

LEGISLATIVE BILL 968

Approved by the Governor April 2, 2012

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

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

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

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

Sec. 2. APPROPRIATION LANGUAGE.

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

Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

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

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

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2012, for FY2012-13 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

Sec. 6. DRAWING AND PAYING WARRANTS.

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

Sec. 7. AGENCY NO. 3 - LEGISLATIVE COUNCIL  
Program No. 123 - Clerk of the Legislature

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

Sec. 8. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS  
Program No. 525 - Cooperative Audits

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	<u>30,000</u>	<u>30,000</u>
<u>PROGRAM TOTAL</u>	<u>30,000</u>	<u>30,000</u>

SALARY LIMIT 21,600 21,600  
Sec. 9. AGENCY NO. 11 - ATTORNEY GENERAL  
Program No. 507 - Interpretation and Application of Law

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>GENERAL FUND</u>	<u>30,000</u>	<u>20,000</u>
<u>PROGRAM TOTAL</u>	<u>30,000</u>	<u>20,000</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 10. AGENCY NO. 12 - STATE TREASURER  
Program No. 665 - Convention Center Facility Financing Assistance

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	<u>2,417,420</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>2,417,420</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

There is included in the appropriation to this program from the Convention Center Support Fund for FY2011-12 \$2,417,420 Cash Funds, which shall only be disbursed to a city of the metropolitan class for which an application for state assistance has been approved under the Convention Center Facility Financing Assistance Act.

The State Treasurer shall transfer \$1,036,037 from the Convention Center Support Fund to the Civic and Community Center Financing Fund within five days after the effective date of this act.

Sec. 11. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION  
Program No. 351- Vocational Rehabilitation

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	<u>200,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>200,000</u>	<u>-0-</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 12. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION  
Program No. 614 - Professional Practices Commission

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>SALARY LIMIT</u>	<u>990</u>	<u>-0-</u>

Sec. 13. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION  
Program No. 686 - Nebraska Telecommunications Universal Service Fund

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>51,792</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>51,792</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>30,468</u>

Sec. 14. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION  
Program No. 792 - Major Oil Pipeline Siting

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>GENERAL FUND</u>	<u>10,225</u>	<u>-0-</u>
<u>CASH FUND</u>	<u>541,687</u>	<u>542,643</u>
<u>PROGRAM TOTAL</u>	<u>551,912</u>	<u>542,643</u>
<u>SALARY LIMIT</u>	<u>34,338</u>	<u>25,361</u>

Sec. 15. AGENCY NO. 24 - DEPARTMENT OF MOTOR VEHICLES

Program No. 70 - Enforcement of Standards - Motor Vehicles/Motor Vehicle Drivers

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	-0-	64,574
<u>PROGRAM TOTAL</u>	-0-	64,574
<u>SALARY LIMIT</u>	-0-	43,053

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

Program No. 178 - Professional Licensure

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	96,512	96,512
<u>PROGRAM TOTAL</u>	96,512	96,512
<u>SALARY LIMIT</u>	-0-	-0-

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

Program No. 250 - Juvenile Services Operations

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>GENERAL FUND</u>	225,000	905,000
<u>PROGRAM TOTAL</u>	225,000	905,000
<u>SALARY LIMIT</u>	159,318	640,821

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

Program No. 424 - Developmental Disability Aid

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

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

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

Program No. 36 - Departmental Administration

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

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

Program No. 549 - Parks - Administration and Operation

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

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

Sec. 21. AGENCY NO. 34 - NEBRASKA LIBRARY COMMISSION

Program No. 252 - Library and Information Services

	<u>FY2011-12</u>	<u>FY2012-13</u>
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<u>GENERAL FUND</u>	-0-	12,500
<u>PROGRAM TOTAL</u>	-0-	12,500
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 22. AGENCY NO. 39 - NEBRASKA BRAND COMMITTEE  
Program No. 75 - Nebraska Brand Committee

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	88,000	-0-
<u>PROGRAM TOTAL</u>	88,000	-0-

Sec. 23. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION  
Program No. 640 - Postsecondary Education Coordination

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>GENERAL FUND</u>	31,900	3,324
<u>CASH FUND</u>	5,465	5,465
<u>PROGRAM TOTAL</u>	37,365	8,789
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 24. AGENCY NO. 48 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION  
Program No. 691 - Access College Early Scholarship Program

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

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

Sec. 25. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
Program No. 935 - Chadron State College - Armstrong Gymnasium

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

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

Sec. 26. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
Program No. 997 - Peru State College - Oak Bowl

	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
<u>NEBRASKA CAPITAL</u>			

<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>7,500,000</u>	<u>-0-</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>7,500,000</u>	<u>-0-</u>

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

Sec. 27. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
Program No. 781 - University - Administration

It is the intent of the Legislature that the Conservation and Survey Division allocate sufficient General Fund resources to fulfill its statutory responsibilities as prescribed in section 85-163 including four additional positions.

Sec. 28. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
Program No. 939 - Veterinary Diagnostic Center

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

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

Beginning with the fiscal year commencing July 1, 2012, and continuing through the fiscal year ending June 30, 2022, the Legislature shall appropriate each fiscal year from the General Fund an amount not less than \$6,093,000 to be used by the Board of Regents of the University of Nebraska to pay the costs of constructing a Veterinary Diagnostic Center. The board may enter into long-term financing contracts with any person, firm, or corporation for the Veterinary Diagnostic Center project. The board may not enter into long-term financing contracts until evidence is provided to the budget administrator of the budget division of the Department of Administrative Services that \$5,000,000 private or other funds have been received. The payments of the costs of the project may occur over a contract period not to extend beyond June 30, 2022. The board shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriations made by the Legislature for such purpose. No contract shall be entered into pursuant to this section without prior approval by resolution by the board. The board may also convey, lease, or lease back all or any part of the Veterinary Diagnostic Center project and the land on which such project is situated to such person, firm, or corporation as the board may contract with pursuant to this section to facilitate the long-term payment of the cost of the Veterinary Diagnostic Center project. Any such conveyance or lease shall provide that when the cost of the Veterinary Diagnostic Center project has been paid, together with interest and other costs thereon, the Veterinary Diagnostic Center project and the land on which such project is located shall become the property of the board. The board may schedule contractual payments on a monthly, quarterly, or semiannual basis consistent with the state fiscal year. On or before August 31, 2022, any funds appropriated from the General Fund for the project held in the state treasury and held by any trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General Fund.

The Legislature finds and determines that the Veterinary Diagnostic Center project is of critical importance to the State of Nebraska. It is the intent of the Legislature that the appropriations for the Veterinary Diagnostic Center project shall not be reduced until all contracts and securities relating to the construction and financing of the Veterinary Diagnostic Center project are completed or paid but in no case shall such

appropriations extend beyond the fiscal year ending June 30, 2022.

Sec. 29. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
Program No. 950 - UNMC Cancer Research Tower

	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FUTURE</u>
<u>NEBRASKA CAPITAL</u>			
<u>CONSTRUCTION FUND</u>	-0-	50,000,000	-0-
<u>PROGRAM TOTAL</u>	-0-	50,000,000	-0-

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

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

The budget administrator shall allot \$25,000,000 of the appropriation of Nebraska Capital Construction Funds to the board for the University of Nebraska Medical Center Cancer Research Tower project upon evidence provided by the board that an additional \$30,000,000 in private or other funds have been received by the board for the Cancer Research Tower.

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

Sec. 30. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

Program No. 971 - College of Nursing and Allied Health, Kearney

Division

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

Subject to the provisions of section 85-1414, the Board of Regents of the University of Nebraska is hereby authorized to design and construct a College of Nursing and School of Allied Health Professions facility at the University of Nebraska at Kearney. The total project cost for a College of Nursing and School of Allied Health Professions facility is estimated at \$18,000,000 of which \$3,000,000 shall be private or other funds.

The budget administrator of the budget division of the Department of Administrative Services shall allot the \$15,000,000 of the appropriation of Nebraska Capital Construction Funds to the board for the College of Nursing and School of Allied Health Professions facility upon evidence provided by the board that \$3,000,000 private and other funds have been received by the board for this project.

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

Sec. 31. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY

Program No. 648 - Nebraska State Historical Society

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

Sec. 32. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 674 - Centennial Mall Improvements

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

There is included in the appropriation from the Nebraska Capital Construction Fund to this program for FY2012-13 \$800,000 to aid and assist the city of Lincoln with renovation of and improvements to Centennial Mall within the Nebraska State Capitol Environs District. The budget administrator of the budget division of the Department of Administrative Services shall allot and disburse amounts from the appropriation contained in this section to the city of Lincoln upon evidence provided by the city of costs incurred in completion of such Centennial Mall renovation or improvements. Total disbursements shall not exceed \$800,000.

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

Sec. 33. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES  
Program No. 901 - State Capitol Improvements

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

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

Sec. 34. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL RELATIONS  
Program No. 490 - Commissioner Expenses

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

Sec. 35. AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL QUALITY  
Program No. 513 - Environmental Quality

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	<u>-0-</u>	<u>106,582</u>
<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>106,582</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>41,186</u>

Sec. 36. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD  
Program No. 41 - Administration of Retirement Systems and Deferred Compensation

	<u>FY2011-12</u>	<u>FY2012-13</u>
<u>CASH FUND</u>	<u>132,915</u>	<u>29,440</u>
<u>PROGRAM TOTAL</u>	<u>132,915</u>	<u>29,440</u>
<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

Sec. 37. Laws 2011, LB374, section 24, is amended to read:

Sec. 24. AGENCY NO. 5 - SUPREME COURT  
Program No. 570 - Court Automation

	<u>FY2011-12</u>	<u>FY2012-13</u>
CASH FUND est.	4,022,021	4,029,722
FEDERAL FUND est.	423,661	426,237

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

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

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

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

Sec. 46. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION  
 Program No. 25 - Education, Administration, and Support

	FY2011-12	FY2012-13
<del>GENERAL FUND</del>	<del>9,668,027</del>	<del>9,762,802</del>
<del>CASH FUND</del>	<del>1,076,053</del>	<del>1,082,205</del>
<del>FEDERAL FUND est.</del>	<del>21,633,256</del>	<del>22,115,955</del>
<del>REVOLVING FUND</del>	<del>154,728</del>	<del>154,728</del>
<del>PROGRAM TOTAL</del>	<del>32,532,064</del>	<del>33,115,690</del>
<u>GENERAL FUND</u>	<u>9,743,027</u>	<u>9,837,802</u>
<u>CASH FUND</u>	<u>1,476,053</u>	<u>1,482,205</u>
<u>FEDERAL FUND est</u>	<u>21,633,256</u>	<u>22,115,955</u>
<u>REVOLVING FUND</u>	<u>204,728</u>	<u>204,728</u>
<u>PROGRAM TOTAL</u>	<u>33,057,064</u>	<u>33,640,690</u>
SALARY LIMIT	11,796,556	12,032,466

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

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

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

There is included in the appropriation to this program for FY2011-12 \$75,000 General Funds for the review of poverty and limited English proficiency plans, including at least \$25,000 General Funds for performance auditing.

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

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

- No. 25 - Commissioner's Office
- No. 403 - Assessment/Report Card
- No. 440 - Human Resources
- No. 441 - Curriculum/Instruction/Innovation
- No. 442 - Diversity Populations: Equity and Instructional Issues



- No. 444 - Office of Early Childhood
- ~~No. 445 - Data Systems~~
- No. 445 - Data, Research, Evaluation, and Information Technology
- No. 446 - Adult Program Services
- No. 447 - School Improvement/Accreditation
- No. 448 - Diversity Populations: Special Education
- No. 449 - Federal Programs
- No. 450 - Select Department-wide Costs
- No. 451 - Finance and Organization Services
- Sec. 39. Laws 2011, LB374, section 47, is amended to read:
- Sec. 47. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
- Program No. 158 - Education Aid

	FY2011-12	FY2012-13
GENERAL FUND	<del>1,006,042,169</del>	<del>1,066,008,001</del>
CASH FUND	<del>3,240,938</del>	<del>3,240,938</del>
<u>GENERAL FUND</u>	<u>1,007,042,169</u>	<u>1,047,220,167</u>
<u>CASH FUND</u>	<u>3,453,896</u>	<u>3,453,896</u>
FEDERAL FUND est.	290,889,138	290,889,138
PROGRAM TOTAL	<del>1,300,172,245</del>	<del>1,360,138,077</del>
<u>PROGRAM TOTAL</u>	<u>1,301,385,203</u>	<u>1,341,563,201</u>

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

There is included in the amount shown for FY2011-12 \$804,689,087 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act. There is included in the amount shown for FY2012-13 ~~\$864,654,919~~ \$836,867,085 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act.

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

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

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

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

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

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

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

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

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

On or before October 1 of each year, the Department of Health and Human Services and the State Department of Education shall jointly certify to the budget administrator of the budget division of the Department of Administrative Services the amount of federal medicaid funds paid to school districts pursuant to the Early Intervention Act for special education services for children age five years and older. The General Fund appropriation to the State Department of Education, Program 158, for state special education aid shall be decreased by an amount equal to the amount that would have been reimbursed with state General Funds to the school districts through the special education reimbursement process for special education services for children age five years and older that was paid to school districts or approved cooperatives with federal medicaid funds. There is hereby appropriated from the General Fund an amount equal to the amount certified to the budget administrator for FY2011-12 and FY2012-13 to the Department of Health and Human Services to aid in carrying out the provisions of Laws 1991, LB 701. The budget administrator shall distribute the amount appropriated between budget programs according to percentages certified by the Department of Health and Human Services.

Sec. 40. Laws 2011, LB374, section 66, is amended to read:  
 Sec. 66. AGENCY NO. 16 - DEPARTMENT OF REVENUE  
 Program No. 108 - Homestead Exemption

	FY2011-12	FY2012-13
GENERAL FUND	72,300,000	77,700,000
PROGRAM TOTAL	72,300,000	77,700,000
<u>GENERAL FUND</u>	<u>68,100,000</u>	<u>72,500,000</u>
<u>PROGRAM TOTAL</u>	<u>68,100,000</u>	<u>72,500,000</u>

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

Sec. 41. Laws 2011, LB374, section 91, is amended to read:  
 Sec. 91. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 30 - Tobacco Prevention and Control

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

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

Sec. 42. Laws 2011, LB374, section 92, is amended to read:  
 Sec. 92. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 32 - Medicaid Prescription Drug Act Administration

	FY2011-12	FY2012-13
GENERAL FUND	1,270,136	1,271,767
FEDERAL FUND est.	1,270,135	1,271,766

PROGRAM TOTAL	2,540,271	2,543,533
SALARY LIMIT	346,042	348,875
<p>The unexpended General Fund appropriation balance existing on June 30, 2011, <u>less \$1,500,000</u> is hereby reappropriated.</p> <p>Sec. 43. Laws 2011, LB374, section 93, is amended to read:                  Sec. 93. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES                  Program No. 33 - Administration</p>		
	FY2011-12	FY2012-13
<del>GENERAL FUND</del>	<del>90,958,934</del>	<del>94,779,489</del>
<u>GENERAL FUND</u>	<u>96,080,948</u>	<u>106,747,672</u>
CASH FUND	20,926,010	21,024,723
FEDERAL FUND est.	197,811,557	202,719,702
PROGRAM TOTAL	309,696,501	318,523,914
SALARY LIMIT	114,169,331	116,494,285
<u>FEDERAL FUND est.</u>	<u>198,075,023</u>	<u>203,743,494</u>
<u>PROGRAM TOTAL</u>	<u>315,081,981</u>	<u>331,515,889</u>
<u>SALARY LIMIT</u>	<u>116,669,331</u>	<u>124,066,156</u>

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

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

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

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

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

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

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

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

There is included in the appropriation to this program for FY2011-12 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for costs of smoking

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

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

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

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

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

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

(5) The proportion of persons who file applications online who are enrolled in one of the public benefit programs that use ACCESSNebraska for enrollment;

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

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

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

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

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

Sec. 94. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 38 - Behavioral Health Aid

	FY2011-12	FY2012-13
GENERAL FUND	74,810,767	74,952,023
<u>GENERAL FUND</u>	<u>71,110,767</u>	<u>75,133,219</u>
CASH FUND	14,582,280	14,582,280
FEDERAL FUND est.	10,504,971	10,504,971
<u>PROGRAM TOTAL</u>	<u>99,898,018</u>	<u>100,039,274</u>
<u>PROGRAM TOTAL</u>	<u>96,198,018</u>	<u>100,220,470</u>

There is included in the appropriation to this program for FY2011-12 \$74,810,767 \$71,110,767 General Funds, \$14,582,280 Cash Funds, and \$10,504,971

Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2012-13 ~~\$74,952,023~~ \$75,133,219 General Funds, \$14,582,280 Cash Funds, and \$10,504,971 Federal Funds estimate for state aid, which shall only be used for such purpose.

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

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

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

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

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

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

Program No. 179 - Public Health

	FY2011-12	FY2012-13
GENERAL FUND	1,035,290	1,051,221
CASH FUND	<del>763,572</del>	<del>766,879</del>
<u>CASH FUND</u>	<u>667,060</u>	<u>670,367</u>
FEDERAL FUND est.	17,345,546	17,577,783
PROGRAM TOTAL	<del>19,144,408</del>	<del>19,395,883</del>
<u>PROGRAM TOTAL</u>	<u>19,047,896</u>	<u>19,299,371</u>
SALARY LIMIT	5,908,319	6,024,846

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

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

There is included in the appropriation to this program for FY2011-12 \$100,000 Cash Funds for staff and operating expenses for public health from the Nebraska Health Care Cash Fund. There is included in the appropriation to this program for FY2012-13 \$100,000 Cash Funds for staff and operating expenses for public health from the Nebraska Health Care Cash Fund.

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

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

Program No. 344 - Children's Health Insurance

	FY2011-12	FY2012-13
GENERAL FUND	<del>9,932,192</del>	<del>13,036,419</del>
<u>GENERAL FUND</u>	<u>8,632,192</u>	<u>12,334,369</u>

CASH FUND	8,835,700	6,835,700
CASH FUND	8,835,700	7,035,700
FEDERAL FUND est.	43,729,964	45,612,609
PROGRAM TOTAL	62,497,856	65,484,728
FEDERAL FUND est.	41,399,961	43,068,960
PROGRAM TOTAL	58,867,853	62,439,029

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

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

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

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

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

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

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

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

Sec. 101. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 347 - Public Assistance

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

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

There is included in the appropriation to this program for FY2011-12 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to aid in carrying out the Nebraska Lifespan Respite Services Program and to provide payment to caregivers to purchase services under the respite subsidy

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

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

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

Sec. 48. Laws 2011, LB374, section 102, is amended to read:  
 Sec. 102. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 348 - Medical Assistance

	FY2011-12	FY2012-13
GENERAL FUND	<del>599,909,134</del>	630,241,604
<u>GENERAL FUND</u>	<u>580,313,492</u>	<u>644,573,194</u>
CASH FUND	24,344,412	24,344,412
FEDERAL FUND est.	<del>998,926,616</del>	1,029,200,776
PROGRAM TOTAL	<del>1,623,180,162</del>	1,683,786,792
<u>FEDERAL FUND est.</u>	<u>994,935,238</u>	<u>1,030,591,108</u>
<u>PROGRAM TOTAL</u>	<u>1,599,593,142</u>	<u>1,699,508,714</u>

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

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

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

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

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

- (1) An increase in copayments on physical, speech, and occupational therapies;
- (2) An increase in copayments for nonemergency visits to the

emergency department;

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

(4) The elimination of private duty nursing services;

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

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

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

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

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

(10) The elimination of chiropractic services;

(11) The elimination of eyeglasses for adults;

(12) The elimination of hearing aids for adults;

(13) The elimination of occupational therapy for adults;

(14) The elimination of physical therapy for adults;

(15) The elimination of speech therapy for adults;

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

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

(18) A limit of physician visits for adults to twelve per year, excluding pregnancy-related visits.

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

Sec. 104. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 365 - Mental Health Operations

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

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

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

No. 361 - Hastings Regional Center

No. 363 - Lincoln Regional Center

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

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

Sec. 105. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 421 - Beatrice State Developmental Center

	FY2011-12	FY2012-13
GENERAL FUND	24,927,152	25,505,489
<u>GENERAL FUND</u>	<u>24,927,152</u>	<u>25,081,930</u>
CASH FUND	2,711,482	2,711,482
FEDERAL FUND est.	22,820,537	22,956,323
PROGRAM TOTAL	50,459,171	51,173,294
<u>FEDERAL FUND est.</u>	<u>22,820,537</u>	<u>21,779,882</u>



<u>PROGRAM TOTAL</u>	50,459,171	49,573,294
<u>SALARY LIMIT</u>	24,095,712	24,599,987
<u>SALARY LIMIT</u>	25,395,712	25,449,987

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

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

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

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

The chief executive officer of the Department of Health and Human Services shall certify to the budget administrator of the budget division of the Department of Administrative Services the FY2011-12 and FY2012-13 unexpended appropriation balances for the Beatrice State Developmental Center, Program 421, which are available to transition and maintain persons transferred from the Beatrice State Developmental Center to community-based developmental disability or other services. The budget administrator of the budget division of the Department of Administrative Services shall administratively transfer during FY2011-12 and FY2012-13 available unexpended appropriation balances as certified by the chief executive officer of the Department of Health and Human Services from the Beatrice State Developmental Center, Program 421, to Developmental Disability Aid, Program 424, and Medical Assistance, Program 348.

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

Sec. 107. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 502 - Public Health Aid

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

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

There is included in the appropriation to this program for FY2011-12 \$1,809,334 General Funds and for FY2012-13 ~~\$1,809,334~~ \$1,800,000 General Funds, for state aid, for the six community health centers funded through Federal Program 330, Public Law 104-299, the Health Centers Consolidation Act of 1996. Each center of the following centers is to receive a base amount of \$100,000 with the balance of the funding to be distributed proportionally based on the previous fiscal year's percent of uninsured clients as reported on the Uniform Data System Report provided to the United States Department of

Health and Human Services Bureau of Primary Health Care to \$300,000: Charles Drew Health Center, One World Community Health Center, Good Neighbor Community Health Center, Panhandle Community Health Center, Norfolk Community Health Center, and People's Health Center.

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

There is included in the appropriation to this program for FY2011-12 \$31,713 General Funds and \$1,526,000 Cash Funds for state aid from the Nebraska Health Care Cash Fund for minority public health services in counties having a minority population equal to or exceeding five percent of the total population of the county in the first and third congressional districts as determined by the most recent federal decennial census. There is included in the appropriation to this program for FY2012-13 \$31,713 General Funds and \$1,526,000 Cash Funds for state aid from the Nebraska Health Care Cash Fund for minority public health services in counties having a minority population equal to or exceeding five percent of the total population of the county in the first and third congressional districts as determined by the most recent federal decennial census. The Department of Health and Human Services shall distribute the funds on a per capita basis for the purpose of implementing a minority health initiative which may target, but shall not be limited to, infant mortality, cardiovascular disease, obesity, diabetes, and asthma.

There is included in the appropriation to this program for FY2011-12 \$28,101 General Funds and \$1,349,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to be distributed equally among federally qualified health centers in the second congressional district. Such funds shall be used for the purpose of implementing a minority health initiative which may target, but shall not be limited to, infant mortality, cardiovascular disease, obesity, diabetes, and asthma. There is included in the appropriation to this program for FY2012-13 \$28,101 General Funds and \$1,349,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid to be distributed equally among federally qualified health centers in a the second congressional district, with a minority population of greater than seventy-five thousand inhabitants. Such funds shall be used for the purpose of implementing a minority health initiative which may target, but shall not be limited to, infant mortality, cardiovascular disease, obesity, diabetes, and asthma.

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

Sec. 109. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 519 - Nebraska Veterans' Homes

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

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

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

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

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

Sec. 112. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 621 - Stem Cell Research

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

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

Sec. 54. Laws 2011, LB374, section 115, is amended to read:  
 Sec. 115. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 Program No. 870 - Norfolk Sex Offender Treatment

	FY2011-12	FY2012-13
<del>GENERAL FUND</del>	<del>14,766,557</del>	<del>14,928,652</del>
<u>GENERAL FUND</u>	<u>14,016,557</u>	<u>14,178,652</u>
CASH FUND	48,833	72,914
PROGRAM TOTAL	<del>14,815,390</del>	<del>15,001,566</del>
<u>PROGRAM TOTAL</u>	<u>14,065,390</u>	<u>14,251,566</u>
SALARY LIMIT	8,792,382	8,933,224

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

Sec. 55. Laws 2011, LB374, section 132, is amended to read:  
 Sec. 132. AGENCY NO. 31 - MILITARY DEPARTMENT  
 Program No. 192 - Governor's Emergency Aid

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

There is no salary limitation for this program.

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

There is included in the appropriation to this program for FY2011-12 ~~\$500,000~~ \$9,400,000 General Funds, \$4,500,000 Federal Funds estimate, plus any reappropriated amount, for state aid. There is included in the appropriation to this program for FY2012-13 \$500,000 General Funds and \$4,500,000 Federal Funds estimate for state aid.

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

Sec. 56. Laws 2011, LB374, section 181, is amended to read:  
 Sec. 181. AGENCY NO. 64 - NEBRASKA STATE PATROL  
 Program No. 100 - Public Protection

	FY2011-12	FY2012-13
GENERAL FUND	51,473,222	52,031,516
CASH FUND	<del>4,368,935</del>	<del>4,391,029</del>

<u>CASH FUND</u>	<u>4,428,935</u>	<u>4,391,029</u>
FEDERAL FUND est.	126,483	157,150
<u>PROGRAM TOTAL</u>	<u>55,968,640</u>	<u>56,579,695</u>
<u>PROGRAM TOTAL</u>	<u>56,028,640</u>	<u>56,579,695</u>
SALARY LIMIT	33,648,596	34,287,851

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

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

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

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

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

Sec. 57. Laws 2011, LB374, section 200, is amended to read:  
 Sec. 200. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES  
 Program No. 591 - Tort Claims

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

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

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

- (a) \$58 from the Department of Motor Vehicles;
- (b) \$165,621 from the Department of Roads;
- (c) \$5,378 from the Game and Parks Commission; and
- (d) \$15,269 from the Department of Administrative Services state building division.

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

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

- (a) ~~\$58~~ \$369 from the Department of Motor Vehicles;
- (b) ~~\$165,621~~ \$130,224 from the Department of Roads;
- (c) ~~\$5,378~~ \$3,597 from the Game and Parks Commission; and

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

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

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

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

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

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

Sec. 58. Laws 2011, LB374, section 218, is amended to read:  
 Sec. 218. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT  
 Program No. 134 - Rural Development Commission

	FY2011-12	FY2012-13
GENERAL FUND	1,144,049	1,146,046
<u>GENERAL FUND</u>	<u>1,144,049</u>	<u>-0-</u>
PROGRAM TOTAL	1,144,049	1,146,046
<u>PROGRAM TOTAL</u>	<u>1,144,049</u>	<u>-0-</u>
SALARY LIMIT	86,762	88,497
<u>SALARY LIMIT</u>	<u>86,762</u>	<u>-0-</u>

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

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

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

Sec. 59. Laws 2011, LB374, section 220, is amended to read:  
 Sec. 220. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT  
 Program No. 601 - Community and Rural Development

	FY2011-12	FY2012-13
GENERAL FUND	698,092	699,534
CASH FUND	11,617,526	11,622,018
<u>CASH FUND</u>	<u>11,617,526</u>	<u>12,622,018</u>
FEDERAL FUND est.	25,712,418	25,712,418
PROGRAM TOTAL	38,028,036	38,033,970
<u>PROGRAM TOTAL</u>	<u>38,028,036</u>	<u>39,033,970</u>
SALARY LIMIT	1,032,968	1,049,321

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

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

Funds, ~~\$11,000,000~~ \$12,000,000 Cash Funds, and \$23,937,950 Federal Funds estimate for state aid, which shall only be used for such purpose.

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

Sec. 221. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT  
 Program No. 603 - Industrial Recruitment

	FY2011-12	FY2012-13
GENERAL FUND	2,486,866	2,516,025
<u>GENERAL FUND</u>	<u>2,486,866</u>	<u>2,672,421</u>
CASH FUND	1,243,504	1,244,881
FEDERAL FUND est.	325,515	325,515
<del>PROGRAM TOTAL</del>	<del>4,055,885</del>	<del>4,086,421</del>
<u>PROGRAM TOTAL</u>	<u>4,055,885</u>	<u>4,242,817</u>
<del>SALARY LIMIT</del>	<del>1,337,006</del>	<del>1,363,814</del>
<u>SALARY LIMIT</u>	<u>1,337,006</u>	<u>1,452,311</u>

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

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

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

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

Sec. 222. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC DEVELOPMENT  
 Program No. 618 - Tourism Promotion

	FY2011-12	FY2012-13
GENERAL FUND	250,000	250,000
CASH FUND	3,964,556	3,979,777
<u>CASH FUND</u>	<u>4,214,556</u>	<u>3,979,777</u>
FEDERAL FUND est.	959,815	959,815
<del>PROGRAM TOTAL</del>	<del>5,174,371</del>	<del>5,189,592</del>
<u>PROGRAM TOTAL</u>	<u>5,424,371</u>	<u>5,189,592</u>
SALARY LIMIT	712,821	726,350

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

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

There is included in the appropriation to this program for FY2011-12 \$250,000 General Funds, which shall be used by the Department of Economic Development for advertising, marketing, and promotional efforts for tourism activities and travel destinations. Such promotional activities shall be representative of the statewide tourism economy and targeted toward external markets in an effort to bring outside capital into the state. There is

included in the appropriation to this program for FY2012-13 ~~\$250,000~~ \$150,000 General Funds, which shall be used by the Department of Economic Development for advertising, marketing, and promotional efforts for tourism activities and travel destinations. Such promotional activities shall be representative of the statewide tourism economy and targeted toward external markets in an effort to bring outside capital into the state.

There is included in the appropriation to this program \$250,000 Cash Funds for FY2011-12 to provide funding for promotional and visitor development activities related to the hosting of an Olympic Team Trial event and a United States National Championship event by a city of the metropolitan class. There is included in the appropriation to this program \$100,000 General Funds for FY2012-13 to provide funding for promotional and visitor development activities related to the hosting of an Olympic Team Trial event and a United States National Championship event by a city of the metropolitan class.

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

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

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

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

Such amounts are hereby appropriated as reported to the Department of Administrative Services. Such amounts shall not be included for purposes of calculating investment charges pursuant to section 72-1249.02.

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

Sec. 235. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE  
Program No. 202 - Crime Victims' Reparations

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

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

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

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

Sec. 249. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT BOARD  
Program No. 515 - Public Employees Retirement

	FY2011-12	FY2012-13
GENERAL FUND	28,344,698	29,629,917

<u>PROGRAM TOTAL</u>	<u>28,344,698</u>	<u>29,629,917</u>
<u>GENERAL FUND</u>	<u>28,344,698</u>	<u>29,991,325</u>
<u>PROGRAM TOTAL</u>	<u>28,344,698</u>	<u>29,991,325</u>

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

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

There is included in the appropriation to this program for FY2011-12 \$1,478,683 General Funds to provide additional funding to the Nebraska State Patrol Retirement System, which shall only be used for such purpose. There is included in the appropriation to this program for FY2012-13 ~~\$2,754,137~~ \$2,570,230 General Funds to provide additional funding to the Nebraska State Patrol Retirement System, which shall only be used for such purpose.

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

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

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

Sec. 260. CASH FUNDS.

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

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

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

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

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

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

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

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

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

(8) State Department of Education: State Department of Education Cash Fund, Certification Fund, Professional Practices Commission Fund, Tax Equity and Educational Opportunities Fund, Education Innovation Fund, School Technology Fund, Tuition Recovery Cash Fund, Private Postsecondary



Career Schools Cash Fund, Excellence in Teaching Cash Fund, School District Reorganization Fund;

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

(10) Department of Revenue: Department of Revenue Enforcement Fund, State Lottery Operation Cash Fund, Marijuana and Controlled Substances Tax Administration Cash Fund, Department of Revenue Contractor Enforcement Fund, Waste Reduction and Recycling Incentive Fees Collection Fund, Petroleum Release Remedial Action Collection Fund, Litter Fee Collection Fund, ~~Meter Fuels Refund Administration Cash Fund~~, Severance Tax Administration Fund, ~~Rural Economic Opportunities Fund~~, Department of Revenue Miscellaneous Receipts Fund, Charitable Gaming Operations Fund, Tobacco Products Administration Cash Fund, Nebraska Incentives Fund, Motor Fuel Tax Enforcement and Collection Cash Fund, Nebraska Health Care Cash Fund, State Athletic Commissioner's Cash Fund, Department of Revenue Property Assessment Division Cash Fund, Property Tax Credit Cash Fund, Energy Conservation Improvement Fund, Nebraska Advantage Transformational Tourism and Redevelopment Act Cash Fund;

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

(12) Department of Agriculture: Fertilizers and Soil Conditioners Administrative Fund, Commercial Feed Administration Cash Fund, Pure Milk Cash Fund, Soil and Plant Analysis Laboratory Cash Fund, Livestock Auction Market Fund, Nebraska Potato Development Fund, Graded Egg Fund, Weights and Measures Administrative Fund, Nebraska Poultry and Egg Development, Utilization, and Marketing Fund, Agricultural Products Marketing Information Cash Fund, Manufacturing Milk Cash Fund, Pure Food Cash Fund, Nebraska Agricultural Products Marketing Cash Fund, State Apiary Cash Fund, Pseudorabies Control Cash Fund, Weed Book Cash Fund, Pesticide Administrative Cash Fund, Nebraska Seed Administrative Cash Fund, Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash Fund, Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive Fund, Winery and Grape Producers Promotional Fund, Commercial Dog and Cat Operator Inspection Program Cash Fund, Domesticated Cervine Animal Cash Fund, Anthrax Control Act Cash Fund;

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

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

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

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

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

(18) Department of Health and Human Services: Health and Human Services Cash Fund, Veterans' Home Building Fund, Institution Cash Fund, Small Business Enterprises Cash Fund, School District Reimbursement Fund, Compulsive Gamblers Assistance Fund, Nebraska Child Abuse Prevention Fund, Nebraska Health Care Cash Fund, Children's Health Insurance Cash Fund, Childhood Care Cash Fund, University of Nebraska Medical Center Medical Education Revolving Fund, Behavioral Health Services Fund, Health and Human Services Reimbursement Fund, Professional and Occupational Credentialing Cash Fund, Rural Health Professional Incentive Fund, Organ and Tissue Donor Awareness and Education Fund, Tobacco Prevention and Control Cash Fund, Stem Cell Research Cash Fund;

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

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

(21) Department of Natural Resources: Water Resources Cash Fund, Republican River Basin Water Sustainability Task Force Cash Fund, Small

Watersheds Flood Control Fund, Nebraska Resources Development Fund, Nebraska Soil and Water Conservation Fund, Natural Resources Water Quality Fund, Water Well Decommissioning Fund, Carbon Sequestration Assessment Cash Fund, Water Resources Trust Fund, Department of Natural Resources Cash Fund;

(22) State Electrical Board: Electrical Division Fund;

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

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

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

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

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

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

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

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

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

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

(33) Board of Barber Examiners: Board of Barber Examiners Fund;

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

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

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

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

(38) University of Nebraska: University Cash Fund, Temporary University Fund, University of Nebraska at Omaha Cash Fund, University of Nebraska Medical Center Cash Fund, University of Nebraska at Kearney Cash Fund, University of Nebraska Central Administration Designated Cash Fund, University of Nebraska-Lincoln Designated Cash Fund, University of Nebraska at Omaha Designated Cash Fund, University of Nebraska Medical Center Designated Cash Fund, University of Nebraska at Kearney Designated Cash Fund;

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

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

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

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

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

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

(45) Board of Geologists: Geologists Regulation Fund;

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

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

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

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

(50) Nebraska State Patrol: Nebraska State Patrol Cash Fund, Investigation Petty Cash Fund, Carrier Enforcement Cash Fund, Nebraska State

Patrol Drug Control and Education Cash Fund, Public Safety Cash Fund, Nebraska State Patrol Vehicle Replacement Cash Fund, Nebraska Public Safety Communication System Cash Fund;

(51) Department of Administrative Services: Building Renewal Allocation Fund, State Building Renewal Assessment Fund, University Building Renewal Assessment Fund, State College Building Renewal Assessment Fund, Capitol Restoration Cash Fund, Vacant Building and Excess Land Cash Fund, Resource Recovery Fund, Tort Claims Fund, Information Technology Infrastructure Fund, Health and Life Benefit Administration Cash Fund, City of the Primary Class Development Fund, City of the Metropolitan Class Development Fund, World Day on the Mall Cash Fund;

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

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

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

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

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

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

(58) State Board of Landscape Architects: State Board of Landscape Architects Cash Fund;

(59) Nebraska Power Review Board: Nebraska Power Review Fund;

(60) Nebraska Investment Council: State Investment Officer's Cash Fund;

(61) Nebraska Commission on Law Enforcement and Criminal Justice: Nebraska Law Enforcement Training Center Cash Fund, Law Enforcement Improvement Fund, Victim's Compensation Fund, Community Corrections Uniform Data Analysis Cash Fund, Violence Prevention Cash Fund, Nebraska Crime Victim Fund;

(62) Commission for the Blind and Visually Impaired: Commission for the Blind and Visually Impaired Cash Fund;

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

(64) Department of Environmental Quality: Integrated Solid Waste Management Cash Fund, Nebraska Litter Reduction and Recycling Fund, Department of Environmental Quality Cash Fund, Chemigation Costs Fund, Low-Level Radioactive Waste Cash Fund, Petroleum Products and Hazardous Substances Storage and Handling Fund, Petroleum Release Remedial Action Cash Fund, Wastewater Treatment Operator Certification Cash Fund, Local Site Selection Cash Fund, Local Monitoring Committee Cash Fund, Waste Reduction and Recycling Incentive Fund, Wastewater Treatment Facilities Construction Loan Fund, Remedial Action Plan Monitoring Fund, Livestock Waste Management Cash Fund, Drinking Water Administration Fund, Clean Air Title V Cash Fund, Air Quality Permit Cash Fund, Superfund Cost Share Cash Fund, Private Onsite Wastewater Treatment System Certification and Registration Cash Fund, Solid Waste Landfill Closure Assistance Fund;

(65) Public Employees Retirement Board: School Expense Fund, Judges Expense Fund, State Patrol Expense Fund, Deferred Compensation Expense Fund, State Employees Retirement System Expense Fund, County Employees Retirement System Expense Fund, State Employer Retirement Expense Fund, County Employer Retirement Expense Fund, State Cash Balance Expense Fund, County Cash Balance Expense Fund;

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

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

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

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

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

(71) Tax Equalization and Review Commission: Tax Equalization and

Review Commission Cash Fund;

(72) Commission on Public Advocacy: Commission on Public Advocacy Operations Cash Fund, Legal Aid and Services Fund, Civil Legal Services Fund; and

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

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

Sec. 267. GIFTS, BEQUESTS, AND DEVISES.

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

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

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

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

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

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

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

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

This section shall not apply to the University of Nebraska.

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

Sec. 19. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION COURT  
Program No. 526 - Judges' Salaries

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

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

Sec. 8. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Program No. 902 - Bridges Program Relocation

	FY2011-12	FY2012-13	FUTURE
NEBRASKA CAPITAL	450,000	1,049,433	-0-
CONSTRUCTION FUND			
PROGRAM TOTAL	450,000	1,049,433	-0-

<u>NEBRASKA CAPITAL</u>	<u>1,000,000</u>	<u>499,433</u>	<u>-0-</u>
<u>CONSTRUCTION FUND</u>			
<u>PROGRAM TOTAL</u>	<u>1,000,000</u>	<u>499,433</u>	<u>-0-</u>

The Department of Health and Human Services is hereby authorized to design and construct secure housing for persons with developmental disabilities. The housing authorized in this section shall be used to relocate the Bridges program operated at the Hastings Regional Center.

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

Sec. 38. GIFTS, BEQUESTS, AND DEVISES.

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

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

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

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

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

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

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

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

This section shall not apply to the University of Nebraska.

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

Sec. 33. AGENCY NO. 5 - SUPREME COURT

Program No. 435 - Probation Community Corrections

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

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

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

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

Sec. 34. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Program No. 220 - Community Corrections Council Office

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

The unexpended General Fund appropriation balance existing on June 30, 2011, less \$424,727, is hereby reappropriated.

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

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

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

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

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

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

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

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

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