Fund for FY2009-10 to be used in making drug purchases, for enforcing Nebraska laws relating to felonies, for enforcing the Nebraska liquor laws, and for payment of investigative expenses;

(b) From the Tobacco Products Administration Cash Fund to the General Fund: \$7,000,000 on or before June 15, 2010, on such date as directed by the budget administrator;

(c) From the Securities Act Cash Fund to the General Fund: \$10,000,000 on or before September 30, 2009, and \$10,000,000 on or before March 31, 2010, on such dates as directed by the budget administrator;

(d) From the Charitable Gaming Operations Fund to the General Fund: \$250,000 on or before June 15, 2010, on such date as directed by the budget administrator;

(e) From the Health and Human Services Cash Fund to the University of Nebraska Eppley Institute for Research in Cancer and Allied Diseases Cash Fund: \$500,000, pursuant to section 81-638;

(f) From the Department of Insurance Cash Fund to the General Fund: \$3,000,000 on or before September 30, 2009, and \$3,000,000 on or before March 31, 2010, on such dates as directed by the budget administrator;

(g) From the Roads Operations Cash Fund to the Carrier Enforcement Cash Fund: \$7,300,000. Transfers shall be made in four equal quarterly amounts on or before July 15, October 15, January 15, and April 15;

(h) From the Petroleum Release Remedial Action Cash Fund to the Underground Storage Tank Fund: \$50,000 on or before July 5, 2009;

(i) From the State Building Revolving Fund to the Capitol Security Revolving Fund: \$561,102. Transfers shall be made in four equal quarterly amounts on or before July 15, October 15, January 15, and April 15.

Transfers shall be made to pay non-General Fund costs associated with the operation of the State Capitol Security Division of the Nebraska State Patrol;

(j) From the Highway Trust Fund to the Motor Fuel Tax Enforcement and Collection Cash Fund: \$2,000,000. Transfers shall be made in twelve equal monthly amounts;

(k) From the Highway Trust Fund to the Motor Carrier Division Cash Fund: Up to a maximum of \$1,150,000. Transfers shall be made as required by the Department of Motor Vehicles to operate the Division of Motor Carrier Services;

(l) From the Highway Trust Fund to the License Plate Cash Fund: \$5,700,000. Transfers shall be made as required by the Department of Motor Vehicles to meet the expenditures of plate and sticker production;

(m) From the Flexible Spending Trust Fund to the Health and Life Benefit Administration Cash Fund: \$68,000, except if the total available unobligated balance of forfeitures in the Flexible Spending Trust Fund as of June 30, 2009, is less than \$68,000, then the State Treasurer shall transfer the difference, not to exceed \$68,000, from the Health History Account of

the State Employees Insurance Fund. Transfers shall be made to pay the costs associated with the administration of the Flexible Spending Account program;

(n) From the Health History Account of the State Employees Insurance Fund to the Health and Life Benefit Administration Cash Fund: \$732,000, less the June 30, 2009, unobligated Health and Life Benefit Administration Cash Fund balance;

(o) From the Severance Tax Fund to the Municipal Rate Negotiations Revolving Loan Fund: \$30,000, pursuant to section 57-705;

(p) From the Severance Tax Fund to the State Energy Office Cash Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in twelve equal monthly amounts;

(q) From the Resource Recovery Fund to the General Fund: \$150,000 on or before July 5, 2009;

(r) From the Corporation Cash Fund to the Election Administration Cash Fund: \$501,034 on or before July 5, 2009;

(s) From the Collection Agency Cash Fund to the General Fund: \$250,000 on or before July 5, 2009;

(t) From the Uniform Commercial Code Cash Fund to the General Fund: \$1,250,000 on or before July 5, 2009; and

(u) From the Uniform Commercial Code Cash Fund to the Records Management Cash Fund: \$500,000 on or before July 5, 2009.

(2) Transfers for FY2010-11 shall include:

(a) From the General Fund to the Nebraska State Patrol Cash Fund: \$115,000 less the unexpended balance existing on June 30, 2010, in (i) the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash Fund, (iii) any special checking account or accounts used by the Nebraska State Patrol, and (iv) the possession of agency personnel involved in investigations, when the unexpended balances resulted from General Fund transfers to the Nebraska State Patrol Cash Fund or from General Fund appropriations. Any transfers made shall be subject to a final reconciliation of available investigation cash fund balances as of June 30, 2010, by the Nebraska State Patrol.

It is the intent of the Legislature that the Nebraska State Patrol have available a total of \$115,000 from the General Fund for FY2010-11 to be used in making drug purchases, for enforcing Nebraska laws relating to felonies, for enforcing the Nebraska liquor laws, and for payment of investigative expenses;

(b) From the Tobacco Products Administration Cash Fund to the General Fund: \$7,000,000 on or before June 15, 2011, on such date as directed by the budget administrator;

(c) From the Securities Act Cash Fund to the General Fund: \$10,000,000 on or before September 30, 2010, and \$10,000,000 on or before March 31, 2011, on such dates as directed by the budget administrator;

(d) From the Charitable Gaming Operations Fund to the General Fund: \$250,000 on or before June 15, 2011, on such date as directed by the budget administrator;

(e) From the Health and Human Services Cash Fund to the University of Nebraska Eppley Institute for Research in Cancer and Allied Diseases Cash Fund: \$500,000, pursuant to section 81-638;

(f) From the Department of Insurance Cash Fund to the General Fund: \$3,000,000 on or before September 30, 2010, and \$3,000,000 on or before March 31, 2011, on such dates as directed by the budget administrator;

(g) From the Roads Operations Cash Fund to the Carrier Enforcement Cash Fund: \$7,500,000. Transfers shall be made in four equal quarterly amounts on or before July 15, October 15, January 15, and April 15;

(h) From the Petroleum Release Remedial Action Cash Fund to the Underground Storage Tank Fund: \$50,000 on or before July 5, 2010;

(i) From the State Building Revolving Fund to the Capitol Security Revolving Fund: \$585,102. Transfers shall be made in four equal quarterly amounts on or before July 15, October 15, January 15, and April 15.

Transfers shall be made to pay non-General Fund costs associated with the operation of the State Capitol Security Division of the Nebraska State Patrol;

(j) From the Highway Trust Fund to the Motor Fuel Tax Enforcement and Collection Cash Fund: \$2,000,000. Transfers shall be made in twelve equal monthly amounts;

(k) From the Highway Trust Fund to the Motor Carrier Division Cash Fund: Up to a maximum of \$1,150,000. Transfers shall be made as required by the Department of Motor Vehicles to operate the Division of Motor Carrier Services;

(l) From the Highway Trust Fund to the License Plate Cash Fund: Up to a maximum of \$8,000,000. Transfers shall be made as required by the Department of Motor Vehicles to meet the expenditures of plate and sticker

production;

(m) From the Flexible Spending Trust Fund to the Health and Life Benefit Administration Cash Fund: \$68,000, except if the total available unobligated balance of forfeitures in the Flexible Spending Trust Fund as of June 30, 2010, is less than \$68,000, then the State Treasurer shall transfer the difference, not to exceed \$68,000, from the Health History Account of the State Employees Insurance Fund. Transfers shall be made to pay the costs associated with the administration of the Flexible Spending Account program;

(n) From the Health History Account of the State Employees Insurance Fund to the Health and Life Benefit Administration Cash Fund: \$752,000;

(o) From the Severance Tax Fund to the Municipal Rate Negotiations Revolving Loan Fund: \$30,000, pursuant to section 57-705; and

(p) From the Severance Tax Fund to the State Energy Office Cash Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in twelve equal monthly amounts.

Sec. 282. REAPPROPRIATION OF STATE AGENCY BYRNE GRANTS.

The unexpended General Fund, Cash Fund, and Federal Fund appropriation balances existing on both June 30, 2009, and June 30, 2010, are hereby reappropriated for the following agencies and programs:

- (1) Agency 11 - Program No. 575;
- (2) Agency 64 - Program No. 575; and
- (3) Agency 78 - Program No. 575.

Sec. 283. GIFTS, BEQUESTS, AND DEVISES.

Any gift, bequest, or devise made available to the State of Nebraska for any purpose or purposes, together with the income thereof, shall be allocated to the expending agency designated by the donor or, if none is designated by the donor, by the Governor. Acceptance of a gift, bequest, or devise shall be subject to approval by the expending agency and the following restrictions:

(1) No matching of state funds shall be required as a condition of acceptance;

(2) Any gift or bequest of personal property in excess of \$10,000 shall be approved by the Governor before acceptance; and

(3) Any gift or devise of real property in excess of \$10,000 shall be approved by the Governor and the Legislature before acceptance.

For purposes of this section, gifts, bequests, and devises shall include, but not be limited to, donations, gifts, bequests, devises, and grants from individuals, organizations, corporations, and similar entities and from nonfederal governmental agencies.

At the discretion of the budget administrator of the budget division of the Department of Administrative Services and the Accounting Administrator of the Department of Administrative Services, expenditures of funds from any gift, bequest, or devise may be expended through any existing or administratively created Cash Fund account, Revolving Fund account, or Trust Fund account, in which case the actual amount of the gift, bequest, or devise is hereby appropriated to the expending agency, for the purpose or purposes designated by the donor, in addition to the amounts appropriated in this act. If no such Cash Fund account, Revolving Fund account, or Trust Fund account exists, the Accounting Administrator may create such fund account as is necessary to properly and separately account for the gift, bequest, or devise, in which case the actual amount of the gift, bequest, or devise is hereby appropriated to the expending agency, for the purpose or purposes designated by the donor, in addition to the amounts appropriated in this act.

This section shall not apply to the University of Nebraska.

Sec. 284. 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 FY2010-11 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 FY2009-10 shall be increased by certified encumbrance amounts from FY2008-09 for permanent and temporary salaries and per diems. The limitation on expenditures for permanent and temporary salaries and per diems for FY2010-11 shall be increased by certified encumbrance amounts from FY2009-10 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. 285. The One Hundred First Legislature acknowledges that Article III, section 22, of the Constitution of Nebraska provides that each Legislature shall make appropriations for the expenses of the government. Consistent with this provision, any appropriations enacted by prior Legislatures for fiscal years beginning after June 30, 2009, are null and void unless specifically reaffirmed by this Legislature.

Sec. 286. This act becomes operative on July 1, 2009.

Sec. 287. Since an emergency exists, this act takes effect when passed and approved according to law.