

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 293

FINAL READING

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

Read first time January 15, 2019

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to amend Laws 2018, LB944,
- 2 sections 27, 43, 53, 66, 67, 68, 69, 70, 94, and 109; and section
- 3 48-1,116, Revised Statutes Cumulative Supplement, 2018; to define
- 4 terms; to provide, change, and eliminate appropriations for
- 5 operation of state government; to repeal the original sections; and
- 6 to declare an emergency.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill passed by
3 the One Hundred Sixth Legislature, First or Second Session, which
4 appropriates funds, FY2018-19 means the period July 1, 2018, through June
5 30, 2019; FY2019-20 means the period July 1, 2019, through June 30, 2020;
6 FY2020-21 means the period July 1, 2020, through June 30, 2021; FY2021-22
7 means the period July 1, 2021, through June 30, 2022; and FY2022-23 means
8 the period July 1, 2022, through June 30, 2023.

9 Sec. 2. APPROPRIATION LANGUAGE.

10 There are hereby appropriated, for FY2017-18 and FY2018-19, the sums
11 set forth in this act to each agency for each program from the respective
12 funds for the general operations of state government, postsecondary
13 education, capital construction, and state aid, except as otherwise
14 appropriated.

15 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

16 All General Fund appropriations existing on June 30, 2017, in excess
17 of expended and certified encumbrance amounts are hereby lapsed unless
18 otherwise provided. All Cash Fund and Revolving Fund appropriations
19 existing on June 30, 2017, in excess of expended and certified
20 encumbrance amounts are hereby lapsed unless otherwise expressly
21 provided. All certified encumbrance amounts on June 30, 2017, and June
22 30, 2018, are hereby reappropriated for FY2017-18 and FY2018-19,
23 respectively, which amounts shall be in addition to the amounts shown in
24 this act.

25 Sec. 4. REAPPROPRIATION OF BALANCES, FY2017-18 to FY2018-19.

26 In addition to the appropriations set forth in this act, there are
27 hereby reappropriated all unexpended appropriation balances existing on
28 June 30, 2018, for FY2018-19 to the respective agencies, programs, and
29 funds listed in this act, except as otherwise provided in this act.

30 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

31 The definitions contained in the Nebraska Accounting System Manual,

1 and any amendments thereto, on file with the Clerk of the Legislature are
2 hereby adopted by the Legislature as the definitions for this act, except
3 as provided in section 31 of this act.

4 Sec. 6. DRAWING AND PAYING WARRANTS.

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

10 Sec. 7. AGENCY NO. 9 – SECRETARY OF STATE

11 Program No. 45 - Election Administration

	<u>FY2017-18</u>	<u>FY2018-19</u>
12 <u>CASH FUND</u>	<u>-0-</u>	<u>174,847</u>
13 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>174,847</u>
14 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

15 Sec. 8. AGENCY NO. 12 – STATE TREASURER

16 Program No. 505 - Educational Savings Unit

	<u>FY2017-18</u>	<u>FY2018-19</u>
17 <u>CASH FUND</u>	<u>-0-</u>	<u>80,000</u>
18 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>80,000</u>
19 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

20 Sec. 9. AGENCY NO. 12 – STATE TREASURER

21 Program No. 512 - Unclaimed Property

	<u>FY2017-18</u>	<u>FY2018-19</u>
22 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>20,000</u>

23 Sec. 10. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

24 Program No. 14 - Salaries of Public Service Commissioners

	<u>FY2017-18</u>	<u>FY2018-19</u>
25 <u>GENERAL FUND</u>	<u>-0-</u>	<u>8,185</u>
26 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>8,185</u>

1 SALARY LIMIT -0- -0-

2 Sec. 11. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

3 Program No. 424 - Developmental Disability Aid

4 FY2017-18 FY2018-19

5 GENERAL FUND -0- 2,699,569

6 PROGRAM TOTAL -0- 2,699,569

7 There is included in the appropriation to this program for FY2018-19
8 \$2,699,569 General Funds for state aid which shall only be used for such
9 purpose.

10 Sec. 12. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

11 Program No. 37 - Veterans' Cemeteries

12 FY2017-18 FY2018-19

13 CASH FUND -0- 102,000

14 PROGRAM TOTAL -0- 102,000

15 SALARY LIMIT -0- -0-

16 Sec. 13. AGENCY NO. 30 – STATE ELECTRICAL BOARD

17 Program No. 197 - Public Protection

18 FY2017-18 FY2018-19

19 CASH FUND -0- 100,000

20 PROGRAM TOTAL -0- 100,000

21 SALARY LIMIT -0- -0-

22 Sec. 14. AGENCY NO. 39 – NEBRASKA BRAND COMMITTEE

23 Program No. 75 - Nebraska Brand Committee

24 FY2017-18 FY2018-19

25 CASH FUND -0- 510,000

26 PROGRAM TOTAL -0- 510,000

27 SALARY LIMIT -0- 497,694

28 Sec. 15. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS

29 COMMISSION

30 Program No. 907 - KHNE Hastings Transmitter

	<u>FY2017-18</u>	<u>FY2018-19</u>	<u>FUTURE</u>
1			
2	<u>GENERAL FUND</u>	<u>-0-</u>	<u>100,000</u>
3	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>100,000</u>

4 The Nebraska Educational Telecommunications Commission is authorized
5 to replace the transmitter at KHNE Hastings.

6 Sec. 16. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
7 COMMISSION

8 Program No. 908 - Tower Lighting Project

	<u>FY2017-18</u>	<u>FY2018-19</u>	<u>FUTURE</u>
9			
10	<u>GENERAL FUND</u>	<u>-0-</u>	<u>86,000</u>
11	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>86,000</u>

12 The Nebraska Educational Telecommunications Commission is authorized
13 to replace the tower lighting system at KHNE Hastings.

14 Sec. 17. AGENCY NO. 82 – COMMISSION FOR THE DEAF AND HARD OF
15 HEARING

16 Program No. 578 - Deaf and Hard of Hearing

	<u>FY2017-18</u>	<u>FY2018-19</u>
17		
18	<u>CASH FUND</u>	<u>-0-</u>
19	<u>PROGRAM TOTAL</u>	<u>15,000</u>
20	<u>SALARY LIMIT</u>	<u>-0-</u>

21 Sec. 18. AGENCY NO. 87 – NEBRASKA ACCOUNTABILITY AND DISCLOSURE
22 COMMISSION

23 Program No. 94 - Nebraska Political Accountability

	<u>FY2017-18</u>	<u>FY2018-19</u>
24		
25	<u>GENERAL FUND</u>	<u>-0-</u>
26	<u>PROGRAM TOTAL</u>	<u>31,843</u>
27	<u>SALARY LIMIT</u>	<u>-0-</u>

28 Sec. 19. AGENCY NO. 92 – GRAIN SORGHUM DEVELOPMENT, UTILIZATION,
29 AND MARKETING BOARD

30 Program No. 406 - Grain Sorghum Development

1		<u>FY2017-18</u>	<u>FY2018-19</u>
2	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>43,422</u>

3 Sec. 20. Laws 2018, LB944, section 27, is amended to read:

4 Sec. 27. AGENCY NO. 5 – SUPREME COURT

5 Program No. 437 - Juvenile Justice

6		FY2017-18	FY2018-19
7	GENERAL FUND	69,756,640	70,010,679
8	CASH FUND est.	25,000	25,000
9	PROGRAM TOTAL	69,781,640	70,035,679
10	SALARY LIMIT	13,284,846	13,384,811

11 The unexpended General Fund appropriation balance existing on June
12 30, ~~2018~~ ~~2017~~, less ~~\$12,000,000~~ ~~\$31,344~~, is hereby reappropriated.

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

15 Sec. 21. Laws 2018, LB944, section 43, is amended to read:

16 Sec. 43. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

17 Program No. 158 - Education Aid

18		FY2017-18	FY2018-19
19	<u>GENERAL FUND</u>	<u>1,225,680,458</u>	<u>1,226,205,079</u>
20	GENERAL FUND	1,225,680,458	1,228,106,373
21	CASH FUND	3,790,938	3,790,938
22	FEDERAL FUND est.	312,630,674	312,630,674
23	<u>PROGRAM TOTAL</u>	<u>1,542,102,070</u>	<u>1,542,626,691</u>
24	PROGRAM TOTAL	1,542,102,070	1,544,527,985

25 There is included in the appropriation to this program for FY2017-18
26 \$1,225,680,458 General Funds, \$3,790,938 Cash Funds, and \$312,630,674
27 Federal Funds estimate for state aid, which shall only be used for such
28 purpose. There is included in the appropriation to this program for
29 FY2018-19 ~~\$1,226,205,079~~ ~~\$1,228,106,373~~ General Funds, \$3,790,938 Cash
30 Funds, and \$312,630,674 Federal Funds estimate for state aid, which shall

1 only be used for such purpose.

2 There is included in the amount shown for FY2017-18 \$973,666,434
3 General Funds which are hereby appropriated to the Tax Equity and
4 Educational Opportunities Fund, which fund is hereby appropriated to
5 provide state aid to public school districts pursuant to the Tax Equity
6 and Educational Opportunities Support Act. There is included in the
7 amount shown for FY2018-19 ~~\$972,606,681~~ ~~\$974,507,975~~ General Funds which
8 are hereby appropriated to the Tax Equity and Educational Opportunities
9 Fund, which fund is hereby appropriated to provide state aid to public
10 school districts pursuant to the Tax Equity and Educational Opportunities
11 Support Act.

12 There is included in the amount shown for this program \$224,283,748
13 General Funds provided as state aid for FY2017-18 for special education
14 reimbursement. There is included in the amount shown for this program
15 \$226,526,585 General Funds provided as state aid for FY2018-19 for
16 special education reimbursement.

17 There is included in the amount shown for this program \$456,190
18 General Funds provided as state aid for FY2017-18 and \$446,880 General
19 Funds provided as state aid for FY2018-19 to carry out the provisions of
20 subsection (2) of section 79-734.

21 There is included in the amount shown for this program \$9,970,377
22 General Funds provided as state aid for FY2017-18 and \$9,766,900 General
23 Funds provided as state aid for FY2018-19 for core services for
24 educational service units.

25 There is included in the amount shown for this program \$3,111,206
26 General Funds provided as state aid for FY2017-18 and \$3,047,712 General
27 Funds provided as state aid for FY2018-19 for technology infrastructure
28 for educational service units.

29 There is included in the amount shown for this program \$276,021
30 General Funds provided as state aid for FY2017-18 and \$270,388 General
31 Funds provided as state aid for FY2018-19 for distance education aid to

1 educational service units.

2 There is included in the amount shown for this program \$611,168
3 General Funds provided as state aid for FY2017-18 and \$617,898 General
4 Funds provided as state aid for FY2018-19 for the school breakfast
5 program.

6 There is included in the amount shown for this program \$384,191
7 General Funds provided as state aid for FY2017-18 and \$376,351 General
8 Funds provided as state aid for FY2018-19 for the school lunch program.

9 There is included in the amount shown for this program \$128,200
10 General Funds provided as state aid for FY2017-18 and \$126,400 General
11 Funds provided as state aid for FY2018-19 for the Summer Food Service
12 Program.

13 There is included in the amount shown for this program \$210,371
14 General Funds provided as state aid for FY2017-18 and \$206,077 General
15 Funds provided as state aid for FY2018-19 for adult basic education
16 programs.

17 There is included in the amount shown for this program \$735,000
18 General Funds provided as state aid for FY2017-18 and \$720,000 General
19 Funds provided as state aid for FY2018-19 for aid to institutions
20 offering high school equivalency programs.

21 There is included in the amount shown for this program \$3,546,970
22 General Funds provided as state aid for FY2017-18 and \$3,474,583 General
23 Funds provided as state aid for FY2018-19 for early childhood education
24 projects.

25 There is included in the amount shown for this program \$4,900,000
26 General Funds provided as state aid for FY2017-18 and \$4,800,000 General
27 Funds provided as state aid for FY2018-19 for the Early Childhood
28 Education Grant Program for at-risk children from birth to age three. It
29 is the intent of the Legislature that a maximum of five percent of
30 General Funds appropriated each fiscal year for the Early Childhood
31 Education Grant Program for at-risk children from birth to age three may

1 be used for evaluation and technical assistance.

2 There is included in the amount shown for this program \$98,000
3 General Funds provided as state aid for FY2017-18 and \$96,000 General
4 Funds provided as state aid for FY2018-19 for scholarships for early
5 childhood education providers.

6 There is included in the amount shown for this program \$67,620
7 General Funds provided as state aid for FY2017-18 and \$66,240 General
8 Funds provided as state aid for FY2018-19 for incentive bonuses for
9 providers of child care and early childhood education programs.

10 There is included in the amount shown for this program \$392,000
11 General Funds provided as state aid for FY2017-18 and \$384,000 General
12 Funds provided as state aid for FY2018-19 for the Nurturing Healthy
13 Behaviors program.

14 There is included in the amount shown for this program \$500,000
15 General Funds provided as state aid for FY2017-18 and \$470,000 General
16 Funds provided as state aid for FY2018-19 for learning community aid.

17 There is included in the amount shown for this program \$2,342,962
18 General Funds provided as state aid for FY2017-18 and \$2,202,384 General
19 Funds provided as state aid for FY2018-19 for programs for learners with
20 high ability.

21 Sec. 22. Laws 2018, LB944, section 53, is amended to read:

22 Sec. 53. AGENCY NO. 16 – DEPARTMENT OF REVENUE

23 Program No. 108 - Homestead Exemption

	FY2017-18	FY2018-19
24		
25 <u>GENERAL FUND</u>	<u>81,300,000</u>	<u>85,400,000</u>
26 GENERAL FUND	81,300,000	84,100,000
27 <u>PROGRAM TOTAL</u>	<u>81,300,000</u>	<u>85,400,000</u>
28 PROGRAM TOTAL	81,300,000	84,100,000

29 There is included in the appropriation to this program for FY2017-18
30 \$81,300,000 General Funds for state aid, which shall only be used for
31 such purpose. There is included in the appropriation to this program for

1 FY2018-19 ~~\$85,400,000~~ ~~\$84,100,000~~ General Funds for state aid, which
2 shall only be used for such purpose.

3 Sec. 23. Laws 2018, LB944, section 66, is amended to read:

4 Sec. 66. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

5 Program No. 250 - Juvenile Services Operations

	FY2017-18	FY2018-19
6 GENERAL FUND	21,789,549	22,592,949
7 CASH FUND	1,106,866	1,124,985
8 FEDERAL FUND est.	770,917	831,688
9 PROGRAM TOTAL	23,667,332	24,549,622
10 SALARY LIMIT	13,661,053	13,805,090

12 The unexpended General Fund appropriation balance existing on June
13 30, 2018, less \$3,000,000, is hereby reappropriated.

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

17 No. 315 - Office of Juvenile Services

18 No. 345 - Juvenile Community-Based Services

19 No. 371 - Youth Rehabilitation and Treatment Center-Geneva

20 No. 374 - Youth Rehabilitation and Treatment Center-Kearney

21 There is included in the appropriation to this program for FY2017-18
22 \$1,000,000 Cash Funds for mental health services to juvenile offenders
23 under section 43-407 from the Nebraska Health Care Cash Fund. There is
24 included in the appropriation to this program for FY2018-19 \$1,000,000
25 Cash Funds for mental health services to juvenile offenders under section
26 43-407 from the Nebraska Health Care Cash Fund.

27 Sec. 24. Laws 2018, LB944, section 67, is amended to read:

28 Sec. 67. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

29 Program No. 344 - Children's Health Insurance

	FY2017-18	FY2018-19
30 <u>GENERAL FUND</u>	<u>3,663,940</u>	<u>3,178,073</u>

1	GENERAL FUND	3,663,940	6,178,073
2	CASH FUND	7,085,700	7,085,700
3	FEDERAL FUND est.	102,895,262	104,564,768
4	<u>PROGRAM TOTAL</u>	<u>113,644,902</u>	<u>114,828,541</u>
5	PROGRAM TOTAL	113,644,902	117,828,541

6 There is included in the appropriation to this program for FY2017-18
7 \$3,663,940 General Funds, \$7,085,700 Cash Funds, and \$102,895,262 Federal
8 Funds estimate for state aid, which shall only be used for such purpose.
9 There is included in the appropriation to this program for FY2018-19
10 \$3,178,073 ~~\$6,178,073~~ General Funds, \$7,085,700 Cash Funds, and
11 \$104,564,768 Federal Funds estimate for state aid, which shall only be
12 used for such purpose.

13 There is included in the appropriation to this program for FY2017-18
14 \$6,835,700 Cash Funds for state aid from the Nebraska Health Care Cash
15 Fund. There is included in the appropriation to this program for
16 FY2018-19 \$6,835,700 Cash Funds for state aid from the Nebraska Health
17 Care Cash Fund.

18 There is included in the amount shown as aid for this program for
19 FY2017-18 up to \$250,000 Cash Funds and for FY2018-19 up to \$250,000 Cash
20 Funds from the Health and Human Services Cash Fund for the state match
21 for utilization of the unused administrative cap as allowed under the
22 Children's Health Insurance Program for payments to the Nebraska Regional
23 Poison Center funded through the University of Nebraska Medical Center.
24 The match is from Cash Funds transferred from the University of Nebraska
25 Medical Center.

26 It is the intent of the Legislature that phased-down state
27 contributions to the federal government as defined and required by the
28 federal Medicare Prescription Drug, Improvement, and Modernization Act of
29 2003 may be made from appropriations to this program.

30 Sec. 25. Laws 2018, LB944, section 68, is amended to read:

31 Sec. 68. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

1 Program No. 347 - Public Assistance

2		FY2017-18	FY2018-19
3	<u>GENERAL FUND</u>	<u>93,988,027</u>	<u>86,994,043</u>
4	GENERAL FUND	93,988,027	94,994,043
5	CASH FUND	3,560,000	3,560,000
6	FEDERAL FUND est.	110,125,004	110,125,004
7	<u>PROGRAM TOTAL</u>	<u>207,673,031</u>	<u>200,679,047</u>
8	PROGRAM TOTAL	207,673,031	208,679,047

9 There is included in the appropriation to this program for FY2017-18
 10 \$93,988,027 General Funds, \$3,560,000 Cash Funds, and \$110,125,004
 11 Federal Funds estimate for state aid, which shall only be used for such
 12 purpose. There is included in the appropriation to this program for
 13 FY2018-19 \$86,994,043 ~~\$94,994,043~~ General Funds, \$3,560,000 Cash Funds,
 14 and \$110,125,004 Federal Funds estimate for state aid, which shall only
 15 be used for such purpose.

16 There is included in the amount shown as aid for this program for
 17 FY2017-18 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund to
 18 aid in carrying out the Nebraska Lifespan Respite Services Program and to
 19 provide payment to caregivers to purchase services under the respite
 20 subsidy program. There is included in the amount shown as aid for this
 21 program for FY2018-19 \$810,000 Cash Funds from the Nebraska Health Care
 22 Cash Fund to aid in carrying out the Nebraska Lifespan Respite Services
 23 Program and to provide payment to caregivers to purchase services under
 24 the respite subsidy program.

25 Sec. 26. Laws 2018, LB944, section 69, is amended to read:

26 Sec. 69. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

27 Program No. 348 - Medical Assistance

28		FY2017-18	FY2018-19
29	<u>GENERAL FUND</u>	<u>835,565,260</u>	<u>869,012,184</u>
30	GENERAL FUND	835,565,260	850,012,184
31	CASH FUND	46,851,581	46,851,581

1	FEDERAL FUND est.	1,143,123,143	1,174,464,419
2	<u>PROGRAM TOTAL</u>	<u>2,025,539,984</u>	<u>2,090,328,184</u>
3	<u>PROGRAM TOTAL</u>	<u>2,025,539,984</u>	<u>2,071,328,184</u>

4 There is included in the appropriation to this program for FY2017-18
5 \$835,565,260 General Funds, \$46,851,581 Cash Funds, and \$1,143,123,143
6 Federal Funds estimate for state aid, which shall only be used for such
7 purpose. There is included in the appropriation to this program for
8 FY2018-19 ~~\$869,012,184~~ ~~\$850,012,184~~ General Funds, \$46,851,581 Cash
9 Funds, and \$1,174,464,419 Federal Funds estimate for state aid, which
10 shall only be used for such purpose.

11 There is included in the amount shown as aid for this program for
12 FY2017-18 \$4,765,896 Cash Funds for the continuation of the behavioral
13 health provider rate increase and behavioral health provider rate
14 increase for managed care, inpatient services, and residential treatment
15 services provided with funds from the Nebraska Health Care Cash Fund.
16 There is included in the amount shown as aid for this program for
17 FY2018-19 \$4,765,896 Cash Funds for the continuation of the behavioral
18 health provider rate increase and behavioral health provider rate
19 increase for managed care, inpatient services, and residential treatment
20 services provided with funds from the Nebraska Health Care Cash Fund.

21 There is included in the amount shown as aid for this program for
22 FY2017-18 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for
23 a state plan amendment covering tobacco-use cessation in compliance with
24 Title XIX of the federal Social Security Act. There is included in the
25 amount shown as aid for this program for FY2018-19 \$450,000 Cash Funds
26 from the Nebraska Health Care Cash Fund for a state plan amendment
27 covering tobacco-use cessation in compliance with Title XIX of the
28 federal Social Security Act. The smoking cessation funding for FY2017-18
29 and FY2018-19 is for the costs of tobacco-use cessation counseling and
30 tobacco-use cessation pharmaceuticals approved by the federal Food and
31 Drug Administration for such purpose.

1 There is included in the appropriation to this program for FY2017-18
2 \$5,067,237 Cash Funds from funds transferred from the University of
3 Nebraska Medical Center and an estimated \$5,456,619 Federal Funds for
4 supplemental payments to Nebraska Medicine. There is included in the
5 appropriation to this program for FY2018-19 \$5,549,744 Cash Funds from
6 funds transferred from the University of Nebraska Medical Center and an
7 estimated \$6,083,888 Federal Funds for supplemental payments to Nebraska
8 Medicine, for payments as allowed and approved by the Medicaid State Plan
9 Amendment by the Centers for Medicare and Medicaid Services.

10 There is included in the appropriation to this program for FY2017-18
11 \$2,600,000 General Funds and \$2,859,891 Federal Funds for rebasing rates
12 by three percent for hospitals paid under the prospective payment system.
13 There is included in the appropriation to this program for FY2018-19
14 \$2,600,000 General Funds and \$2,962,687 Federal Funds for rebasing rates
15 by three percent for hospitals paid under the prospective payment system.

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

20 The chief executive officer of the Department of Health and Human
21 Services may certify to the budget administrator of the budget division
22 of the Department of Administrative Services FY2017-18 and FY2018-19
23 unexpended appropriation balances for Medical Assistance, Program No.
24 348, available to transfer to Developmental Disabilities Aid, Program No.
25 424, to be used only to maintain individuals with an intellectual or
26 developmental disability in a medicaid program that best serves their
27 needs at a cost that does not exceed the cost of services provided in an
28 institution. The budget administrator of the budget division of the
29 Department of Administrative Services shall administratively transfer
30 during FY2017-18 and FY2018-19 available appropriations as certified by
31 the chief executive officer of the Department of Health and Human

1 Services from Medical Assistance, Program No. 348, to Developmental
2 Disabilities Aid, Program No. 424.

3 It is the intent of the Legislature that the Division of
4 Rehabilitation Services in the State Department of Education and the
5 Division of Developmental Disabilities of the Department of Health and
6 Human Services work collaboratively to focus on employment for
7 individuals with disabilities and to maximize federal matching funds in
8 compliance with the federal Workforce Innovation and Opportunity Act and
9 the federal Home and Community-Based Services Final Rule.

10 Sec. 27. Laws 2018, LB944, section 70, is amended to read:

11 Sec. 70. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
12 Program No. 354 - Child Welfare Aid

	FY2017-18	FY2018-19
14 <u>GENERAL FUND</u>	<u>190,749,126</u>	<u>189,071,388</u>
15 GENERAL FUND	190,749,126	197,071,388
16 CASH FUND	2,734,444	2,734,444
17 FEDERAL FUND est.	29,352,073	29,352,073
18 <u>PROGRAM TOTAL</u>	<u>222,835,643</u>	<u>221,157,905</u>
19 PROGRAM TOTAL	222,835,643	229,157,905

20 There is included in the appropriation to this program for FY2017-18
21 \$190,749,126 General Funds, \$2,734,444 Cash Funds, and \$29,352,073
22 Federal Funds estimate for state aid, which shall only be used for such
23 purpose. There is included in the appropriation to this program for
24 FY2018-19 ~~\$189,071,388~~ ~~\$197,071,388~~ General Funds, \$2,734,444 Cash Funds,
25 and \$29,352,073 Federal Funds estimate for state aid, which shall only be
26 used for such purpose.

27 There is included in the amount shown as aid for this program for
28 FY2017-18 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund
29 for the continuation of the behavioral health provider rate increase.
30 There is included in the amount shown as aid for this program for
31 FY2018-19 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund

1 for the continuation of the behavioral health provider rate increase.

2 Sec. 28. Laws 2018, LB944, section 94, is amended to read:

3 Sec. 94. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

4 Program No. 200 - Operations

	FY2017-18	FY2018-19
5		
6 GENERAL FUND	206,213,457	210,210,525
7 CASH FUND	3,126,000	2,126,000
8 FEDERAL FUND est.	1,762,858	1,762,858
9 REVOLVING FUND est.	19,797,665	19,949,835
10 PROGRAM TOTAL	230,899,980	234,049,218
11 SALARY LIMIT	114,993,233	119,739,653

12 The unexpended General Fund appropriation balance existing on June
13 30, ~~2018~~ 2017, less ~~\$12,000,000~~ \$238,195, is hereby reappropriated.

14 Included in the salary limitations provided by this section is
15 \$4,033,364 for FY2017-18 and \$4,033,364 for FY2018-19 for Revolving Fund
16 salaries for program classifications 390 and 563, that shall not be
17 limited to the amounts shown.

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

- 21 No. 260 - Nebraska Correctional Youth Facility
- 22 No. 300 - Tecumseh Correctional Center
- 23 No. 368 - Lincoln Community Corrections Center
- 24 No. 369 - Omaha Community Corrections Center
- 25 No. 370 - Central Office
- 26 No. 372 - Nebraska State Penitentiary
- 27 No. 373 - Nebraska Center for Women - York
- 28 No. 375 - Diagnostic and Evaluation Center
- 29 No. 376 - Lincoln Correctional Center
- 30 No. 377 - Omaha Correctional Center
- 31 No. 386 - McCook Incarceration Work Camp

- 1 No. 390 - Federal Surplus Property
- 2 No. 495 - Department Central Warehouse
- 3 No. 563 - Correctional Industries

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

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

8 There is included in the appropriation to this program a salary
9 limit increase of \$100,000 to fund the position of Justice Reinvestment
10 Implementation Coordinator in the department who reports directly to the
11 Director of Correctional Services. It is the intent of the Legislature
12 for the coordinator to assist state agencies and committees, including,
13 but not limited to, the Board of Parole, the Office of Probation
14 Administration, the Nebraska Commission on Law Enforcement and Criminal
15 Justice, the Justice Reinvestment Implementation Coordinating Committee,
16 and the Committee on Justice Reinvestment Oversight, in developing
17 relevant implementation policies, procedures, manuals, and training
18 curricula that utilize identified best practices. The coordinator shall
19 also act as a liaison between the Governor, members of the Legislature,
20 and any other relevant state agencies, bodies, or groups. The coordinator
21 shall provide verbal and written progress reports, data, and information
22 as requested to the Justice Reinvestment Implementation Coordinating
23 Committee and the Committee on Justice Reinvestment Oversight.

24 Sec. 29. Laws 2018, LB944, section 109, is amended to read:

25 Sec. 109. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

26 Program No. 101 - Chief Information Officer

	FY2017-18	FY2018-19
27		
28 GENERAL FUND	339,086	342,507
29 <u>CASH FUND</u>	<u>-0-</u>	<u>25,000</u>
30 <u>PROGRAM TOTAL</u>	<u>339,086</u>	<u>367,507</u>
31 PROGRAM TOTAL	339,086	342,507

1 SALARY LIMIT 224,051 226,036

2 Sec. 30. Section 48-1,116, Revised Statutes Cumulative Supplement,
3 2018, is amended to read:

4 48-1,116 The Compensation Court Cash Fund is hereby created. The
5 fund shall be used to aid in providing for the expense of administering
6 the Nebraska Workers' Compensation Act and the payment of the salaries
7 and expenses of the personnel of the Nebraska Workers' Compensation
8 Court.

9 ~~The State Treasurer shall transfer one million five hundred thousand~~
10 ~~dollars from the Compensation Court Cash Fund to the General Fund after~~
11 ~~June 15, 2019, and before June 30, 2019, on such dates as directed by the~~
12 ~~budget administrator of the budget division of the Department of~~
13 ~~Administrative Services.~~

14 All fees received pursuant to sections 48-120, 48-120.02, 48-138,
15 48-139, 48-145.04, and 48-165 shall be remitted to the State Treasurer
16 for credit to the Compensation Court Cash Fund. The fund shall also
17 consist of amounts credited to the fund pursuant to sections 48-1,113,
18 48-1,114, and 77-912. The State Treasurer may receive and credit to the
19 fund any money which may at any time be contributed to the state or the
20 fund by the federal government or any agency thereof to which the state
21 may be or become entitled under any act of Congress or otherwise by
22 reason of any payment made from the fund.

23 Any money in the fund available for investment shall be invested by
24 the state investment officer pursuant to the Nebraska Capital Expansion
25 Act and the Nebraska State Funds Investment Act.

26 Sec. 31. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

27 (1) For purposes of this act, (a) SALARY LIMIT shall mean total
28 expenditures for permanent and temporary salaries and per diems and (b)
29 total expenditures for permanent and temporary salaries and per diems
30 shall mean all remuneration paid to employees treated as taxable
31 compensation by the Internal Revenue Service or subject to social

1 security coverage, specifically including payments accounted for as
2 vacation, holidays, sick leave, military leave, funeral leave, maternity
3 leave, administrative leave, compensatory time, deferred compensation, or
4 any other similar form, and amounts withheld pursuant to law, but
5 excluding state contributions for social security, retirement, and
6 employee insurance plans.

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

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

22 (4) The limitation on expenditures for permanent and temporary
23 salaries and per diems for FY2018-19 as enumerated in this act shall be
24 the basis for continuation funding for each fiscal year of the succeeding
25 biennium.

26 (5) The limitation on expenditures for permanent and temporary
27 salaries and per diems for FY2017-18 shall be increased by certified
28 encumbrance amounts from FY2016-17 for permanent and temporary salaries
29 and per diems. The limitation on expenditures for permanent and temporary
30 salaries and per diems for FY2018-19 shall be increased by certified
31 encumbrance amounts from FY2017-18 for permanent and temporary salaries

1 and per diems. Encumbered amounts shall be calculated in accordance with
2 section 81-138.01.

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

7 (7) The budget administrator of the budget division of the
8 Department of Administrative Services may administratively increase the
9 limitation on expenditures for permanent and temporary salaries and per
10 diems upon receipt of a request for such increase from the director of a
11 state agency certifying the actual amount of the payment to a former
12 employee of such agency, or his or her beneficiary upon the death of the
13 employee, of accumulated vacation and sick leave pursuant to section
14 81-1325 and the rules and regulations of the State Personnel System
15 governing such payments.

16 Sec. 32. Original Laws 2018, LB944, sections 27, 43, 53, 66, 67,
17 68, 69, 70, 94, and 109; and section 48-1,116, Revised Statutes
18 Cumulative Supplement, 2018, are repealed.

19 Sec. 33. Since an emergency exists, this act takes effect when
20 passed and approved according to law.