

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 968

Final Reading

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

Read first time January 12, 2012

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2011, LB374,
2 sections 24, 46, 47, 66, 91, 92, 93, 94, 98, 100, 101,
3 102, 104, 105, 107, 109, 112, 115, 132, 181, 200, 218,
4 220, 221, 222, 226, 235, 249, 260, and 267; Laws 2011,
5 LB376, section 19; Laws 2011, LB377, sections 8 and 38;
6 and Laws 2011, LB390, sections 33 and 34; to define
7 terms; to provide, change, and eliminate provisions
8 relating to appropriations; to reduce appropriations; to
9 state intent; to provide for and change transfers of
10 funds; to repeal the original sections; and to declare an
11 emergency.

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

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill
3 passed by the One Hundred Second Legislature, First or Second
4 Session, which appropriates funds, FY2011-12 means the period July 1,
5 2011, through June 30, 2012; and FY2012-13 means the period July 1,
6 2012, through June 30, 2013.

7 Sec. 2. APPROPRIATION LANGUAGE.

8 There are hereby appropriated, for FY2011-12 and
9 FY2012-13, the sums set forth in this act to each agency for each
10 program from the respective funds for the general operations of state
11 government, postsecondary education, capital construction, and state
12 aid, except as otherwise appropriated.

13 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

14 All General Fund appropriations existing on June 30,
15 2011, in excess of expended and certified encumbrance amounts are
16 hereby lapsed unless otherwise provided. All Cash Fund and Revolving
17 Fund appropriations existing on June 30, 2011, in excess of expended
18 and certified encumbrance amounts are hereby lapsed unless otherwise
19 expressly provided. All certified encumbrance amounts on June 30,
20 2011, and June 30, 2012, are hereby reappropriated for FY2011-12 and
21 FY2012-13, respectively, which amounts shall be in addition to the
22 amounts shown in this act.

23 Sec. 4. REAPPROPRIATION OF BALANCES, FY2011-12 to
24 FY2012-13.

25 In addition to the appropriations set forth in this act,

1 there are hereby reappropriated all unexpended appropriation balances
 2 existing on June 30, 2012, for FY2012-13 to the respective agencies,
 3 programs, and funds listed in this act, except as otherwise provided
 4 in this act.

5 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

6 The definitions contained in the Nebraska Accounting
 7 System Manual, and any amendments thereto, on file with the Clerk of
 8 the Legislature are hereby adopted by the Legislature as the
 9 definitions for this act, except as provided in section 72 of this
 10 act.

11 Sec. 6. DRAWING AND PAYING WARRANTS.

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

17 Sec. 7. AGENCY NO. 3 - LEGISLATIVE COUNCIL

18 Program No. 123 - Clerk of the Legislature

	<u>FY2011-12</u>	<u>FY2012-13</u>
20 <u>CASH FUND</u>	<u>20,000</u>	<u>-0-</u>
21 <u>PROGRAM TOTAL</u>	<u>20,000</u>	<u>-0-</u>
22 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

23 Sec. 8. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS

24 Program No. 525 - Cooperative Audits

	<u>FY2011-12</u>	<u>FY2012-13</u>
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1	<u>CASH FUND</u>	<u>30,000</u>	<u>30,000</u>
2	<u>PROGRAM TOTAL</u>	<u>30,000</u>	<u>30,000</u>
3	<u>SALARY LIMIT</u>	<u>21,600</u>	<u>21,600</u>
4	<u>Sec. 9. AGENCY NO. 11 - ATTORNEY GENERAL</u>		
5	<u>Program No. 507 - Interpretation and Application of Law</u>		
6		<u>FY2011-12</u>	<u>FY2012-13</u>
7	<u>GENERAL FUND</u>	<u>30,000</u>	<u>20,000</u>
8	<u>PROGRAM TOTAL</u>	<u>30,000</u>	<u>20,000</u>
9	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
10	<u>Sec. 10. AGENCY NO. 12 - STATE TREASURER</u>		
11	<u>Program No. 665 - Convention Center Facility Financing</u>		
12	<u>Assistance</u>		
13		<u>FY2011-12</u>	<u>FY2012-13</u>
14	<u>CASH FUND</u>	<u>2,417,420</u>	<u>-0-</u>
15	<u>PROGRAM TOTAL</u>	<u>2,417,420</u>	<u>-0-</u>
16	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
17	<u>There is included in the appropriation to this program</u>		
18	<u>from the Convention Center Support Fund for FY2011-12 \$2,417,420 Cash</u>		
19	<u>Funds, which shall only be disbursed to a city of the metropolitan</u>		
20	<u>class for which an application for state assistance has been approved</u>		
21	<u>under the Convention Center Facility Financing Assistance Act.</u>		
22	<u>The State Treasurer shall transfer \$1,036,037 from the</u>		
23	<u>Convention Center Support Fund to the Civic and Community Center</u>		
24	<u>Financing Fund within five days after the effective date of this act.</u>		

1	Sec. 11. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
2	<u>Program No. 351- Vocational Rehabilitation</u>		
3		<u>FY2011-12</u>	<u>FY2012-13</u>
4	<u>CASH FUND</u>	<u>200,000</u>	<u>-0-</u>
5	<u>PROGRAM TOTAL</u>	<u>200,000</u>	<u>-0-</u>
6	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
7	Sec. 12. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
8	<u>Program No. 614 - Professional Practices Commission</u>		
9		<u>FY2011-12</u>	<u>FY2012-13</u>
10	<u>SALARY LIMIT</u>	<u>990</u>	<u>-0-</u>
11	Sec. 13. <u>AGENCY NO. 14 – PUBLIC SERVICE COMMISSION</u>		
12	<u>Program No. 686 - Nebraska Telecommunications Universal</u>		
13	<u>Service Fund</u>		
14		<u>FY2011-12</u>	<u>FY2012-13</u>
15	<u>CASH FUND</u>	<u>-0-</u>	<u>51,792</u>
16	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>51,792</u>
17	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>30,468</u>
18	Sec. 14. <u>AGENCY NO. 14 – PUBLIC SERVICE COMMISSION</u>		
19	<u>Program No. 792 - Major Oil Pipeline Siting</u>		
20		<u>FY2011-12</u>	<u>FY2012-13</u>
21	<u>GENERAL FUND</u>	<u>10,225</u>	<u>-0-</u>
22	<u>CASH FUND</u>	<u>541,687</u>	<u>542,643</u>
23	<u>PROGRAM TOTAL</u>	<u>551,912</u>	<u>542,643</u>

1	<u>SALARY LIMIT</u>	<u>34,338</u>	<u>25,361</u>
2	Sec. 15. <u>AGENCY NO. 24 - DEPARTMENT OF MOTOR VEHICLES</u>		
3	<u>Program No. 70 - Enforcement of Standards - Motor</u>		
4	<u>Vehicles/Motor Vehicle Drivers</u>		
5		<u>FY2011-12</u>	<u>FY2012-13</u>
6	<u>CASH FUND</u>	<u>-0-</u>	<u>64,574</u>
7	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>64,574</u>
8	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>43,053</u>
9	Sec. 16. <u>AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN</u>		
10	<u>SERVICES</u>		
11	<u>Program No. 178 - Professional Licensure</u>		
12		<u>FY2011-12</u>	<u>FY2012-13</u>
13	<u>CASH FUND</u>	<u>96,512</u>	<u>96,512</u>
14	<u>PROGRAM TOTAL</u>	<u>96,512</u>	<u>96,512</u>
15	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
16	Sec. 17. <u>AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN</u>		
17	<u>SERVICES</u>		
18	<u>Program No. 250 - Juvenile Services Operations</u>		
19		<u>FY2011-12</u>	<u>FY2012-13</u>
20	<u>GENERAL FUND</u>	<u>225,000</u>	<u>905,000</u>
21	<u>PROGRAM TOTAL</u>	<u>225,000</u>	<u>905,000</u>
22	<u>SALARY LIMIT</u>	<u>159,318</u>	<u>640,821</u>
23	Sec. 18. <u>AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN</u>		

1 SERVICES

2 Program No. 424 - Developmental Disability Aid

	<u>FY2011-12</u>	<u>FY2012-13</u>
4 <u>GENERAL FUND</u>	-0-	5,073,939
5 <u>PROGRAM TOTAL</u>	-0-	5,073,939

6 There is included in the appropriation to this program
 7 for FY2012-13 \$5,073,939 General Funds for state aid, which shall
 8 only be used for such purpose. There is included in the amount shown
 9 as General Fund aid in this program for FY2012-13 \$3,600,000 General
 10 Funds to serve clients on the waiting list.

11 Sec. 19. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS

12 Program No. 36 - Departmental Administration

	<u>FY2011-12</u>	<u>FY2012-13</u>
14 <u>SALARY LIMIT</u>	36,800	-0-

15 Sec. 20. AGENCY NO. 33 - GAME AND PARKS COMMISSION

16 Program No. 549 - Parks - Administration and Operation

	<u>FY2011-12</u>	<u>FY2012-13</u>
18 <u>GENERAL FUND</u>	51,000	-0-
19 <u>PROGRAM TOTAL</u>	51,000	-0-

20 There is included in the appropriation to this program
 21 for FY2011-12 \$51,000 General Funds for the operation and maintenance
 22 of the Lake Wanahoo recreation area. It is the intent of the
 23 Legislature that this General Fund appropriation will be one-time and
 24 not ongoing.

1	Sec. 21. <u>AGENCY NO. 34 - NEBRASKA LIBRARY COMMISSION</u>		
2	<u>Program No. 252 - Library and Information Services</u>		
3		<u>FY2011-12</u>	<u>FY2012-13</u>
4	<u>GENERAL FUND</u>	<u>-0-</u>	<u>12,500</u>
5	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>12,500</u>
6	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
7	Sec. 22. <u>AGENCY NO. 39 - NEBRASKA BRAND COMMITTEE</u>		
8	<u>Program No. 75 - Nebraska Brand Committee</u>		
9		<u>FY2011-12</u>	<u>FY2012-13</u>
10	<u>CASH FUND</u>	<u>88,000</u>	<u>-0-</u>
11	<u>PROGRAM TOTAL</u>	<u>88,000</u>	<u>-0-</u>
12	Sec. 23. <u>AGENCY NO. 48 - COORDINATING COMMISSION FOR</u>		
13	<u>POSTSECONDARY EDUCATION</u>		
14	<u>Program No. 640 - Postsecondary Education Coordination</u>		
15		<u>FY2011-12</u>	<u>FY2012-13</u>
16	<u>GENERAL FUND</u>	<u>31,900</u>	<u>3,324</u>
17	<u>CASH FUND</u>	<u>5,465</u>	<u>5,465</u>
18	<u>PROGRAM TOTAL</u>	<u>37,365</u>	<u>8,789</u>
19	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
20	Sec. 24. <u>AGENCY NO. 48 - COORDINATING COMMISSION FOR</u>		
21	<u>POSTSECONDARY EDUCATION</u>		
22	<u>Program No. 691 - Access College Early Scholarship</u>		
23	<u>Program</u>		

1		<u>FY2011-12</u>	<u>FY2012-13</u>
2	<u>GENERAL FUND</u>	<u>-0-</u>	<u>75,000</u>
3	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>75,000</u>
4	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

5 There is included in the appropriation to this program
 6 for FY2012-13 \$75,000 General Funds for state aid, which shall only
 7 be used for such purpose.

8 Sec. 25. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
 9 NEBRASKA STATE COLLEGES

10 Program No. 935 - Chadron State College - Armstrong
 11 Gymnasium

12		<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
13	<u>NEBRASKA CAPITAL</u>			
14	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>6,700,000</u>	<u>-0-</u>
15	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>6,700,000</u>	<u>-0-</u>

16 Subject to the provisions of section 85-1414, the Board
 17 of Trustees of the Nebraska State Colleges is authorized to undertake
 18 construction of an addition to and renovation of the Armstrong
 19 Gymnasium at Chadron State College. The budget administrator of the
 20 budget division of the Department of Administrative Services shall
 21 allot the appropriation contained in this section upon evidence
 22 provided by the board that a minimum of \$2,000,000 from private or
 23 other funds has been received by the board to meet project costs in
 24 excess of the appropriation contained in this section.

1 Sec. 26. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
 2 NEBRASKA STATE COLLEGES

3 Program No. 997 - Peru State College - Oak Bowl

4	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
5	<u>NEBRASKA CAPITAL</u>		
6	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>7,500,000</u>
7	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>7,500,000</u>

8 Subject to the provisions of section 85-1414, the Board
 9 of Trustees of the Nebraska State Colleges is authorized to undertake
 10 renovation of and improvements to the Oak Bowl at Peru State College.
 11 The budget administrator of the budget division of the Department of
 12 Administrative Services shall allot up to \$5,000,000 of the
 13 appropriation contained in this section to meet project expenditures
 14 without specific limitation. The budget administrator shall allot
 15 amounts from the \$2,500,000 remaining balance of the appropriation
 16 contained in this section upon evidence provided by the board that a
 17 minimum of \$1,500,000 from private or other funds or nonstate in-kind
 18 services, materials, or property has been received by the board to
 19 meet project costs in excess of the appropriation contained in this
 20 section.

21 Sec. 27. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

22 Program No. 781 - University - Administration

23 It is the intent of the Legislature that the Conservation
 24 and Survey Division allocate sufficient General Fund resources to
 25 fulfill its statutory responsibilities as prescribed in section

1 85-163 including four additional positions.

2 Sec. 28. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

3 Program No. 939 - Veterinary Diagnostic Center

	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
5 <u>GENERAL FUND</u>	<u>-0-</u>	<u>6,093,000</u>	<u>54,837,000</u>
6 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>6,093,000</u>	<u>54,837,000</u>

7 Subject to the provisions of section 85-1414, the Board
8 of Regents of the University of Nebraska is hereby authorized to
9 design and construct a Veterinary Diagnostic Center at the University
10 of Nebraska Institute of Agriculture and Natural Resources. The total
11 project cost is estimated at \$55,000,000 of which \$5,000,000 is
12 private or other funds.

13 Beginning with the fiscal year commencing July 1, 2012,
14 and continuing through the fiscal year ending June 30, 2022, the
15 Legislature shall appropriate each fiscal year from the General Fund
16 an amount not less than \$6,093,000 to be used by the Board of Regents
17 of the University of Nebraska to pay the costs of constructing a
18 Veterinary Diagnostic Center. The board may enter into long-term
19 financing contracts with any person, firm, or corporation for the
20 Veterinary Diagnostic Center project. The board may not enter into
21 long-term financing contracts until evidence is provided to the
22 budget administrator of the budget division of the Department of
23 Administrative Services that \$5,000,000 private or other funds have
24 been received. The payments of the costs of the project may occur
25 over a contract period not to extend beyond June 30, 2022. The board

1 shall not pledge the credit of the State of Nebraska for the payment
2 of any sum owing on account of such contract, except that there may
3 be pledged for the payment of any such contract any appropriations
4 made by the Legislature for such purpose. No contract shall be
5 entered into pursuant to this section without prior approval by
6 resolution by the board. The board may also convey, lease, or lease
7 back all or any part of the Veterinary Diagnostic Center project and
8 the land on which such project is situated to such person, firm, or
9 corporation as the board may contract with pursuant to this section
10 to facilitate the long-term payment of the cost of the Veterinary
11 Diagnostic Center project. Any such conveyance or lease shall provide
12 that when the cost of the Veterinary Diagnostic Center project has
13 been paid, together with interest and other costs thereon, the
14 Veterinary Diagnostic Center project and the land on which such
15 project is located shall become the property of the board. The board
16 may schedule contractual payments on a monthly, quarterly, or
17 semiannual basis consistent with the state fiscal year. On or before
18 August 31, 2022, any funds appropriated from the General Fund for the
19 project held in the state treasury and held by any trustee which are
20 not necessary to meet the terms of any long-term financing agreements
21 entered into pursuant to this section shall be transferred to the
22 General Fund.

23 The Legislature finds and determines that the Veterinary
24 Diagnostic Center project is of critical importance to the State of
25 Nebraska. It is the intent of the Legislature that the appropriations

1 for the Veterinary Diagnostic Center project shall not be reduced
 2 until all contracts and securities relating to the construction and
 3 financing of the Veterinary Diagnostic Center project are completed
 4 or paid but in no case shall such appropriations extend beyond the
 5 fiscal year ending June 30, 2022.

6 Sec. 29. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

7 Program No. 950 - UNMC Cancer Research Tower

	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
8			
9	<u>NEBRASKA CAPITAL</u>		
10	<u>-0-</u>	<u>50,000,000</u>	<u>-0-</u>
11	<u>-0-</u>	<u>50,000,000</u>	<u>-0-</u>

12 Subject to the provisions of section 85-1414, the Board
 13 of Regents of the University of Nebraska is hereby authorized to
 14 design and construct a Cancer Research Tower at the University of
 15 Nebraska Medical Center. Total project cost of a Cancer Research
 16 Tower at the University of Nebraska Medical Center is estimated at
 17 \$110,000,000 of which \$60,000,000 shall be private or other funds.

18 The budget administrator of the budget division of the
 19 Department of Administrative Services shall allot \$25,000,000 of the
 20 appropriation of Nebraska Capital Construction Funds to the board for
 21 the University of Nebraska Medical Center Cancer Research Tower
 22 project upon evidence provided by the board that \$30,000,000 in
 23 private and other funds have been received by the board for the
 24 Cancer Research Tower.

25 The budget administrator shall allot \$25,000,000 of the

1 appropriation of Nebraska Capital Construction Funds to the board for
 2 the University of Nebraska Medical Center Cancer Research Tower
 3 project upon evidence provided by the board that an additional
 4 \$30,000,000 in private or other funds have been received by the board
 5 for the Cancer Research Tower.

6 It is the intent of the Legislature that the unexpended
 7 Nebraska Capital Construction Fund balance existing on June 30, 2013,
 8 for this project be reappropriated.

9 Sec. 30. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
 10 Program No. 971 - College of Nursing and Allied Health,
 11 Kearney Division

	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
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16 Subject to the provisions of section 85-1414, the Board
 17 of Regents of the University of Nebraska is hereby authorized to
 18 design and construct a College of Nursing and School of Allied Health
 19 Professions facility at the University of Nebraska at Kearney. The
 20 total project cost for a College of Nursing and School of Allied
 21 Health Professions facility is estimated at \$18,000,000 of which
 22 \$3,000,000 shall be private or other funds.

23 The budget administrator of the budget division of the
 24 Department of Administrative Services shall allot the \$15,000,000 of
 25 the appropriation of Nebraska Capital Construction Funds to the board

1 for the College of Nursing and School of Allied Health Professions
 2 facility upon evidence provided by the board that \$3,000,000 private
 3 and other funds have been received by the board for this project.

4 It is the intent of the Legislature that the unexpended
 5 Nebraska Capital Construction Fund balance existing on June 30, 2013,
 6 for this project be reappropriated.

7 Sec. 31. AGENCY NO. 54 - NEBRASKA STATE HISTORICAL
 8 SOCIETY

9 Program No. 648 - Nebraska State Historical Society

	<u>FY2011-12</u>	<u>FY2012-13</u>
10		
11 <u>GENERAL FUND</u>	<u>59,012</u>	<u>61,720</u>
12 <u>CASH FUND</u>	<u>45,000</u>	<u>45,000</u>
13 <u>PROGRAM TOTAL</u>	<u>104,012</u>	<u>106,720</u>

14 Sec. 32. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 15 SERVICES

16 Program No. 674 - Centennial Mall Improvements

	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
17			
18 <u>NEBRASKA CAPITAL</u>			
19 <u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>800,000</u>	<u>-0-</u>
20 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>800,000</u>	<u>-0-</u>

21 There is included in the appropriation from the Nebraska
 22 Capital Construction Fund to this program for FY2012-13 \$800,000 to
 23 aid and assist the city of Lincoln with renovation of and
 24 improvements to Centennial Mall within the Nebraska State Capitol

1 Environs District. The budget administrator of the budget division of
 2 the Department of Administrative Services shall allot and disburse
 3 amounts from the appropriation contained in this section to the city
 4 of Lincoln upon evidence provided by the city of costs incurred in
 5 completion of such Centennial Mall renovation or improvements. Total
 6 disbursements shall not exceed \$800,000.

7 There is included in the appropriation to this program
 8 for FY2012-13 \$800,000 for state aid, which shall only be used for
 9 such purpose.

10 Sec. 33. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 11 SERVICES

12 Program No. 901 - State Capitol Improvements

	<u>FY2011-12</u>	<u>FY2012-13</u>
14 <u>GENERAL FUND</u>	<u>-0-</u>	<u>77,000</u>
15 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>77,000</u>

16 There is included in the appropriation to this program
 17 for 2012-13 \$77,000 from the General Fund for conservation,
 18 restoration, and rehabilitation of Capitol space occupied by the
 19 Legislature.

20 Sec. 34. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
 21 RELATIONS

22 Program No. 490 - Commissioner Expenses

	<u>FY2011-12</u>	<u>FY2012-13</u>
24 <u>GENERAL FUND</u>	<u>18,600</u>	<u>18,600</u>

1	<u>PROGRAM TOTAL</u>	<u>18,600</u>	<u>18,600</u>
2	Sec. 35. <u>AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL</u>		
3	<u>QUALITY</u>		
4	<u>Program No. 513 - Environmental Quality</u>		
5		<u>FY2011-12</u>	<u>FY2012-13</u>
6	<u>CASH FUND</u>	<u>-0-</u>	<u>106,582</u>
7	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>106,582</u>
8	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>41,186</u>
9	Sec. 36. <u>AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT</u>		
10	<u>BOARD</u>		
11	<u>Program No. 41 - Administration of Retirement Systems and</u>		
12	<u>Deferred Compensation</u>		
13		<u>FY2011-12</u>	<u>FY2012-13</u>
14	<u>CASH FUND</u>	<u>132,915</u>	<u>29,440</u>
15	<u>PROGRAM TOTAL</u>	<u>132,915</u>	<u>29,440</u>
16	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
17	Sec. 37. Laws 2011, LB374, section 24, is amended to		
18	read:		
19	Sec. 24. <u>AGENCY NO. 5 - SUPREME COURT</u>		
20	<u>Program No. 570 - Court Automation</u>		
21		<u>FY2011-12</u>	<u>FY2012-13</u>
22	<u>CASH FUND est.</u>	<u>4,022,021</u>	<u>4,029,722</u>
23	<u>FEDERAL FUND est.</u>	<u>423,661</u>	<u>426,237</u>

1	PROGRAM TOTAL	4,445,682	4,455,959
2	SALARY LIMIT	487,233	496,978
3	<u>SALARY LIMIT</u>	<u>522,333</u>	<u>558,553</u>

4 There is included in the appropriation to this program
5 for FY2011-12 a retainer fee of up to \$1,014,016 Cash Funds and for
6 FY2012-13 a retainer fee of up to \$1,014,016 Cash Funds which shall
7 be billed and paid in equal monthly installments to the
8 Intergovernmental Data Services Program Revolving Fund for county
9 automation expenses in lieu of standard central processing unit
10 charges, which shall only be used for such purpose. These retainer
11 fee amounts shall not include pass-through charges for leased
12 computers and printers, software maintenance costs, or county data
13 conversion or interface costs. The annual retainer fee for both
14 FY2011-12 and FY2012-13 shall be paid prior to the end of each
15 respective fiscal year.

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

18 Sec. 38. Laws 2011, LB374, section 46, is amended to
19 read:

20 Sec. 46. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

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

22		FY2011-12	FY2012-13
23	GENERAL FUND	9,668,027	9,762,802
24	CASH FUND	1,076,053	1,082,205

1	FEDERAL FUND est.	21,633,256	22,115,955
2	REVOLVING FUND	154,728	154,728
3	PROGRAM TOTAL	32,532,064	33,115,690
4	<u>GENERAL FUND</u>	<u>9,743,027</u>	<u>9,837,802</u>
5	<u>CASH FUND</u>	<u>1,476,053</u>	<u>1,482,205</u>
6	<u>FEDERAL FUND est</u>	<u>21,633,256</u>	<u>22,115,955</u>
7	<u>REVOLVING FUND</u>	<u>204,728</u>	<u>204,728</u>
8	<u>PROGRAM TOTAL</u>	<u>33,057,064</u>	<u>33,640,690</u>
9	SALARY LIMIT	11,796,556	12,032,466

10 The unexpended General Fund appropriation balance
 11 existing on June 30, 2011, is hereby reappropriated.

12 There is included in the appropriation to this program
 13 for FY2011-12 \$2,701,600 General Funds and \$2,750,000 Federal Funds
 14 estimate for statewide assessment and reporting, which shall only be
 15 used for such purpose. There is included in the appropriation to this
 16 program for FY2012-13 \$2,751,600 General Funds and \$2,750,000 Federal
 17 Funds estimate for statewide assessment and reporting, which shall
 18 only be used for such purpose.

19 There is included in the appropriation to this program
 20 for FY2011-12 \$40,000 General Funds for state administrative expenses
 21 related to the receipt of federal funds from the American Recovery
 22 and Reinvestment Act of 2009, which shall only be used for such
 23 purpose.

24 There is included in the appropriation to this program

1 for FY2011-12 \$75,000 General Funds for the review of poverty and
2 limited English proficiency plans, including at least \$25,000 General
3 Funds for performance auditing.

4 There is included in the appropriation to this program
5 for FY2012-13 \$75,000 General Funds for the review of poverty and
6 limited English proficiency plans, including at least \$25,000 General
7 Funds for performance auditing.

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

11 No. 25 - Commissioner's Office

12 No. 403 - Assessment/Report Card

13 No. 440 - Human Resources

14 No. 441 - Curriculum/Instruction/Innovation

15 No. 442 - Diversity Populations: Equity and Instructional
16 Issues

17 No. 444 - Office of Early Childhood

18 ~~No. 445 - Data Systems~~

19 No. 445 - Data, Research, Evaluation, and Information
20 Technology

21 No. 446 - Adult Program Services

22 No. 447 - School Improvement/Accreditation

23 No. 448 - Diversity Populations: Special Education

24 No. 449 - Federal Programs

25 No. 450 - Select Department-wide Costs

1 No. 451 - Finance and Organization Services
 2 Sec. 39. Laws 2011, LB374, section 47, is amended to
 3 read:

4 Sec. 47. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 5 Program No. 158 - Education Aid

	FY2011-12	FY2012-13
6		
7	1,006,042,169	1,066,008,001
8	3,240,938	3,240,938
9	<u>1,007,042,169</u>	<u>1,047,220,167</u>
10	<u>3,453,896</u>	<u>3,453,896</u>
11	290,889,138	290,889,138
12	1,300,172,245	1,360,138,077
13	<u>1,301,385,203</u>	<u>1,341,563,201</u>

14 There is included in the appropriation to this program
 15 for FY2011-12 ~~\$1,006,042,169~~ \$1,007,042,169 General Funds, ~~\$3,240,938~~
 16 \$3,453,896 Cash Funds, and \$290,889,138 Federal Funds estimate for
 17 state aid, which shall only be used for such purpose. There is
 18 included in the appropriation to this program for FY2012-13
 19 ~~\$1,066,008,001~~ \$1,047,220,167 General Funds, ~~\$3,240,938~~ \$3,453,896
 20 Cash Funds, and \$290,889,138 Federal Funds estimate for state aid,
 21 which shall only be used for such purpose.

22 There is included in the amount shown for FY2011-12
 23 \$804,689,087 General Funds which are hereby appropriated to the Tax
 24 Equity and Educational Opportunities Fund, which fund is hereby

1 appropriated to provide state aid to public school districts pursuant
2 to the Tax Equity and Educational Opportunities Support Act. There is
3 included in the amount shown for FY2012-13 ~~\$864,654,919~~ \$836,867,085
4 General Funds which are hereby appropriated to the Tax Equity and
5 Educational Opportunities Fund, which fund is hereby appropriated to
6 provide state aid to public school districts pursuant to the Tax
7 Equity and Educational Opportunities Support Act.

8 There is included in the amount shown for this program
9 ~~\$184,893,842~~ \$185,893,842 General Funds provided as state aid for
10 FY2011-12 for special education reimbursement. There is included in
11 the amount shown for this program ~~\$184,893,842~~ \$193,893,842 General
12 Funds provided as state aid for FY2012-13 for special education
13 reimbursement.

14 There is included in the amount shown for this program
15 \$465,500 General Funds provided as state aid for FY2011-12 and
16 \$465,500 General Funds provided as state aid for FY2012-13 to carry
17 out the provisions of subsection (2) of section 79-734.

18 There is included in the amount shown for this program
19 \$10,488,509 General Funds provided as state aid for FY2011-12 and
20 \$10,488,509 General Funds provided as state aid for FY2012-13 for
21 core services for educational service units.

22 There is included in the amount shown for this program
23 \$3,272,887 General Funds provided as state aid for FY2011-12 and
24 \$3,272,887 General Funds provided as state aid for FY2012-13 for
25 technology infrastructure for educational service units.

1 There is included in the amount shown for this program
2 \$290,365 General Funds provided as state aid for FY2011-12 and
3 \$290,365 General Funds provided as state aid for FY2012-13 for
4 distance education aid to educational service units.

5 There is included in the amount shown for this program
6 \$453,008 General Funds provided as state aid for FY2011-12 and
7 \$453,008 General Funds provided as state aid for FY2012-13 for the
8 school breakfast program.

9 There is included in the amount shown for this program
10 \$392,032 General Funds provided as state aid for FY2011-12 and
11 \$392,032 General Funds provided as state aid for FY2012-13 for the
12 school lunch program.

13 There is included in the amount shown for this program
14 \$214,664 General Funds provided as state aid for FY2011-12 and
15 \$214,664 General Funds provided as state aid for FY2012-13 for adult
16 basic education programs.

17 There is included in the amount shown for this program
18 \$882,275 General Funds provided as state aid for FY2011-12 and
19 \$882,275 General Funds provided as state aid for FY2012-13 for
20 learning community aid.

21 On or before October 1 of each year, the Department of
22 Health and Human Services and the State Department of Education shall
23 jointly certify to the budget administrator of the budget division of
24 the Department of Administrative Services the amount of federal
25 medicaid funds paid to school districts pursuant to the Early

1 Intervention Act for special education services for children age five
 2 years and older. The General Fund appropriation to the State
 3 Department of Education, Program 158, for state special education aid
 4 shall be decreased by an amount equal to the amount that would have
 5 been reimbursed with state General Funds to the school districts
 6 through the special education reimbursement process for special
 7 education services for children age five years and older that was
 8 paid to school districts or approved cooperatives with federal
 9 medicaid funds. There is hereby appropriated from the General Fund an
 10 amount equal to the amount certified to the budget administrator for
 11 FY2011-12 and FY2012-13 to the Department of Health and Human
 12 Services to aid in carrying out the provisions of Laws 1991, LB 701.
 13 The budget administrator shall distribute the amount appropriated
 14 between budget programs according to percentages certified by the
 15 Department of Health and Human Services.

16 Sec. 40. Laws 2011, LB374, section 66, is amended to
 17 read:

18 Sec. 66. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 19 Program No. 108 - Homestead Exemption

	FY2011-12	FY2012-13
20		
21	72,300,000	77,700,000
22	PROGRAM TOTAL	77,700,000
23	<u>68,100,000</u>	<u>72,500,000</u>
24	<u>PROGRAM TOTAL</u>	<u>72,500,000</u>

1 There is included in the appropriation to this program
 2 for FY2011-12 ~~\$72,300,000~~ \$68,100,000 General Funds for state aid,
 3 which shall only be used for such purpose. There is included in the
 4 appropriation to this program for FY2012-13 ~~\$77,700,000~~ \$72,500,000
 5 General Funds for state aid, which shall only be used for such
 6 purpose.

7 Sec. 41. Laws 2011, LB374, section 91, is amended to
 8 read:

9 Sec. 91. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 10 SERVICES

11 Program No. 30 - Tobacco Prevention and Control

	FY2011-12	FY2012-13
12 CASH FUND	2,370,000	2,370,000
13 FEDERAL FUND est.	9,000	9,000
14 PROGRAM TOTAL	2,379,000	2,379,000

16 There is included in the appropriation to this program
 17 for FY2011-12 \$2,370,000 Cash Funds for tobacco use prevention and
 18 control from the Tobacco Prevention and Control Cash Fund. There is
 19 included in the appropriation to this program for FY2012-13
 20 \$2,370,000 Cash Funds for tobacco use prevention and control from the
 21 ~~Tobacco Prevention and Control~~ Nebraska Health Care Cash Fund.

22 Sec. 42. Laws 2011, LB374, section 92, is amended to
 23 read:

24 Sec. 92. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 25 SERVICES

	FY2011-12	FY2012-13
1 Program No. 32 - Medicaid Prescription Drug Act		
2 Administration		
3	FY2011-12	FY2012-13
4 GENERAL FUND	1,270,136	1,271,767
5 FEDERAL FUND est.	1,270,135	1,271,766
6 PROGRAM TOTAL	2,540,271	2,543,533
7 SALARY LIMIT	346,042	348,875

8 The unexpended General Fund appropriation balance
 9 existing on June 30, 2011, less \$1,500,000 is hereby reappropriated.

10 Sec. 43. Laws 2011, LB374, section 93, is amended to
 11 read:

12 Sec. 93. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 13 SERVICES

	FY2011-12	FY2012-13
14 Program No. 33 - Administration		
15	FY2011-12	FY2012-13
16 GENERAL FUND	90,958,934	94,779,489
17 <u>GENERAL FUND</u>	<u>96,080,948</u>	<u>106,747,672</u>
18 CASH FUND	20,926,010	21,024,723
19 FEDERAL FUND est.	197,811,557	202,719,702
20 PROGRAM TOTAL	309,696,501	318,523,914
21 SALARY LIMIT	114,169,331	116,494,285
22 <u>FEDERAL FUND est.</u>	<u>198,075,023</u>	<u>203,743,494</u>
23 <u>PROGRAM TOTAL</u>	<u>315,081,981</u>	<u>331,515,889</u>

1 SALARY LIMIT 116,669,331 124,066,156

2 The unexpended General Fund appropriation balance
3 existing on June 30, 2011, is hereby reappropriated.

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

- 7 No. 261 - General Operations
8 No. 262 - Public Health Administration
9 No. 263 - Medicaid and Long-Term Care Administration
10 No. 264 - Children and Family Services Administration
11 No. 265 - Protection and Safety
12 No. 266 - Economic and Family Support
13 No. 267 - Developmental Disabilities Service Coordination
14 No. 268 - Behavioral Health Administration
15 No. 269 - Developmental Disabilities Administration

16 There is included in the appropriation to this program
17 for FY2011-12 \$150,000 General Funds for the Laws 2009, LB 603,
18 evaluation contract which shall only be used for such purpose.

19 There is included in the appropriation to this program
20 for FY2011-12 \$13,688 Cash Funds for regulatory support for out-of-
21 hospital emergency care providers licensing from the Nebraska Health
22 Care Cash Fund. There is included in the appropriation to this
23 program for FY2012-13 \$13,688 Cash Funds for regulatory support for
24 out-of-hospital emergency care providers licensing from the Nebraska
25 Health Care Cash Fund.

1 There is included in the appropriation to this program
2 for FY2011-12 \$26,000 Cash Funds from the Nebraska Health Care Cash
3 Fund to continue the Parkinson's Disease Registry. There is included
4 in the appropriation to this program for FY2012-13 \$26,000 Cash Funds
5 from the Nebraska Health Care Cash Fund to continue the Parkinson's
6 Disease Registry.

7 There is included in the appropriation to this program
8 \$404,643 Cash Funds for FY2011-12 and \$404,643 Cash Funds for
9 FY2012-13 from the Nebraska Health Care Cash Fund for respite
10 services in each of the service areas designated by the Department of
11 Health and Human Services and for administrative costs, including
12 personnel costs, associated with the Nebraska Lifespan Respite
13 Services Program.

14 There is included in the appropriation to this program
15 for FY2011-12 \$25,000 Cash Funds from the Nebraska Health Care Cash
16 Fund for compulsive gamblers assistance programs. There is included
17 in the appropriation to this program for FY2012-13 \$25,000 Cash Funds
18 from the Nebraska Health Care Cash Fund for compulsive gamblers
19 assistance programs.

20 There is included in the appropriation to this program
21 for FY2011-12 \$6,000 Cash Funds from the Nebraska Health Care Cash
22 Fund for costs of smoking cessation covered by medicaid. There is
23 included in the appropriation to this program for FY2012-13 \$6,000
24 Cash Funds from the Nebraska Health Care Cash Fund for costs of
25 smoking cessation covered by medicaid.

1 In order to monitor the implementation of ACCESSNebraska
2 and to ensure compliance with federal and state law, the Department
3 of Health and Human Services shall develop a quarterly report which
4 shall include, but not be limited to, the following information:

5 (1) Number of days in increments that it takes to process
6 applications (approval or denial) for Aid to Dependent Children,
7 Supplemental Nutrition Assistance Program, and Aid to the Aged,
8 Blind, and Disabled, overall and broken down by county;

9 (2) Number of days in increments that it takes to process
10 applications for Medicaid and Children's Health Insurance Program,
11 separating the data for applicants not applying on the basis of
12 disability from applicants applying on the basis of disability,
13 overall and broken down by county;

14 (3) Reason for benefit application processing delays
15 (department, client, third party) for all applications that are
16 processed beyond federal and state timeliness in Aid to Dependent
17 Children, Supplemental Nutrition Assistance Program, Aid to the Aged,
18 Blind, and Disabled, Medicaid, and Children's Health Insurance
19 Program statewide;

20 (4) The number of case closures in Medicaid, Children's
21 Health Insurance Program, Aid to Dependent Children, Supplemental
22 Nutrition Assistance Program, Aid to the Aged, Blind, and Disabled,
23 and Title XX and the reason for the closure statewide;

24 (5) The proportion of persons who file applications
25 online who are enrolled in one of the public benefit programs that

1 use ACCESSNebraska for enrollment;

2 (6) Average wait time for call center response. The
3 average wait time starting from the time when the call is transferred
4 to the customer service center to the time when the worker answers
5 the call; and

6 (7) Number of client call terminations (client hang ups)
7 that occur prior to speaking with a staff member and the average
8 length of time starting from the time when the call is transferred to
9 the customer service center to the time when the caller terminates
10 the call.

11 It is the intent of the Legislature that the additional
12 \$4,832,075 General Funds provided in FY2011-12 be solely used for
13 personnel related and operating costs for additional case managers,
14 supervisors, and support staff to reduce caseload ratios to 1:16
15 children in out-of-home care and 1:17 families for in-home and family
16 preservation cases and for resource development in the central,
17 northern, and western service areas. It is the intent of the
18 Legislature that the additional \$10,816,782 General Funds and
19 \$2,700,000 federal funds provided in FY2012-13 be solely used for
20 personnel related and operating costs for additional case managers,
21 supervisors, and support staff to reduce caseload ratios to 1:16
22 children in out-of-home care and 1:17 families for in-home and family
23 preservation cases and for resource development in the central,
24 northern, and western service areas.

25 It is the intent of the Legislature to request the

1 Department of Health and Human Services beginning on July 1, 2012, to
 2 encourage each provider of child care and school-age-care programs
 3 receiving funds under the federal Child Care Subsidy program to
 4 register in the Learning Connection Registry.

5 Sec. 44. Laws 2011, LB374, section 94, is amended to
 6 read:

7 Sec. 94. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 8 SERVICES

9 Program No. 38 - Behavioral Health Aid

	FY2011-12	FY2012-13
10		
11	74,810,767	74,952,023
12	<u>71,110,767</u>	<u>75,133,219</u>
13	14,582,280	14,582,280
14	10,504,971	10,504,971
15	99,898,018	100,039,274
16	<u>96,198,018</u>	<u>100,220,470</u>

17 There is included in the appropriation to this program
 18 for FY2011-12 ~~\$74,810,767~~ \$71,110,767 General Funds, \$14,582,280 Cash
 19 Funds, and \$10,504,971 Federal Funds estimate for state aid, which
 20 shall only be used for such purpose. There is included in the
 21 appropriation to this program for FY2012-13 ~~\$74,952,023~~ \$75,133,219
 22 General Funds, \$14,582,280 Cash Funds, and \$10,504,971 Federal Funds
 23 estimate for state aid, which shall only be used for such purpose.

24 There is included in the amount shown as Cash Fund aid in

1 this program \$6,500,000 Cash Funds for FY2011-12 and \$6,500,000 Cash
2 Funds for FY2012-13 from the Nebraska Health Care Cash Fund to be
3 used for community-based mental health and substance abuse services,
4 including intermediate-level residential mental health services. It
5 is the intent of the Legislature that these funds shall be
6 distributed to each of the six behavioral health regions based upon a
7 formula determined by the Department of Health and Human Services.

8 There is included in the amount shown as Cash Fund aid in
9 this program \$2,599,660 Cash Funds for FY2011-12 and \$2,599,660 Cash
10 Funds for FY2012-13 from the Nebraska Health Care Cash Fund to be
11 used for rates paid to providers of mental health and substance abuse
12 services.

13 There is included in the amount shown as Cash Fund aid in
14 this program \$1,500,000 Cash Funds for FY2011-12 and \$1,500,000 Cash
15 Funds for FY2012-13 from the Nebraska Health Care Cash Fund to be
16 used for the cost of maintenance and treatment of persons in
17 emergency protective custody under the Nebraska Mental Health
18 Commitment Act.

19 There is included in the amount shown as Cash Fund aid in
20 this program \$225,000 Cash Funds for FY2011-12 and \$225,000 Cash
21 Funds for FY2012-13 from the Nebraska Health Care Cash Fund to be
22 used for compulsive gamblers assistance programs.

23 Sec. 45. Laws 2011, LB374, section 98, is amended to
24 read:

25 Sec. 98. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN

1	SERVICES		
2	Program No. 179 - Public Health		
3		FY2011-12	FY2012-13
4	GENERAL FUND	1,035,290	1,051,221
5	CASH FUND	763,572	766,879
6	<u>CASH FUND</u>	<u>667,060</u>	<u>670,367</u>
7	FEDERAL FUND est.	17,345,546	17,577,783
8	PROGRAM TOTAL	19,144,408	19,395,883
9	<u>PROGRAM TOTAL</u>	<u>19,047,896</u>	<u>19,299,371</u>
10	SALARY LIMIT	5,908,319	6,024,846

11 The unexpended General Fund appropriation balance
 12 existing on June 30, 2011, is hereby reappropriated.

13 There is included in the appropriation to this program
 14 for FY2011-12 \$220,000 Cash Funds to operate a satellite office of
 15 minority health in the second and third congressional districts to
 16 coordinate and administer state policy relating to minority health
 17 from the Nebraska Health Care Cash Fund. There is included in the
 18 appropriation to this program for FY2012-13 \$220,000 Cash Funds to
 19 operate a satellite office of minority health in the second and third
 20 congressional districts to coordinate and administer state policy
 21 relating to minority health from the Nebraska Health Care Cash Fund.

22 There is included in the appropriation to this program
 23 for FY2011-12 \$100,000 Cash Funds for staff and operating expenses
 24 for public health from the Nebraska Health Care Cash Fund. There is

1 included in the appropriation to this program for FY2012-13 \$100,000
 2 Cash Funds for staff and operating expenses for public health from
 3 the Nebraska Health Care Cash Fund.

4 Sec. 46. Laws 2011, LB374, section 100, is amended to
 5 read:

6 Sec. 100. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 7 SERVICES

8 Program No. 344 - Children's Health Insurance

	FY2011-12	FY2012-13
9		
10	9,932,192	13,036,419
11	<u>8,632,192</u>	<u>12,334,369</u>
12	8,835,700	6,835,700
13	<u>8,835,700</u>	<u>7,035,700</u>
14	43,729,964	45,612,609
15	62,497,856	65,484,728
16	<u>41,399,961</u>	<u>43,068,960</u>
17	<u>58,867,853</u>	<u>62,439,029</u>

18 There is included in the appropriation to this program
 19 for FY2011-12 ~~\$9,932,192~~ \$8,632,192 General Funds, \$8,835,700 Cash
 20 Funds, and ~~\$43,729,964~~ \$41,399,961 Federal Funds estimate for state
 21 aid, which shall only be used for such purpose. There is included in
 22 the appropriation to this program for FY2012-13 ~~\$13,036,419~~
 23 \$12,334,369 General Funds, ~~\$6,835,700~~ \$7,035,700 Cash Funds, and
 24 ~~\$45,612,609~~ \$43,068,960 Federal Funds estimate for state aid, which

1 shall only be used for such purpose.

2 There is included in the appropriation to this program
3 for FY2011-12 \$8,300,000 Cash Funds for state aid from the Nebraska
4 Health Care Cash Fund. There is included in the appropriation to this
5 program for FY2012-13 ~~\$6,300,000~~ \$7,035,700 Cash Funds for state aid
6 from the Nebraska Health Care Cash Fund.

7 There is included in the appropriation to this program
8 for FY2011-12 \$535,700 Cash Funds for state aid from the Health and
9 Human Services Cash Fund. ~~There is included in the appropriation to~~
10 ~~this program for FY2012-13 \$535,700 Cash Funds for state aid from the~~
11 ~~Health and Human Services Cash Fund.~~

12 Included in the appropriation to this program for
13 FY2012-13 is \$200,000 Cash Funds from the Nebraska Health Care Cash
14 Fund for the Poison Control Center at the University of Nebraska
15 Medical Center, which shall only be used by the medical center for
16 the Poison Control Center.

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

21 For FY2012-13, the department shall not implement, by
22 rule and regulation, the following changes to the medical assistance
23 program:

- 24 (1) The elimination of private duty nursing services; and
25 (2) The elimination of oral nutritional supplements.

1 Sec. 47. Laws 2011, LB374, section 101, is amended to
 2 read:

3 Sec. 101. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
 4 SERVICES

5 Program No. 347 - Public Assistance

	FY2011-12	FY2012-13
6 GENERAL FUND	239,522,936	243,518,332
7 GENERAL FUND	<u>266,818,578</u>	<u>264,636,658</u>
8 CASH FUND	6,044,444	6,044,444
9 FEDERAL FUND est.	141,003,570	132,464,624
10 FEDERAL FUND est.	<u>141,003,570</u>	<u>134,340,412</u>
11 PROGRAM TOTAL	386,570,950	382,027,400
12 PROGRAM TOTAL	<u>413,866,592</u>	<u>405,021,514</u>

14 There is included in the appropriation to this program
 15 for FY2011-12 ~~\$239,522,936~~ \$266,818,578 General Funds, \$6,044,444
 16 Cash Funds, and \$141,003,570 Federal Funds estimate for state aid,
 17 which shall only be used for such purpose. There is included in the
 18 appropriation to this program for FY2012-13 ~~\$243,518,332~~ \$264,636,658
 19 General Funds, \$6,044,444 Cash Funds, and ~~\$132,464,624~~ \$134,340,412
 20 Federal Funds estimate for state aid, which shall only be used for
 21 such purpose.

22 There is included in the appropriation to this program
 23 for FY2011-12 \$810,000 Cash Funds from the Nebraska Health Care Cash
 24 Fund for state aid to aid in carrying out the Nebraska Lifespan

1 Respite Services Program and to provide payment to caregivers to
 2 purchase services under the respite subsidy program. There is
 3 included in the appropriation to this program for FY2012-13 \$810,000
 4 Cash Funds from the Nebraska Health Care Cash Fund for state aid to
 5 aid in carrying out the Nebraska Lifespan Respite Services Program
 6 and to provide payment to caregivers to purchase services under the
 7 respite subsidy program.

8 There is included in the appropriation to this program
 9 for FY2011-12 \$2,734,444 Cash Funds from the Nebraska Health Care
 10 Cash Fund for state aid for the continuation of the behavioral health
 11 provider rate increase. There is included in the appropriation to
 12 this program for FY2012-13 \$2,734,444 Cash Funds from the Nebraska
 13 Health Care Cash Fund for state aid for the continuation of the
 14 behavioral health provider rate increase.

15 There is included in the appropriation to this program
 16 for FY2011-12 \$500,000 General Funds for home visitation programs.
 17 There is included in the appropriation to this program for FY2012-13
 18 \$750,000 General Funds for an increase for home visitation programs
 19 receiving funds in FY2011-12.

20 Sec. 48. Laws 2011, LB374, section 102, is amended to
 21 read:

22 Sec. 102. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
 23 SERVICES

24 Program No. 348 - Medical Assistance

25

FY2011-12

FY2012-13

1	GENERAL FUND	599,909,134	630,241,604
2	<u>GENERAL FUND</u>	<u>580,313,492</u>	<u>644,573,194</u>
3	CASH FUND	24,344,412	24,344,412
4	FEDERAL FUND est.	998,926,616	1,029,200,776
5	PROGRAM TOTAL	1,623,180,162	1,683,786,792
6	<u>FEDERAL FUND est.</u>	<u>994,935,238</u>	<u>1,030,591,108</u>
7	<u>PROGRAM TOTAL</u>	<u>1,599,593,142</u>	<u>1,699,508,714</u>

8 There is included in the appropriation to this program
 9 for FY2011-12 ~~\$599,909,134~~\$580,313,492 General Funds, \$24,344,412
 10 Cash Funds, and ~~\$998,926,616~~\$994,935,238 Federal Funds estimate for
 11 state aid, which shall only be used for such purpose. There is
 12 included in the appropriation to this program for FY2012-13
 13 ~~\$630,241,604~~\$644,573,194 General Funds, \$24,344,412 Cash Funds, and
 14 ~~\$1,029,200,776~~\$1,030,591,108 Federal Funds estimate for state aid,
 15 which shall only be used for such purpose.

16 There is included in the appropriation to this program
 17 for FY2011-12 \$4,765,896 Cash Funds for state aid for the
 18 continuation of the behavioral health provider rate increase and
 19 behavioral health provider rate increase for managed care, inpatient
 20 services, and residential treatment services provided with funds from
 21 the Nebraska Health Care Cash Fund. There is included in the
 22 appropriation to this program for FY2012-13 \$4,765,896 Cash Funds for
 23 state aid for the continuation of the behavioral health provider rate
 24 increase and behavioral health provider rate increase for managed

1 care, inpatient services, and residential treatment services provided
2 with funds from the Nebraska Health Care Cash Fund.

3 There is included in the appropriation to this program
4 for FY2011-12 \$450,000 Cash Funds from the Nebraska Health Care Cash
5 Fund and \$598,707 Federal Funds estimate for a state plan amendment
6 covering tobacco-use cessation in compliance with Title XIX of the
7 federal Social Security Act. There is included in the appropriation
8 to this program for FY2012-13 \$450,000 Cash Funds from the Nebraska
9 Health Care Cash Fund and \$587,823 Federal Funds estimate for a state
10 plan amendment covering tobacco-use cessation in compliance with
11 Title XIX of the federal Social Security Act. The smoking cessation
12 funding for FY2011-12 and FY2012-13 is for the costs of tobacco-use
13 cessation counseling and tobacco-use cessation pharmaceuticals
14 approved by the federal Food and Drug Administration for such
15 purpose.

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

20 For FY2012-13, the department may not implement, by rule
21 and regulation, the following changes to the medical assistance
22 program:

23 (1) An increase in copayments on physical, speech, and
24 occupational therapies;

25 (2) An increase in copayments for nonemergency visits to

1 the emergency department;

2 (3) A limit of two hundred forty hours per year of home
3 health services;

4 (4) The elimination of private duty nursing services;

5 (5) An increase in the level of care required to receive
6 personal assistance services;

7 (6) A limit for personal assistance services to three and
8 one-half hours of service per day with a sixty-hour limit per month;

9 (7) The elimination of oral nutritional supplements
10 provided through the durable medical equipment program;

11 (8) A limit to behavioral health therapy visits of sixty
12 visits per year;

13 (9) The elimination of dental services, including
14 dentures, for adults;

15 (10) The elimination of chiropractic services;

16 (11) The elimination of eyeglasses for adults;

17 (12) The elimination of hearing aids for adults;

18 (13) The elimination of occupational therapy for adults;

19 (14) The elimination of physical therapy for adults;

20 (15) The elimination of speech therapy for adults;

21 (16) A limit of prescription drugs to ten per month for
22 adults;

23 (17) A limit of inpatient hospital days to forty-five
24 days or thirty days per year for adults; and

25 (18) A limit of physician visits for adults to twelve per

1 year, excluding pregnancy-related visits.

2 Sec. 49. Laws 2011, LB374, section 104, is amended to
3 read:

4 Sec. 104. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES

6 Program No. 365 - Mental Health Operations

	FY2011-12	FY2012-13
8 GENERAL FUND	31,121,831	31,723,741
9 <u>GENERAL FUND</u>	<u>31,121,831</u>	<u>31,752,373</u>
10 CASH FUND	3,562,814	3,616,795
11 FEDERAL FUND est.	9,937,371	9,941,425
12 <u>FEDERAL FUND est.</u>	<u>9,937,371</u>	<u>9,912,793</u>
13 PROGRAM TOTAL	44,622,016	45,281,961
14 SALARY LIMIT	25,390,217	25,864,761

15 The unexpended General Fund appropriation balance
16 existing on June 30, 2011, is hereby reappropriated.

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

20 No. 361 - Hastings Regional Center

21 No. 363 - Lincoln Regional Center

22 No. 379 - Evaluation and Screening - Community-Based
23 Residential Services

24 Sec. 50. Laws 2011, LB374, section 105, is amended to

1 read:

2 Sec. 105. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES

4 Program No. 421 - Beatrice State Developmental Center

	FY2011-12	FY2012-13
5 GENERAL FUND	24,927,152	25,505,489
6 GENERAL FUND	<u>24,927,152</u>	<u>25,081,930</u>
7 CASH FUND	2,711,482	2,711,482
8 FEDERAL FUND est.	22,820,537	22,956,323
9 PROGRAM TOTAL	50,459,171	51,173,294
10 FEDERAL FUND est.	<u>22,820,537</u>	<u>21,779,882</u>
11 PROGRAM TOTAL	<u>50,459,171</u>	<u>49,573,294</u>
12 SALARY LIMIT	24,095,712	24,599,987
13 SALARY LIMIT	<u>25,395,712</u>	<u>25,449,987</u>

14 The unexpended General Fund appropriation balance
15 existing on June 30, 2011, is hereby reappropriated.

16 It is the intent of the Legislature that the Department
17 of Health and Human Services shall provide a quarterly report to the
18 Developmental Disabilities Special Investigative Committee, the
19 Appropriations Committee, and the Health and Human Services Committee
20 of the Legislature regarding the use of funds appropriated to the
21 Beatrice State Developmental Center for FY2011-12 and FY2012-13.
22 Reports shall be submitted within two weeks after the end of each
23 quarter.
24

1 The reports shall indicate expenditures incurred in each
2 quarter for the management teams as well as the independent expert
3 and Department of Justice coordinator. Expenditures for temporary
4 medical/clinical staff, newly hired permanent medical/clinical staff,
5 and additional costs for nurses, direct care staff, and shift
6 supervisors shall be reported. The number of newly hired staff and
7 the job titles of such staff shall also be reported. Contractual
8 expenditures for medical services shall be reported based upon the
9 category of care. Expenditures for clinical assessments of persons at
10 the Beatrice State Developmental Center, training, and the Outreach
11 Treatment and Intensive Services Program shall be reported.

12 The reports shall detail transition expenditures by
13 individual for each person transferred from the Beatrice State
14 Developmental Center, since the beginning of FY2009-10, to another
15 setting to receive services. The setting to which each person is
16 transferred shall be identified. The expenditures for the care of
17 persons transferred from the Beatrice State Developmental Center
18 shall be reported by budget program and fund source.

19 The chief executive officer of the Department of Health
20 and Human Services shall certify to the budget administrator of the
21 budget division of the Department of Administrative Services the
22 FY2011-12 and FY2012-13 unexpended appropriation balances for the
23 Beatrice State Developmental Center, Program 421, which are available
24 to transition and maintain persons transferred from the Beatrice
25 State Developmental Center to community-based developmental

1 disability or other services. The budget administrator of the budget
 2 division of the Department of Administrative Services shall
 3 administratively transfer during FY2011-12 and FY2012-13 available
 4 unexpended appropriation balances as certified by the chief executive
 5 officer of the Department of Health and Human Services from the
 6 Beatrice State Developmental Center, Program 421, to Developmental
 7 Disability Aid, Program 424, and Medical Assistance, Program 348.

8 Sec. 51. Laws 2011, LB374, section 107, is amended to
 9 read:

10 Sec. 107. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 11 SERVICES

12 Program No. 502 - Public Health Aid

	FY2011-12	FY2012-13
14 GENERAL FUND	3,767,394	3,767,394
15 <u>GENERAL FUND</u>	<u>3,767,394</u>	<u>3,758,060</u>
16 CASH FUND	8,280,000	8,280,000
17 PROGRAM TOTAL	12,047,394	12,047,394
18 <u>PROGRAM TOTAL</u>	<u>12,047,394</u>	<u>12,038,060</u>

19 There is included in the appropriation to this program
 20 for FY2011-12 \$3,767,394 General Funds and \$8,280,000 Cash Funds for
 21 state aid, which shall only be used for such purpose. There is
 22 included in the appropriation to this program for FY2012-13
 23 ~~\$3,767,394~~ \$3,758,060 General Funds and \$8,280,000 Cash Funds for
 24 state aid, which shall only be used for such purpose.

1 There is included in the appropriation to this program
2 for FY2011-12 \$1,809,334 General Funds and for FY2012-13 ~~\$1,809,334~~
3 \$1,800,000 General Funds, for state aid, for the six community health
4 centers funded through Federal Program 330, Public Law 104-299, the
5 Health Centers Consolidation Act of 1996. Each ~~center of the~~
6 following centers is to receive a ~~base amount of \$100,000 with the~~
7 ~~balance of the funding to be distributed proportionally based on the~~
8 ~~previous fiscal year's percent of uninsured clients as reported on~~
9 ~~the Uniform Data System Report provided to the United States~~
10 ~~Department of Health and Human Services Bureau of Primary Health Care~~
11 ~~to \$300,000:~~ Charles Drew Health Center, One World Community Health
12 Center, Good Neighbor Community Health Center, Panhandle Community
13 Health Center, Norfolk Community Health Center, and People's Health
14 Center.

15 There is included in the appropriation to this program
16 for FY2011-12 \$1,898,246 General Funds and \$5,405,000 Cash Funds from
17 the Nebraska Health Care Cash Fund for state aid for public health
18 departments. There is included in the appropriation to this program
19 for FY2012-13 \$1,898,246 General Funds and \$5,405,000 Cash Funds from
20 the Nebraska Health Care Cash Fund for state aid for public health
21 departments.

22 There is included in the appropriation to this program
23 for FY2011-12 \$31,713 General Funds and \$1,526,000 Cash Funds for
24 state aid from the Nebraska Health Care Cash Fund for minority public
25 health services in counties having a minority population equal to or

1 exceeding five percent of the total population of the county in the
2 first and third congressional districts as determined by the most
3 recent federal decennial census. There is included in the
4 appropriation to this program for FY2012-13 \$31,713 General Funds and
5 \$1,526,000 Cash Funds for state aid from the Nebraska Health Care
6 Cash Fund for minority public health services in counties having a
7 minority population equal to or exceeding five percent of the total
8 population of the county in the first and third congressional
9 districts as determined by the most recent federal decennial census.
10 The Department of Health and Human Services shall distribute the
11 funds on a per capita basis for the purpose of implementing a
12 minority health initiative which may target, but shall not be limited
13 to, infant mortality, cardiovascular disease, obesity, diabetes, and
14 asthma.

15 There is included in the appropriation to this program
16 for FY2011-12 \$28,101 General Funds and \$1,349,000 Cash Funds from
17 the Nebraska Health Care Cash Fund for state aid to be distributed
18 equally among federally qualified health centers in the second
19 congressional district. Such funds shall be used for the purpose of
20 implementing a minority health initiative which may target, but shall
21 not be limited to, infant mortality, cardiovascular disease, obesity,
22 diabetes, and asthma. There is included in the appropriation to this
23 program for FY2012-13 \$28,101 General Funds and \$1,349,000 Cash Funds
24 from the Nebraska Health Care Cash Fund for state aid to be
25 distributed equally among federally qualified health centers in ~~a~~the

1 ~~second~~ congressional district, ~~with a minority population of greater~~
 2 ~~than seventy five thousand inhabitants.~~ Such funds shall be used for
 3 the purpose of implementing a minority health initiative which may
 4 target, but shall not be limited to, infant mortality, cardiovascular
 5 disease, obesity, diabetes, and asthma.

6 Sec. 52. Laws 2011, LB374, section 109, is amended to
 7 read:

8 Sec. 109. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 9 SERVICES

10 Program No. 519 - Nebraska Veterans' Homes

	FY2011-12	FY2012-13
11		
12	25,356,735	25,798,080
13	<u>24,856,735</u>	<u>25,298,080</u>
14	CASH FUND 14,047,196	14,201,610
15	FEDERAL FUND est. 15,410,475	15,474,204
16	<u>FEDERAL FUND est. 15,910,475</u>	<u>15,974,204</u>
17	PROGRAM TOTAL 54,814,406	55,473,894
18	SALARY LIMIT 28,572,099	29,040,920

19 The unexpended General Fund appropriation balance
 20 existing on June 30, 2011, is hereby reappropriated.

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

24 No. 510 - Veterans' Home System Administration

- 1 No. 519 - Grand Island Veterans' Home
- 2 No. 520 - Norfolk Veterans' Home
- 3 No. 521 - Western Nebraska Veterans' Home
- 4 No. 522 - Eastern Nebraska Veterans' Home

5 Sec. 53. Laws 2011, LB374, section 112, is amended to
 6 read:

7 Sec. 112. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 8 SERVICES

9 Program No. 621 - Stem Cell Research

	FY2011-12	FY2012-13
10		
11 CASH FUND	450,573	450,573
12 PROGRAM TOTAL	450,573	450,573
13 SALARY LIMIT	15,000	15,000

14 There is included in the appropriation to this program
 15 for FY2011-12 \$437,000 Cash Funds for state aid, which shall only be
 16 used for such purpose. There is included in the appropriation to this
 17 program for FY2012-13 \$437,000 Cash Funds for state aid from the
 18 Nebraska Health Care Cash Fund, which shall only be used for such
 19 purpose.

20 Sec. 54. Laws 2011, LB374, section 115, is amended to
 21 read:

22 Sec. 115. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 23 SERVICES

24 Program No. 870 - Norfolk Sex Offender Treatment

	FY2011-12	FY2012-13
25		

1	GENERAL FUND	14,766,557	14,928,652
2	<u>GENERAL FUND</u>	<u>14,016,557</u>	<u>14,178,652</u>
3	CASH FUND	48,833	72,914
4	PROGRAM TOTAL	14,815,390	15,001,566
5	<u>PROGRAM TOTAL</u>	<u>14,065,390</u>	<u>14,251,566</u>
6	SALARY LIMIT	8,792,382	8,933,224

7 The unexpended General Fund appropriation balance
 8 existing on June 30, 2011, is hereby reappropriated.

9 Sec. 55. Laws 2011, LB374, section 132, is amended to
 10 read:

11 Sec. 132. AGENCY NO. 31 - MILITARY DEPARTMENT
 12 Program No. 192 - Governor's Emergency Aid

13		FY2011-12	FY2012-13
14	GENERAL FUND	500,000	500,000
15	<u>GENERAL FUND</u>	<u>9,400,000</u>	<u>500,000</u>
16	FEDERAL FUND est.	4,500,000	4,500,000
17	PROGRAM TOTAL	5,000,000	5,000,000
18	<u>PROGRAM TOTAL</u>	<u>13,900,000</u>	<u>5,000,000</u>

19 There is no salary limitation for this program.

20 The unexpended General Fund and Cash Fund appropriation
 21 balances existing on June 30, 2011, are hereby reappropriated.

22 There is included in the appropriation to this program
 23 for FY2011-12 ~~\$500,000~~ \$9,400,000 General Funds, \$4,500,000 Federal

1 Funds estimate, plus any reappropriated amount, for state aid. There
 2 is included in the appropriation to this program for FY2012-13
 3 \$500,000 General Funds and \$4,500,000 Federal Funds estimate for
 4 state aid.

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

8 Sec. 56. Laws 2011, LB374, section 181, is amended to
 9 read:

10 Sec. 181. AGENCY NO. 64 - NEBRASKA STATE PATROL
 11 Program No. 100 - Public Protection

	FY2011-12	FY2012-13
12 GENERAL FUND	51,473,222	52,031,516
13 CASH FUND	4,368,935	4,391,029
14 <u>CASH FUND</u>	<u>4,428,935</u>	<u>4,391,029</u>
15 FEDERAL FUND est.	126,483	157,150
16 PROGRAM TOTAL	55,968,640	56,579,695
17 <u>PROGRAM TOTAL</u>	<u>56,028,640</u>	<u>56,579,695</u>
18 SALARY LIMIT	33,648,596	34,287,851

20 The unexpended General Fund appropriation balance
 21 existing on June 30, 2011, is hereby reappropriated.

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

1 No. 189 - Command and Support

2 No. 190 - Criminal Investigations

3 No. 195 - Road Operations

4 There is included in the appropriation to this program
5 for FY2011-12 \$150,000 General Funds and \$100,000 Federal Funds from
6 the Byrne Criminal History Improvement set-aside funds, subject to
7 available federal appropriation, which shall only be expended for
8 criminal justice information systems improvements. There is included
9 in the appropriation to this program for FY2012-13 \$150,000 General
10 Funds and \$100,000 Federal Funds from the Byrne Criminal History
11 Improvement set-aside funds, subject to available federal
12 appropriation, which shall only be expended for criminal justice
13 information systems improvements. Federal Funds transferred to the
14 Nebraska State Patrol pursuant to this section shall be expended
15 consistent with all applicable federal laws, rules, and regulations
16 pertaining to Byrne Criminal History Improvement set-aside funds.

17 There is included in the appropriation to this program
18 for FY2011-12 \$485,979 Cash Funds and for FY2012-13 \$485,979 Cash
19 Funds, which appropriation amounts shall only be expended to provide
20 law enforcement coverage along state road construction zones. The
21 Department of Roads shall contract with the Nebraska State Patrol for
22 such law enforcement coverage and shall pay for such services from
23 the Roads Operations Cash Fund to the Nebraska State Patrol Cash Fund
24 in four equal quarterly amounts to be transferred by the State
25 Treasurer on or before July 15, October 15, January 15, and April 15,

1 for both FY2011-12 and FY2012-13.

2 Sec. 57. Laws 2011, LB374, section 200, is amended to
3 read:

4 Sec. 200. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
5 SERVICES

6 Program No. 591 - Tort Claims

7	FY2011-12	FY2012-13
8 GENERAL FUND	210,000	210,000
9 CASH FUND	150,000	50,000
10 PROGRAM TOTAL	360,000	260,000

11 The unexpended General Fund appropriation balance
12 existing on June 30, 2011, is hereby reappropriated. The unexpended
13 Cash Fund appropriation balance existing on June 30, 2011, is hereby
14 reappropriated.

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

17 (a) \$58 from the Department of Motor Vehicles;

18 (b) \$165,621 from the Department of Roads;

19 (c) \$5,378 from the Game and Parks Commission; and

20 (d) \$15,269 from the Department of Administrative
21 Services state building division.

22 Such sums shall be transferred to the risk management and
23 state claims division no later than August 1, 2011, or in four equal
24 payments on August 1, October 1, January 1, and April 1, at the
25 discretion of the Risk Manager.

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

3 (a) ~~\$58-\$369~~ from the Department of Motor Vehicles;

4 (b) ~~\$165,621-\$130,224~~ from the Department of Roads;

5 (c) ~~\$5,378-\$3,597~~ from the Game and Parks Commission; and

6 (d) ~~\$15,269-\$1,764~~ from the Department of Administrative
7 Services state building division; -

8 (e) \$520 from the Department of Agriculture;

9 (f) \$650 from the Nebraska Brand Committee; and

10 (g) \$657 from the Department of Natural Resources.

11 Such sums shall be transferred to the risk management and
12 state claims division no later than August 1, 2012, or in four equal
13 payments on August 1, October 1, January 1, and April 1, at the
14 discretion of the Risk Manager.

15 It is the intent of the Legislature that transfers
16 specified in this section for FY2012-13 be adjusted by the One
17 Hundred Second Legislature, Second Session, 2012, in accordance with
18 information available after July 1, 2011.

19 Sec. 58. Laws 2011, LB374, section 218, is amended to
20 read:

21 Sec. 218. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
22 DEVELOPMENT

23 Program No. 134 - Rural Development Commission

24		FY2011-12	FY2012-13
25	GENERAL FUND	1,144,049	1,146,046

1	<u>GENERAL FUND</u>	<u>1,144,049</u>	<u>-0-</u>
2	PROGRAM TOTAL	1,144,049	1,146,046
3	<u>PROGRAM TOTAL</u>	<u>1,144,049</u>	<u>-0-</u>
4	SALARY LIMIT	86,762	88,497
5	<u>SALARY LIMIT</u>	<u>86,762</u>	<u>-0-</u>

6 The unexpended General Fund appropriation balance less
7 state aid existing on June 30, 2011, is hereby reappropriated.

8 ~~There is included in the appropriation to this program~~
9 ~~for FY2011-12 \$989,650 General Funds for state aid, which shall only~~
10 ~~be used for such purpose. There is included in the appropriation to~~
11 ~~this program for FY2012-13 \$989,650 General Funds for state aid,~~
12 ~~which shall only be used for such purpose.~~

13 The unexpended General Fund appropriation balance
14 existing on June 30, 2012, is hereby reappropriated to Program 603.

15 Sec. 59. Laws 2011, LB374, section 220, is amended to
16 read:

17 Sec. 220. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
18 DEVELOPMENT

19 Program No. 601 - Community and Rural Development

	FY2011-12	FY2012-13	
20			
21	GENERAL FUND	698,092	699,534
22	CASH FUND	11,617,526	11,622,018
23	<u>CASH FUND</u>	<u>11,617,526</u>	<u>12,622,018</u>
24	FEDERAL FUND est.	25,712,418	25,712,418

1	PROGRAM TOTAL	38,028,036	38,033,970
2	<u>PROGRAM TOTAL</u>	<u>38,028,036</u>	<u>39,033,970</u>
3	SALARY LIMIT	1,032,968	1,049,321

4 The unexpended General Fund appropriation balance less
5 state aid existing on June 30, 2011, is hereby reappropriated.

6 There is included in the appropriation to this program
7 for FY2011-12 \$463,172 General Funds, \$11,000,000 Cash Funds, and
8 \$23,937,950 Federal Funds estimate for state aid, which shall only be
9 used for such purpose. There is included in the appropriation to this
10 program for FY2012-13 \$463,172 General Funds, ~~\$11,000,000~~ \$12,000,000
11 Cash Funds, and \$23,937,950 Federal Funds estimate for state aid,
12 which shall only be used for such purpose.

13 Sec. 60. Laws 2011, LB374, section 221, is amended to
14 read:

15 Sec. 221. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
16 DEVELOPMENT

17 Program No. 603 - Industrial Recruitment

18		FY2011-12	FY2012-13
19	GENERAL FUND	2,486,866	2,516,025
20	<u>GENERAL FUND</u>	<u>2,486,866</u>	<u>2,672,421</u>
21	CASH FUND	1,243,504	1,244,881
22	FEDERAL FUND est.	325,515	325,515
23	PROGRAM TOTAL	4,055,885	4,086,421
24	<u>PROGRAM TOTAL</u>	<u>4,055,885</u>	<u>4,242,817</u>

1	SALARY LIMIT	1,337,006	1,363,814
2	<u>SALARY LIMIT</u>	<u>1,337,006</u>	<u>1,452,311</u>

3 The unexpended General Fund appropriation balance
4 existing on June 30, 2011, is hereby reappropriated.

5 The unexpended Cash Fund appropriation balance existing
6 on June 30, 2011, is hereby reappropriated.

7 There is included in the appropriation to this program
8 for FY2011-12 \$1,107,944 Cash Funds and \$249,341 Federal Funds
9 estimate for state aid, which shall only be used for such purpose.
10 There is included in the appropriation to this program for FY2012-13
11 \$1,107,944 Cash Funds and \$249,341 Federal Funds estimate for state
12 aid, which shall only be used for such purpose.

13 Sec. 61. Laws 2011, LB374, section 222, is amended to
14 read:

15 Sec. 222. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
16 DEVELOPMENT

17 Program No. 618 - Tourism Promotion

	FY2011-12	FY2012-13
18		
19	GENERAL FUND	250,000
20	CASH FUND	3,964,556
21	<u>CASH FUND</u>	<u>3,979,777</u>
22	FEDERAL FUND est.	959,815
23	PROGRAM TOTAL	5,174,371
24	<u>PROGRAM TOTAL</u>	<u>5,189,592</u>

1 SALARY LIMIT 712,821 726,350

2 The unexpended General Fund appropriation balance
3 existing on June 30, 2011, is hereby reappropriated.

4 There is included in the appropriation to this program
5 for FY2011-12 \$102,600 Cash Funds for state aid, which shall only be
6 used for such purpose. There is included in the appropriation to this
7 program for FY2012-13 \$102,600 Cash Funds for state aid, which shall
8 only be used for such purpose.

9 There is included in the appropriation to this program
10 for FY2011-12 \$250,000 General Funds, which shall be used by the
11 Department of Economic Development for advertising, marketing, and
12 promotional efforts for tourism activities and travel destinations.
13 Such promotional activities shall be representative of the statewide
14 tourism economy and targeted toward external markets in an effort to
15 bring outside capital into the state. There is included in the
16 appropriation to this program for FY2012-13 ~~\$250,000~~ \$150,000 General
17 Funds, which shall be used by the Department of Economic Development
18 for advertising, marketing, and promotional efforts for tourism
19 activities and travel destinations. Such promotional activities shall
20 be representative of the statewide tourism economy and targeted
21 toward external markets in an effort to bring outside capital into
22 the state.

23 There is included in the appropriation to this program
24 \$250,000 Cash Funds for FY2011-12 to provide funding for promotional
25 and visitor development activities related to the hosting of an

1 Olympic Team Trial event and a United States National Championship
 2 event by a city of the metropolitan class. There is included in the
 3 appropriation to this program \$100,000 General Funds for FY2012-13 to
 4 provide funding for promotional and visitor development activities
 5 related to the hosting of an Olympic Team Trial event and a United
 6 States National Championship event by a city of the metropolitan
 7 class.

8 Sec. 62. Laws 2011, LB374, section 226, is amended to
 9 read:

10 Sec. 226. AGENCY NO. 75 - NEBRASKA INVESTMENT COUNCIL
 11 Program No. 610 - Investments Administration

	FY2011-12	FY2012-13
12 CASH FUND	2,436,150	2,480,449
13 PROGRAM TOTAL	2,436,150	2,480,449
14 SALARY LIMIT	870,789	884,643

16 ~~It is the intent of the Legislature that the value of~~
 17 ~~certain credits for services and supplies received be accounted for~~
 18 ~~as an expenditure attributable to agency operations. The Nebraska~~
 19 ~~Investment Council shall submit to the Department of Administrative~~
 20 ~~Services a quarterly reconciliation report of all credits for~~
 21 ~~services and supplies received in support of operations. The~~
 22 ~~Department of Administrative Services shall establish the appropriate~~
 23 ~~subprogram and accounts to separately identify all such transactions.~~

24 ~~Such amounts are hereby appropriated as reported to the~~
 25 ~~Department of Administrative Services. Such amounts shall not be~~

1 ~~included for purposes of calculating investment charges pursuant to~~
2 ~~section 72-1249.02.~~

3 Sec. 63. Laws 2011, LB374, section 235, is amended to
4 read:

5 Sec. 235. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW
6 ENFORCEMENT AND CRIMINAL JUSTICE

7 Program No. 202 - Crime Victims' Reparations

	FY2011-12	FY2012-13
9 GENERAL FUND	27,837	27,837
10 CASH FUND	194,000	194,000
11 FEDERAL FUND est.	128,400	128,400
12 PROGRAM TOTAL	350,237	350,237
13 SALARY LIMIT	-0-	-0-

14 The unexpended General Fund appropriation balance, less
15 aid, existing on June 30, 2011, is hereby reappropriated.

16 There is included in the appropriation to this program
17 for FY2011-12 \$20,000 General Funds, \$194,000 Cash Funds, and
18 ~~\$128,400~~ \$121,980 Federal Funds estimate for state aid, which shall
19 only be used for such purpose. There is included in the appropriation
20 to this program for FY2012-13 \$20,000 General Funds, \$194,000 Cash
21 Funds, and ~~\$128,400~~ \$121,980 Federal Funds estimate for state aid,
22 which shall only be used for such purpose.

23 Sec. 64. Laws 2011, LB374, section 249, is amended to
24 read:

1 Sec. 249. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT

2 BOARD

3 Program No. 515 - Public Employees Retirement

	FY2011-12	FY2012-13
4		
5 GENERAL FUND	28,344,698	29,629,917
6 PROGRAM TOTAL	28,344,698	29,629,917
7 <u>GENERAL FUND</u>	<u>28,344,698</u>	<u>29,991,325</u>
8 <u>PROGRAM TOTAL</u>	<u>28,344,698</u>	<u>29,991,325</u>

9 There is included in the appropriation to this program
10 for FY2011-12 \$21,907,947 General Funds to provide additional funding
11 to the School Employees Retirement System, which shall only be used
12 for such purpose. There is included in the appropriation to this
13 program for FY2012-13 ~~\$21,696,235~~ \$22,400,533 General Funds to
14 provide additional funding to the School Employees Retirement System,
15 which shall only be used for such purpose.

16 There is included in the appropriation to this program
17 for FY2011-12 \$4,885,824 General Funds to provide additional funding
18 to the Class V School Employees Retirement System, which shall only
19 be used for such purpose. There is included in the appropriation to
20 this program for FY2012-13 ~~\$5,107,301~~ \$4,948,318 General Funds to
21 provide additional funding to the Class V School Employees Retirement
22 System, which shall only be used for such purpose.

23 There is included in the appropriation to this program
24 for FY2011-12 \$1,478,683 General Funds to provide additional funding

1 to the Nebraska State Patrol Retirement System, which shall only be
2 used for such purpose. There is included in the appropriation to this
3 program for FY2012-13 ~~\$2,754,137~~ \$2,570,230 General Funds to provide
4 additional funding to the Nebraska State Patrol Retirement System,
5 which shall only be used for such purpose.

6 There is included in the appropriation to this program
7 for FY2011-12 \$72,244 General Funds to provide additional funding to
8 the Nebraska Judges Retirement System, which shall only be used for
9 such purpose. There is included in the appropriation to this program
10 for FY2012-13 \$72,244 General Funds to provide additional funding to
11 the Nebraska Judges Retirement System, which shall only be used for
12 such purpose.

13 Pursuant to section 84-1319.01, each state agency
14 participating in the State Employees Retirement System of the State
15 of Nebraska shall contribute an amount to the State Equal Retirement
16 Benefit Fund to provide all similarly situated male and female
17 members with equal benefits. It is the intent of the Legislature that
18 the Public Employees Retirement Board notify each state agency of the
19 amount to be paid to the fund for FY2011-12 and FY2012-13.

20 Sec. 65. Laws 2011, LB374, section 260, is amended to
21 read:

22 Sec. 260. CASH FUNDS.

23 The receipts for FY2011-12 and FY2012-13 inuring to the
24 several Cash Funds, together with any amounts held in account by the
25 State Treasurer on June 30, 2011, are hereby credited to each of the

1 funds respectively.

2 Expenditure of Cash Funds appropriated in this act shall
3 be limited to the amount shown by program except when specific
4 exceptions are made. The amounts appropriated in this act include the
5 following funds:

6 (1) Legislative Council: Nebraska Legislative Shared
7 Information System Cash Fund, Donations/Contributions Cash Fund,
8 Nebraska Health Care Cash Fund;

9 (2) Supreme Court: Supreme Court Reports Cash Fund,
10 Probation Program Cash Fund, Probation Cash Fund, State Probation
11 Contractual Services Cash Fund, Dispute Resolution Cash Fund, Counsel
12 for Discipline Cash Fund, Supreme Court Education Fund, Supreme Court
13 Automation Cash Fund, Parenting Act Fund;

14 (3) Governor: Governor's Policy Research Cash Fund;

15 (4) Secretary of State: Nebraska Collection Agency Fund,
16 Records Management Cash Fund, Secretary of State Administration Cash
17 Fund, Uniform Commercial Code Cash Fund, Corporation Cash Fund,
18 Election Administration Fund;

19 (5) Auditor of Public Accounts: Cooperative Audit Cash
20 Fund;

21 (6) Attorney General: Motor Vehicle Fraud Cash Fund,
22 Department of Justice Natural Resources Enforcement Fund, State
23 Settlement Cash Fund, Nebraska Health Care Cash Fund, State DNA
24 Sample and Data Base Fund, State Medicaid Fraud Control Unit Cash
25 Fund;

1 (7) State Treasurer: State Treasurer Administrative Fund,
2 Unclaimed Property Cash Fund, Mutual Finance Assistance Fund, College
3 Savings Plan Administrative Fund, College Savings Plan Expense Fund,
4 Convention Center Support Fund, State Disbursement Unit Cash Fund,
5 Treasury Management Cash Fund, Sports Arena Facility Support Fund;

6 (8) State Department of Education: State Department of
7 Education Cash Fund, Certification Fund, Professional Practices
8 Commission Fund, Tax Equity and Educational Opportunities Fund,
9 Education Innovation Fund, School Technology Fund, Tuition Recovery
10 Cash Fund, Private Postsecondary Career Schools Cash Fund, Excellence
11 in Teaching Cash Fund, School District Reorganization Fund;

12 (9) Public Service Commission: Nebraska Grain Warehouse
13 Surveillance Cash Fund, Nebraska Telecommunications Relay System
14 Fund, Public Service Commission Housing and Recreational Vehicle Cash
15 Fund, Nebraska Telecommunications Universal Service Fund, Nebraska
16 Internet Enhancement Fund, Nebraska Competitive Telephone Marketplace
17 Fund, Enhanced Wireless 911 Fund, Moisture Testing Examination Fund,
18 Grain Warehouse Auditing Fund, Municipal Rate Negotiations Revolving
19 Loan Fund, Public Service Commission Pipeline Regulation Fund;

20 (10) Department of Revenue: Department of Revenue
21 Enforcement Fund, State Lottery Operation Cash Fund, Marijuana and
22 Controlled Substances Tax Administration Cash Fund, Department of
23 Revenue Contractor Enforcement Fund, Waste Reduction and Recycling
24 Incentive Fees Collection Fund, Petroleum Release Remedial Action
25 Collection Fund, Litter Fee Collection Fund, ~~Motor Fuels Refund~~

1 ~~Administration Cash Fund,~~ Severance Tax Administration Fund, Rural
2 ~~Economic Opportunities Fund,~~ Department of Revenue Miscellaneous
3 Receipts Fund, Charitable Gaming Operations Fund, Tobacco Products
4 Administration Cash Fund, Nebraska Incentives Fund, Motor Fuel Tax
5 Enforcement and Collection Cash Fund, Nebraska Health Care Cash Fund,
6 State Athletic Commissioner's Cash Fund, Department of Revenue
7 Property Assessment Division Cash Fund, Property Tax Credit Cash
8 Fund, Energy Conservation Improvement Fund, Nebraska Advantage
9 Transformational Tourism and Redevelopment Act Cash Fund;

10 (11) Department of Aeronautics: Department of Aeronautics
11 Cash Fund;

12 (12) Department of Agriculture: Fertilizers and Soil
13 Conditioners Administrative Fund, Commercial Feed Administration Cash
14 Fund, Pure Milk Cash Fund, Soil and Plant Analysis Laboratory Cash
15 Fund, Livestock Auction Market Fund, Nebraska Potato Development
16 Fund, Graded Egg Fund, Weights and Measures Administrative Fund,
17 Nebraska Poultry and Egg Development, Utilization, and Marketing
18 Fund, Agricultural Products Marketing Information Cash Fund,
19 Manufacturing Milk Cash Fund, Pure Food Cash Fund, Nebraska
20 Agricultural Products Marketing Cash Fund, State Apiary Cash Fund,
21 Pseudorabies Control Cash Fund, Weed Book Cash Fund, Pesticide
22 Administrative Cash Fund, Nebraska Seed Administrative Cash Fund,
23 Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash Fund,
24 Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage
25 Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive

1 Fund, Winery and Grape Producers Promotional Fund, Commercial Dog and
2 Cat Operator Inspection Program Cash Fund, Domesticated Cervine
3 Animal Cash Fund, Anthrax Control Act Cash Fund;

4 (13) Department of Banking and Finance: Financial
5 Institution Assessment Cash Fund, Securities Act Cash Fund, Banking
6 Settlement Cash Fund;

7 (14) State Fire Marshal: Nebraska Natural Gas Pipeline
8 Safety Cash Fund, State Fire Marshal Cash Fund, Underground Storage
9 Tank Fund, Training Division Cash Fund, Reduced Cigarette Ignition
10 Propensity Fund;

11 (15) Department of Insurance: Department of Insurance
12 Cash Fund;

13 (16) Department of Labor: Employment Security Special
14 Contingent Fund, ~~Nebraska Amusement Ride Fund~~, Farm Labor Contractors
15 Fund, Contractor Registration Cash Fund, Boiler Inspection Cash Fund,
16 ~~Elevator~~ Mechanical Safety Inspection Fund, Professional Employer
17 Organization Cash Fund;

18 (17) Department of Motor Vehicles: Motor Carrier Division
19 Cash Fund, Department of Motor Vehicles Cash Fund, License Plate Cash
20 Fund, Motorcycle Safety Education Fund;

21 (18) Department of Health and Human Services: Health and
22 Human Services Cash Fund, Veterans' Home Building Fund, Institution
23 Cash Fund, Small Business Enterprises Cash Fund, School District
24 Reimbursement Fund, Compulsive Gamblers Assistance Fund, Nebraska
25 Child Abuse Prevention Fund, Nebraska Health Care Cash Fund,

1 Children's Health Insurance Cash Fund, Childhood Care Cash Fund,
2 University of Nebraska Medical Center Medical Education Revolving
3 Fund, Behavioral Health Services Fund, Health and Human Services
4 Reimbursement Fund, Professional and Occupational Credentialing Cash
5 Fund, Rural Health Professional Incentive Fund, Organ and Tissue
6 Donor Awareness and Education Fund, Tobacco Prevention and Control
7 Cash Fund, Stem Cell Research Cash Fund;

8 (19) Department of Roads: Highway Cash Fund, Grade
9 Crossing Protection Fund, State Recreation Road Fund, Roads
10 Operations Cash Fund, Midwest Interstate Passenger Rail Compact Cash
11 Fund, Light-Density Rail Line Assistance Cash Fund;

12 (20) Department of Veterans' Affairs: Veteran Cemetery
13 Construction Fund, Nebraska Veteran Cemetery System Operation Fund;

14 (21) Department of Natural Resources: Water Resources
15 Cash Fund, Republican River Basin Water Sustainability Task Force
16 Cash Fund, Small Watersheds Flood Control Fund, Nebraska Resources
17 Development Fund, Nebraska Soil and Water Conservation Fund, Natural
18 Resources Water Quality Fund, Water Well Decommissioning Fund, Carbon
19 Sequestration Assessment Cash Fund, Water Resources Trust Fund,
20 Department of Natural Resources Cash Fund;

21 (22) State Electrical Board: Electrical Division Fund;

22 (23) Military Department: Military Department Cash Fund,
23 Governor's Emergency Cash Fund, Nebraska Emergency Management Agency
24 Cash Fund, Nebraska Emergency Planning and Community Right to Know
25 Cash Fund, Joint Operations Center Cash Fund;

1 (24) Board of Educational Lands and Funds: Surveyors'
2 Cash Fund, Board of Educational Lands and Funds Cash Fund, Survey
3 Record Repository Fund;

4 (25) Game and Parks Commission: State Game Fund, State
5 Park Cash Revolving Fund, Nebraska Habitat Fund, Nebraska Aquatic
6 Habitat Fund, Nebraska Snowmobile Trail Cash Fund, Nebraska Outdoor
7 Recreation Development Cash Fund, Wildlife Conservation Fund,
8 Nebraska Environmental Trust Fund, Cowboy Trail Fund, Game Law
9 Investigation Cash Fund, Niobrara Council Fund, Nebraska
10 Environmental Endowment Fund, Ferguson House Fund;

11 (26) Nebraska Library Commission: Nebraska Library
12 Commission Cash Fund;

13 (27) Nebraska Liquor Control Commission: Nebraska Liquor
14 Control Commission Rule and Regulation Cash Fund;

15 (28) State Racing Commission: Racing Commission's Cash
16 Fund, Track Distribution Fund;

17 (29) Nebraska Workers' Compensation Court: Compensation
18 Court Cash Fund;

19 (30) Nebraska Brand Committee: Nebraska Brand Inspection
20 and Theft Prevention Fund;

21 (31) Nebraska Motor Vehicle Industry Licensing Board:
22 Nebraska Motor Vehicle Industry Licensing Fund;

23 (32) State Real Estate Commission: State Real Estate
24 Commission's Fund;

25 (33) Board of Barber Examiners: Board of Barber Examiners

1 Fund;

2 (34) Department of Correctional Services: Department of
3 Correctional Services Facility Cash Fund, Parole Program Cash Fund,
4 Reentry Cash Fund;

5 (35) Nebraska Educational Telecommunications Commission:
6 State Educational Telecommunications Fund, NEB*SAT Cash Fund;

7 (36) Coordinating Commission for Postsecondary Education:
8 Coordinating Commission for Postsecondary Education Cash Fund,
9 Nebraska Opportunity Grant Fund;

10 (37) Nebraska State Colleges: Chadron Cash Fund, Peru
11 Cash Fund, Wayne Cash Fund, Chadron State College Designated Cash
12 Fund, Peru State College Designated Cash Fund, Wayne State College
13 Designated Cash Fund, Board of Trustees Cash Fund;

14 (38) University of Nebraska: University Cash Fund,
15 Temporary University Fund, University of Nebraska at Omaha Cash Fund,
16 University of Nebraska Medical Center Cash Fund, University of
17 Nebraska at Kearney Cash Fund, University of Nebraska Central
18 Administration Designated Cash Fund, University of Nebraska-Lincoln
19 Designated Cash Fund, University of Nebraska at Omaha Designated Cash
20 Fund, University of Nebraska Medical Center Designated Cash Fund,
21 University of Nebraska at Kearney Designated Cash Fund;

22 (39) Nebraska State Fair Board: Antique Farm Machinery
23 and Equipment Fund;

24 (40) Real Property Appraiser Board: Real Property
25 Appraiser Fund;

1 (41) Nebraska State Historical Society: Historical
2 Society Fund, Historical Landmark Cash Fund;

3 (42) Nebraska Wheat Development, Utilization, and
4 Marketing Board: Nebraska Wheat Development, Utilization, and
5 Marketing Fund;

6 (43) Nebraska Oil and Gas Conservation Commission: Oil
7 and Gas Conservation Fund;

8 (44) Board of Engineers and Architects: Engineers and
9 Architects Regulation Fund;

10 (45) Board of Geologists: Geologists Regulation Fund;

11 (46) Nebraska Ethanol Board: Agricultural Alcohol Fuel
12 Tax Fund, Ethanol Production Incentive Cash Fund;

13 (47) Nebraska Dairy Industry Development Board: Nebraska
14 Dairy Industry Development Fund;

15 (48) State Board of Examiners for Land Surveyors: Land
16 Surveyor Examiner's Fund;

17 (49) Nebraska State Board of Public Accountancy:
18 Certified Public Accountants Fund;

19 (50) Nebraska State Patrol: Nebraska State Patrol Cash
20 Fund, Investigation Petty Cash Fund, Carrier Enforcement Cash Fund,
21 Nebraska State Patrol Drug Control and Education Cash Fund, Public
22 Safety Cash Fund, Nebraska State Patrol Vehicle Replacement Cash
23 Fund, Nebraska Public Safety Communication System Cash Fund;

24 (51) Department of Administrative Services: Building
25 Renewal Allocation Fund, State Building Renewal Assessment Fund,

1 University Building Renewal Assessment Fund, State College Building
2 Renewal Assessment Fund, Capitol Restoration Cash Fund, Vacant
3 Building and Excess Land Cash Fund, Resource Recovery Fund, Tort
4 Claims Fund, Information Technology Infrastructure Fund, Health and
5 Life Benefit Administration Cash Fund, City of the Primary Class
6 Development Fund, City of the Metropolitan Class Development Fund,
7 World Day on the Mall Cash Fund;

8 (52) Abstracters Board of Examiners: Abstracters Board of
9 Examiners Cash Fund;

10 (53) Commission on Latino-Americans: Hispanic Awareness
11 Cash Fund, Commission on Latino-Americans Cash Fund;

12 (54) Nebraska Arts Council: Nebraska Arts Council Cash
13 Fund, Nebraska Arts and Humanities Cash Fund;

14 (55) State Foster Care Review Board: Foster Care Review
15 Board Cash Fund;

16 (56) Nebraska Energy Office: School Weatherization Fund,
17 State Energy Office Cash Fund;

18 (57) Department of Economic Development: Nebraska
19 Agricultural Products Research Fund, Aerospace Museum Cash Fund,
20 State Visitors Promotion Cash Fund, Job Training Cash Fund,
21 Administrative Cash Fund, Tourist Promotion Fund, Affordable Housing
22 Trust Fund, Comprehensive Housing Strategy Cash Fund, Economic
23 Development Cash Fund, ~~Local Civic, Cultural, and Convention Center~~
24 ~~Financing Fund~~, Civic and Community Center Financing Fund;

25 (58) State Board of Landscape Architects: State Board of

1 Landscape Architects Cash Fund;

2 (59) Nebraska Power Review Board: Nebraska Power Review

3 Fund;

4 (60) Nebraska Investment Council: State Investment

5 Officer's Cash Fund;

6 (61) Nebraska Commission on Law Enforcement and Criminal

7 Justice: Nebraska Law Enforcement Training Center Cash Fund, Law

8 Enforcement Improvement Fund, Victim's Compensation Fund, Community

9 Corrections Uniform Data Analysis Cash Fund, Violence Prevention Cash

10 Fund, Nebraska Crime Victim Fund;

11 (62) Commission for the Blind and Visually Impaired:

12 Commission for the Blind and Visually Impaired Cash Fund;

13 (63) Commission for the Deaf and Hard of Hearing:

14 Commission for the Deaf and Hard of Hearing Fund;

15 (64) Department of Environmental Quality: Integrated

16 Solid Waste Management Cash Fund, Nebraska Litter Reduction and

17 Recycling Fund, Department of Environmental Quality Cash Fund,

18 Chemigation Costs Fund, Low-Level Radioactive Waste Cash Fund,

19 Petroleum Products and Hazardous Substances Storage and Handling

20 Fund, Petroleum Release Remedial Action Cash Fund, Wastewater

21 Treatment Operator Certification Cash Fund, Local Site Selection Cash

22 Fund, Local Monitoring Committee Cash Fund, Waste Reduction and

23 Recycling Incentive Fund, Wastewater Treatment Facilities

24 Construction Loan Fund, Remedial Action Plan Monitoring Fund,

25 Livestock Waste Management Cash Fund, Drinking Water Administration

1 Fund, Clean Air Title V Cash Fund, Air Quality Permit Cash Fund,
2 Superfund Cost Share Cash Fund, Private Onsite Wastewater Treatment
3 System Certification and Registration Cash Fund, Solid Waste Landfill
4 Closure Assistance Fund;

5 (65) Public Employees Retirement Board: School Expense
6 Fund, Judges Expense Fund, State Patrol Expense Fund, Deferred
7 Compensation Expense Fund, State Employees Retirement System Expense
8 Fund, County Employees Retirement System Expense Fund, State Employer
9 Retirement Expense Fund, County Employer Retirement Expense Fund,
10 State Cash Balance Expense Fund, County Cash Balance Expense Fund;

11 (66) Dry Bean Commission: Dry Bean Development,
12 Utilization, Promotion, and Education Fund;

13 (67) Nebraska Accountability and Disclosure Commission:
14 Nebraska Accountability and Disclosure Commission Cash Fund, Campaign
15 Finance Limitation Cash Fund;

16 (68) Corn Development, Utilization, and Marketing Board:
17 Nebraska Corn Development, Utilization, and Marketing Fund;

18 (69) Community College Aid: Nebraska Community College
19 Aid Cash Fund;

20 (70) Grain Sorghum Development, Utilization, and
21 Marketing Board: Grain Sorghum Development, Utilization, and
22 Marketing Fund;

23 (71) Tax Equalization and Review Commission: Tax
24 Equalization and Review Commission Cash Fund;

25 (72) Commission on Public Advocacy: Commission on Public

1 Advocacy Operations Cash Fund, Legal Aid and Services Fund, Civil
2 Legal Services Fund; and

3 (73) Commission on Indian Affairs: Designated Collection
4 Fund.

5 Sec. 66. Laws 2011, LB374, section 267, is amended to
6 read:

7 Sec. 267. GIFTS, BEQUESTS, AND DEVISES.

8 Any gift, bequest, or devise made available to the State
9 of Nebraska for any purpose or purposes, together with the income
10 thereof, shall be allocated to the expending agency designated by
11 such donor or, if none is designated by such donor, by the Governor.

12 Acceptance of a gift, bequest, or devise shall be subject
13 to approval by the expending agency and the following restrictions:

14 (1) No matching of state funds shall be required as a
15 condition of acceptance;

16 (2) Any gift or bequest of personal property in excess of
17 \$10,000 shall be approved by the Governor before acceptance;

18 (3) Any gift or devise of real property in excess of
19 \$10,000 shall be approved by the Governor and the Legislature before
20 acceptance pursuant to sections 81-176 and 81-1108.33; and

21 ~~(4) Any gift, bequest, or devise the proceeds of which~~
22 ~~are used to acquire real property, a structure, or an improvement~~
23 ~~shall be approved by the Governor and the Legislature before~~
24 ~~acceptance pursuant to sections Sections 81-176 and 81-1108.33 shall~~
25 govern the acquisition of real property and structures with the

1 proceeds of a gift, bequest, or devise.

2 For purposes of this section, gifts, bequests, and
3 devises shall include, but not be limited to, donations, gifts,
4 bequests, devises, and grants from individuals, organizations,
5 corporations, and similar entities and from nonfederal governmental
6 agencies.

7 At the discretion of the budget administrator of the
8 budget division of the Department of Administrative Services and the
9 Accounting Administrator of the Department of Administrative
10 Services, expenditures of funds from any gift, bequest, or devise may
11 be expended through any existing or administratively created cash
12 fund account, revolving fund account, or trust fund account, in which
13 case the actual amount of the gift, bequest, or devise is hereby
14 appropriated to the expending agency, for the purpose or purposes
15 designated by the donor, in addition to the amounts appropriated in
16 this act. If no such cash fund account, revolving fund account, or
17 trust fund account exists, the Accounting Administrator may create
18 such fund account as is necessary to properly and separately account
19 for the gift, bequest, or devise, in which case the actual amount of
20 the gift, bequest, or devise is hereby appropriated to the expending
21 agency, for the purpose or purposes designated by the donor, in
22 addition to the amounts appropriated in this act.

23 This section shall not apply to the University of
24 Nebraska.

25 Sec. 67. Laws 2011, LB376, section 19, is amended to

1 read:

2 Sec. 19. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION
 3 COURT

4 Program No. 526 - Judges' Salaries

	FY2011-12	FY2012-13
5		
6 CASH FUND	1,070,460	1,070,460
7 PROGRAM TOTAL	1,070,460	1,070,460
8 <u>CASH FUND</u>	<u>1,083,575</u>	<u>1,090,328</u>
9 <u>PROGRAM TOTAL</u>	<u>1,083,575</u>	<u>1,090,328</u>
10 SALARY LIMIT	924,375	924,375

11 Sec. 68. Laws 2011, LB377, section 8, is amended to read:

12 Sec. 8. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 13 SERVICES

14 Program No. 902 - Bridges Program Relocation

	FY2011-12	FY2012-13	FUTURE
15			
16 NEBRASKA CAPITAL	450,000	1,049,433	-0-
17 CONSTRUCTION FUND			
18 PROGRAM TOTAL	450,000	1,049,433	-0-
19 <u>NEBRASKA CAPITAL</u>	<u>1,000,000</u>	<u>499,433</u>	<u>-0-</u>
20 <u>CONSTRUCTION FUND</u>			
21 <u>PROGRAM TOTAL</u>	<u>1,000,000</u>	<u>499,433</u>	<u>-0-</u>

22 The Department of Health and Human Services is hereby
 23 authorized to design and construct secure housing for persons with

1 developmental disabilities. The housing authorized in this section
2 shall be used to relocate the Bridges program operated at the
3 Hastings Regional Center.

4 Sec. 69. Laws 2011, LB377, section 38, is amended to
5 read:

6 Sec. 38. GIFTS, BEQUESTS, AND DEVISES.

7 Any gift, bequest, or devise made available to the State
8 of Nebraska for any purpose or purposes, together with the income
9 thereof, shall be allocated to the expending agency designated by
10 such donor or, if none is designated by such donor, by the Governor.

11 Acceptance of a gift, bequest, or devise shall be subject
12 to approval by the expending agency and the following restrictions:

13 (1) No matching of state funds shall be required as a
14 condition of acceptance;

15 (2) Any gift or bequest of personal property in excess of
16 \$10,000 shall be approved by the Governor before acceptance;

17 (3) Any gift or devise of real property in excess of
18 \$10,000 shall be approved by the Governor and the Legislature before
19 acceptance pursuant to sections 81-176 and 81-1108.33; and

20 ~~(4) Any gift, bequest, or devise the proceeds of which~~
21 ~~are used to acquire real property, a structure, or an improvement~~
22 ~~shall be approved by the Governor and the Legislature before~~
23 ~~acceptance pursuant to sections Sections 81-176 and 81-1108.33 shall~~
24 ~~govern the acquisition of real property and structures with the~~
25 ~~proceeds of a gift, bequest, or devise.~~

1 For purposes of this section, gifts, bequests, and
2 devises shall include, but not be limited to, donations, gifts,
3 bequests, devises, and grants from individuals, organizations,
4 corporations, and similar entities and from nonfederal governmental
5 agencies.

6 At the discretion of the budget administrator of the
7 budget division of the Department of Administrative Services and the
8 Accounting Administrator of the Department of Administrative
9 Services, expenditures of funds from any gift, bequest, or devise may
10 be expended through any existing or administratively created cash
11 fund account, revolving fund account, or trust fund account, in which
12 case the actual amount of the gift, bequest, or devise is hereby
13 appropriated to the expending agency, for the purpose or purposes
14 designated by the donor, in addition to the amounts appropriated in
15 this act. If no such cash fund account, revolving fund account, or
16 trust fund account exists, the Accounting Administrator may create
17 such fund account as is necessary to properly and separately account
18 for the gift, bequest, or devise, in which case the actual amount of
19 the gift, bequest, or devise is hereby appropriated to the expending
20 agency, for the purpose or purposes designated by the donor, in
21 addition to the amounts appropriated in this act.

22 This section shall not apply to the University of
23 Nebraska.

24 Sec. 70. Laws 2011, LB390, section 33, is amended to
25 read:

1 Sec. 33. AGENCY NO. 5 – SUPREME COURT

2 Program No. 435 - Probation Community Corrections

3		FY2011-12	FY2012-13
4	GENERAL FUND	4,071,208	4,085,694
5	CASH FUND est.	5,221,701	5,241,677
6	PROGRAM TOTAL	9,292,909	9,327,371
7	SALARY LIMIT	1,673,312	1,706,778
8	<u>SALARY LIMIT</u>	<u>1,713,952</u>	<u>1,783,778</u>

9 The unexpended General Fund appropriation balance

10 existing on June 30, 2011, is hereby reappropriated.

11 Cash Fund expenditures for this program shall not be

12 limited to the amounts shown.

13 Sec. 71. Laws 2011, LB390, section 34, is amended to

14 read:

15 Sec. 34. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW

16 ENFORCEMENT AND CRIMINAL JUSTICE

17 Program No. 220 - Community Corrections Council Office

18		FY2011-12	FY2012-13
19	GENERAL FUND	281,298	285,298
20	CASH FUND	405,917	406,951
21	PROGRAM TOTAL	687,215	692,249
22	SALARY LIMIT	218,643	223,016

23 The unexpended General Fund appropriation balance

1 existing on June 30, 2011, less \$424,727, is hereby reappropriated.

2 Sec. 72. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

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

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

5 (4) The limitation on expenditures for permanent and
6 temporary salaries and per diems for FY2012-13 as established by the
7 Legislature shall be the basis for continuation funding for each
8 fiscal year of the succeeding biennium.

9 (5) The limitation on expenditures for permanent and
10 temporary salaries and per diems for FY2012-13 shall be increased by
11 certified encumbrance amounts from FY2011-12 for permanent and
12 temporary salaries and per diems. Encumbered amounts shall be
13 calculated in accordance with section 81-138.01.

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

18 Sec. 73. Original Laws 2011, LB374, sections 24, 46, 47,
19 66, 91, 92, 93, 94, 98, 100, 101, 102, 104, 105, 107, 109, 112, 115,
20 132, 181, 200, 218, 220, 221, 222, 226, 235, 249, 260, and 267; Laws
21 2011, LB376, section 19; Laws 2011, LB377, sections 8 and 38; and
22 Laws 2011, LB390, sections 33 and 34, are repealed.

23 Sec. 74. Since an emergency exists, this act takes effect
24 when passed and approved according to law.