

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 317

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

Read first time January 11, 2007

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2005, LB
2 424, sections 35 and 36; Laws 2005, LB 425, sections 65,
3 83, 84, 89, 92, 146, 161, and 239; Laws 2006, LB 454A,
4 section 1; Laws 2006, LB 605A, sections 1 and 2; and
5 Laws 2006, LB 1060, sections 130, 186, 190, 192, 194,
6 197, 204, and 206; to define terms; to provide, change,
7 and eliminate provisions relating to appropriations; to
8 provide for transfers; to repeal the original sections;
9 and to declare an emergency.

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

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill
3 passed by the One Hundredth Legislature, First or Second Session,
4 which appropriates funds, FY2005-06 means the period July 1, 2005,
5 through June 30, 2006; FY2006-07 means the period July 1, 2006,
6 through June 30, 2007; FY2007-08 means the period July 1, 2007,
7 through June 30, 2008; and FY2008-09 means the period July 1, 2008,
8 through June 30, 2009.

9 Sec. 2. APPROPRIATION LANGUAGE.

10 There are hereby appropriated, for FY2005-06 and
11 FY2006-07, the sums set forth in this act to each agency for each
12 program from the respective funds for the general operations of
13 state government, postsecondary education, and state aid, except
14 as otherwise appropriated.

15 Sec. 3. REAPPROPRIATION OF BALANCE, FY2005-06 to
16 FY2006-07.

17 In addition to the appropriations set forth in this
18 act, there are hereby reappropriated all unexpended appropriation
19 balances existing on June 30, 2006, for FY2006-07 to the respective
20 agencies, programs, and funds listed in this act, except for budget
21 programs contained in Laws 2005, LB 422, or as otherwise provided
22 in this act.

23 Sec. 4. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

24 All General Fund appropriations existing on June 30,
25 2005, in excess of expended and certified encumbrance amounts

1 are hereby lapsed unless otherwise provided. All Cash Fund
 2 and Revolving Fund appropriations existing on June 30, 2005,
 3 in excess of expended and certified encumbrance amounts are
 4 hereby lapsed unless otherwise expressly provided. All certified
 5 encumbrance amounts on June 30, 2005, and June 30, 2006, are hereby
 6 reappropriated for FY2005-06 and FY2006-07, respectively, which
 7 amounts shall be in addition to the amounts shown in this act.

8 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

9 The definitions contained in the Nebraska Accounting
 10 System Manual, and any amendments thereto, on file with the Clerk
 11 of the Legislature are hereby adopted by the Legislature as the
 12 definitions for this act, except as provided in Laws 2005, LB 425,
 13 sections 136 and 278, Laws 2006, LB 1060, section 232, and section
 14 36 of this act.

15 Sec. 6. DRAWING AND PAYING WARRANTS.

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

21 Sec. 7. AGENCY NO. 16 - DEPARTMENT OF REVENUE

22 Program No. 13 - Tax Commissioner

	<u>FY2005-06</u>	<u>FY2006-07</u>
23		
24	<u>GENERAL FUND</u>	<u>-0-</u>
		<u>36,500</u>
25	<u>PROGRAM TOTAL</u>	<u>-0-</u>
		<u>36,500</u>

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1	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>23,000</u>
2	Sec. 8. <u>AGENCY NO. 21 - STATE FIRE MARSHAL</u>		
3	<u>Program No. 340 - Training Division</u>		
4		<u>FY2005-06</u>	<u>FY2006-07</u>
5	<u>GENERAL FUND</u>	<u>-0-</u>	<u>15,521</u>
6	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>15,521</u>
7	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
8	Sec. 9. <u>AGENCY NO. 31 - MILITARY DEPARTMENT</u>		
9	<u>Program No. 544 - National and State Guard</u>		
10		<u>FY2005-06</u>	<u>FY2006-07</u>
11	<u>GENERAL FUND</u>	<u>-0-</u>	<u>29,000</u>
12	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>87,000</u>
13	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>116,000</u>
14	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
15	Sec. 10. <u>AGENCY NO. 50 - BOARD OF TRUSTEES OF THE</u>		
16	<u>NEBRASKA STATE COLLEGES</u>		
17	<u>Program No. 48 - Nebraska State Colleges - System Office</u>		
18		<u>FY2005-06</u>	<u>FY2006-07</u>
19	<u>GENERAL FUND</u>	<u>-0-</u>	<u>98,690</u>
20	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>98,690</u>
21	Sec. 11. <u>AGENCY NO. 50 - BOARD OF TRUSTEES OF THE</u>		
22	<u>NEBRASKA STATE COLLEGES</u>		
23	<u>Program No. 951 - South Sioux City Education Center</u>		
24		<u>FY2005-06</u>	<u>FY2006-07</u>

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1	<u>STATE BUILDING FUND</u>	<u>-0-</u>	<u>132,450</u>
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>132,450</u>

3 There is included in the appropriation to this program
4 \$132,450 STATE BUILDING FUNDS for FY2006-07 for a share of costs
5 for continued planning through design development for a joint-use
6 educational facility in South Sioux City. It is intended that the
7 Board of Trustees continue planning for the facility in cooperation
8 with the Board of Governors of the Northeast Community College
9 Area.

10 Sec. 12. AGENCY NO. 64 - NEBRASKA STATE PATROL

11 Program No. 100 - Public Protection

	<u>FY2005-06</u>	<u>FY2006-07</u>	
12			
13	<u>GENERAL FUND</u>	<u>-0-</u>	<u>84,136</u>
14	<u>CASH FUND</u>	<u>-0-</u>	<u>10,000</u>
15	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>94,136</u>
16	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>10,000</u>

17 Sec. 13. AGENCY NO. 75 - NEBRASKA INVESTMENT COUNCIL

18 Program No. 610 - Investment Administration

	<u>FY2005-06</u>	<u>FY2006-07</u>	
19			
20	<u>CASH FUND</u>	<u>-0-</u>	<u>35,000</u>
21	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>35,000</u>
22	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

23 Sec. 14. AGENCY NO. 82 - COMMISSION FOR THE DEAF AND HARD
24 OF HEARING

25 Program No. 578 - Hearing Impaired

1		<u>FY2005-06</u>	<u>FY2006-07</u>
2	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>18,247</u>

3 Sec. 15. Laws 2005, LB 424, section 35, is amended to
4 read:

5 Sec. 35. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
6 Program No. 915 - Agriculture Field Lab Fund

7		FY2005-06	FY2006-07	FUTURE
8	CASH FUND <u>est.</u>	8,000	8,500	-0-
9	PROGRAM TOTAL	8,000	8,500	-0-

10 All receipts of the Agricultural Field Laboratory Fund
11 are hereby appropriated to the Board of Regents of the University
12 of Nebraska for the University of Nebraska-Lincoln for FY2005-06
13 and FY2006-07. The unexpended balances in the fund on June 30,
14 2005, and on June 30, 2006, are hereby reappropriated.

15 Sec. 16. Laws 2004, LB 424, section 36, is amended to
16 read:

17 Sec. 36. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
18 Program No. 937 - Agricultural Research Land - University
19 of Nebraska-Lincoln

20		FY2005-06	FY2006-07	FUTURE
21	CASH FUND <u>est.</u>	24,000	25,000	-0-
22	PROGRAM TOTAL	24,000	25,000	-0-

23 The Board of Regents of the University of Nebraska is
24 hereby authorized to sell, pursuant to law and on terms and

1 conditions to be prescribed by the board, real estate which has
 2 been used for agricultural research by the University of Nebraska
 3 when such functions are transferred to other lands more suitable
 4 for agricultural research programs.

5 All proceeds from the sale of such real estate along
 6 with any unexpended balances existing on June 30, 2005, and on
 7 June 30, 2006, together with accrued interest, if any, are hereby
 8 appropriated to the Board of Regents of the University of Nebraska
 9 to the Agricultural Research Land Fund to be used exclusively
 10 for the acquisition, development, and improvement of other real
 11 estate for the agricultural research programs of the University of
 12 Nebraska.

13 Sec. 17. Laws 2005, LB 425, section 65, is amended to
 14 read:

15 Sec. 65. AGENCY NO. 16 - DEPARTMENT OF REVENUE

16 Program No. 102 - Revenue Administration

	FY2005-06	FY2006-07
17		
18	21,073,484	21,628,682
19	<u>21,073,484</u>	<u>21,592,182</u>
20	1,248,010	1,030,665
21	7,102	7,282
22	22,328,596	22,666,629
23	12,924,227	13,454,369
24	<u>22,328,596</u>	<u>22,630,129</u>
25	<u>12,924,227</u>	<u>13,431,369</u>

1 There is included in the appropriation to this program
 2 for FY2005-06 \$34,244 Cash Funds for a revenue auditor specialist
 3 from the Nebraska Health Care Cash Fund. There is included in the
 4 appropriation to this program for FY2006-07 \$34,244 Cash Funds for
 5 a revenue auditor specialist from the Nebraska Health Care Cash
 6 Fund.

7 Sec. 18. Laws 2005, LB 425, section 83, is amended to
 8 read:

9 Sec. 83. AGENCY NO. 19 - DEPARTMENT OF BANKING AND
 10 FINANCE

11 Program No. 65 - Enforcement of Standards - Financial
 12 Institutions

	FY2005-06	FY2006-07
13 CASH FUND	4,107,195	4,225,309
14 PROGRAM TOTAL	4,107,195	4,225,309
15 SALARY LIMIT	2,467,554	2,571,812
16 <u>SALARY LIMIT</u>	<u>2,467,554</u>	<u>2,700,718</u>

17 Sec. 19. Laws 2005, LB 425, section 84, is amended to
 18 read:

19 Sec. 84. AGENCY NO. 19 - DEPARTMENT OF BANKING AND
 20 FINANCE

21 Program No. 66 - Enforcement of Standards - Securities

	FY2005-06	FY2006-07
22 CASH FUND	1,290,703	1,319,212

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1	PROGRAM TOTAL	1,290,703	1,319,212
2	SALARY LIMIT	704,263	725,297
3	<u>SALARY LIMIT</u>	<u>704,263</u>	<u>730,835</u>

4 Sec. 20. Laws 2005, LB 425, section 89, is amended to
5 read:

6 Sec. 89. AGENCY NO. 21 - STATE FIRE MARSHAL
7 Program No. 193 - Public Protection

8		FY2005-06	FY2006-07
9	GENERAL FUND	2,888,121	3,018,092
10	<u>GENERAL FUND</u>	<u>2,888,121</u>	<u>3,002,571</u>
11	CASH FUND	1,094,283	1,127,375
12	FEDERAL FUND est.	50,000	50,000
13	PROGRAM TOTAL	4,032,404	4,195,467
14	<u>PROGRAM TOTAL</u>	<u>4,032,404</u>	<u>4,179,946</u>
15	SALARY LIMIT	2,289,581	2,387,214

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

19 No. 225 - General Operations

20 No. 226 - Pipeline Safety

21 No. 227 - Underground Storage Tanks

22 There is included in the appropriation to this program
23 for FY2005-06 \$50,000 Federal Funds estimate for state aid.

24 There is included in the appropriation to this program for
25 FY2006-07 \$50,000 Federal Funds estimate for state aid. If federal

1 restrictions prevent using these Federal Funds for state aid,
 2 the State Fire Marshal may reallocate available funds in the
 3 Underground Storage Tank Fund to provide state aid payments to the
 4 affected political subdivisions.

5 Sec. 21. Laws 2005, LB 425, section 92, is amended to
 6 read:

7 Sec. 92. AGENCY NO. 22 - DEPARTMENT OF INSURANCE
 8 Program No. 68 - Medical Professional Liability

	FY2005-06	FY2006-07
9		
10 CASH FUND	152,129	154,971
11 PROGRAM TOTAL	152,129	154,971
12 <u>CASH FUND</u>	<u>152,129</u>	<u>199,421</u>
13 <u>PROGRAM TOTAL</u>	<u>152,129</u>	<u>199,421</u>
14 SALARY LIMIT	59,717	61,660

15 Sec. 22. Laws 2005, LB 425, section 146, is amended to
 16 read:

17 Sec. 146. AGENCY NO. 31 - MILITARY DEPARTMENT
 18 Program No. 548 - Tuition Assistance

	<u>FY2005-06</u>	<u>FY2006-07</u>
19		
20 GENERAL FUND	828,000	828,000
21 PROGRAM TOTAL	828,000	828,000
22 <u>GENERAL FUND</u>	<u>828,000</u>	<u>357,351</u>
23 <u>PROGRAM TOTAL</u>	<u>828,000</u>	<u>357,351</u>
24 SALARY LIMIT	-0-	-0-

25 There is included in the appropriation to this program

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1 for FY2005-06 \$828,000 General Funds for state aid, which
 2 shall only be used for such purpose. There is included in the
 3 appropriation to this program for FY2006-07 ~~\$828,000~~ \$357,351
 4 General Funds for state aid, which shall only be use for such
 5 purpose.

6 Sec. 23. Laws 2005, LB 425, section 161, is amended to
 7 read:

8 Sec. 161. AGENCY NO. 35 - NEBRASKA LIQUOR CONTROL
 9 COMMISSION

10 Program No. 73 - Licensing and Regulation

	FY2005-06	FY2006-07
11 GENERAL FUND	810,394	838,883
12 <u>GENERAL FUND</u>	<u>810,394</u>	<u>858,227</u>
13 CASH FUND	54,441	54,441
14 PROGRAM TOTAL	864,835	893,324
15 SALARY LIMIT	464,807	479,292
16 <u>PROGRAM TOTAL</u>	<u>864,835</u>	<u>912,668</u>
17 <u>SALARY LIMIT</u>	<u>464,807</u>	<u>496,093</u>

18 Sec. 24. Laws 2005, LB 425, section 239, is amended to
 19 read:

20 Sec. 239. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW
 21 ENFORCEMENT AND CRIMINAL JUSTICE

22 Program No. 155 - County Juvenile Services Aid

	FY2005-06	FY2006-07
23 GENERAL FUND	1,492,500	1,492,500

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1	<u>PROGRAM TOTAL</u>	<u>1,492,500</u>	<u>1,492,500</u>
2	<u>GENERAL FUND</u>	<u>1,492,500</u>	<u>1,298,293</u>
3	<u>PROGRAM TOTAL</u>	<u>1,492,500</u>	<u>1,298,293</u>

4 There is included in the appropriation to this program
5 \$1,492,500 General Funds for FY2005-06 for state aid, which
6 shall only be used for such purpose. There is included in the
7 appropriation to this program ~~\$1,492,500~~ \$1,298,293 General Funds
8 for FY2006-07 for state aid, which shall only be used for such
9 purpose.

10 Sec. 25. Laws 2006, LB 454A, section 1, is amended to
11 read:

12 There is hereby appropriated (1) \$774,000 from the ~~Public~~
13 ~~Safety~~ Nebraska State Patrol Cash Fund for FY2006-07 and (2)
14 \$218,000 from the ~~Public Safety~~ Nebraska State Patrol Cash Fund for
15 FY2007-08 to the Nebraska State Patrol, for Program 100, to aid in
16 carrying out the provisions of Legislative Bill 454, Ninety-ninth
17 Legislature, Second Session, 2006.

18 Total expenditures for permanent and temporary salaries
19 and per diems from funds appropriated in this section shall not
20 exceed \$240,320 for FY2006-07 or \$80,800 for FY2007-08.

21 There is included in this appropriation for FY2006-07
22 \$30,000 Cash Funds to contract with the Department of Motor
23 Vehicles to pay for the cost of temporary staff and computer
24 programming at the Department of Motor Vehicles in order to
25 carry out the provisions of Legislative Bill 454, Ninety-ninth

1 Legislature, Second Session, 2006.

2 Sec. 26. Laws 2006, LB 605A, section 1, is amended to
3 read:

4 Section 1. There is hereby appropriated (1) \$5,500,000
5 from the ~~General~~ State Building Fund for FY2006-07 and (2)
6 \$5,500,000 from the ~~General~~ State Building Fund for FY2007-08
7 to the Board of Regents of the University of Nebraska, for Program
8 920, to aid in carrying out the provisions of Legislative Bill 605,
9 Ninety-ninth Legislature, Second Session, 2006.

10 No expenditures for permanent and temporary salaries and
11 per diems for state employees shall be made from funds appropriated
12 in this section.

13 Sec. 27. Laws 2006, LB 605A, section 2, is amended to
14 read:

15 Sec. 2. There is hereby appropriated (1) \$1,125,000
16 from the ~~General~~ State Building Fund and \$200,000 from the State
17 College Facility Fee Fund for FY2006-07 and (2) \$1,125,000 from the
18 ~~General~~ State Building Fund and \$400,000 from the State College
19 Facility Fee Fund for FY2007-08 to the Board of Trustees of the
20 Nebraska State Colleges, for Program 919, to aid in carrying out
21 the provisions of Legislative Bill 605, Ninety-ninth Legislature,
22 Second Session, 2006.

23 No expenditures for permanent and temporary salaries and
24 per diems for state employees shall be made from funds appropriated
25 in this section.

1 Sec. 28. Laws 2006, LB 1060, section 130, is amended to
2 read:

3 Sec. 130. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
4 NEBRASKA STATE COLLEGES

5 Program No. 48 - Nebraska State Colleges - System Office

	FY2005-06	FY2006-07
6 GENERAL FUND	257,917	132,450
7 PROGRAM TOTAL	257,917	132,450
8 GENERAL FUND	<u>257,917</u>	<u>-0-</u>
9 PROGRAM TOTAL	<u>257,917</u>	<u>-0-</u>

11 The Nebraska State Colleges System Office is authorized
12 to distribute amounts appropriated in this section pursuant to
13 approval by the Board of Trustees.

14 There is included in the appropriation to this program
15 \$257,917 General Funds for FY2005-06 and -0- General Funds for
16 FY2006-07 for increased utility costs less -0- General Funds to
17 reflect an adjustment to FY2006-07 estimated health insurance
18 costs.

19 There is included in the appropriation to this program
20 \$132,450 General Funds for FY2006-07 for a share of costs for
21 continued planning through design development for a joint-use
22 educational facility in South Sioux City. It is intended that the
23 Board of Trustees continue planning for the facility in cooperation
24 with the Board of Governors of the Northeast Community College
25 Area.

1 Sec. 29. Laws 2006, LB 1060, section 186, is amended to
 2 read:

3 Sec. 186. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL
 4 SERVICES

5 Program No. 916 - Phase II Renovation - Nebraska
 6 Correctional Center for Women - York

	FY2005-06	FY2006-07	FUTURE
8 STATE BUILDING FUND	-0-	781,000	-0-
9 STATE BUILDING FUND	-0-	<u>1,179,102</u>	-0-
10 NEBRASKA CAPITAL			
11 CONSTRUCTION FUND	1,403,000	-0-	-0-
12 PROGRAM TOTAL	1,403,000	781,000	-0-
13 PROGRAM TOTAL	<u>1,403,000</u>	<u>1,179,102</u>	-0-

14 The Department of Correctional Services is hereby
 15 authorized to renovate existing facilities at the Nebraska
 16 Correctional Center for Women in York with the appropriation to
 17 this program. The total project cost shall not exceed ~~\$2,104,000-~~
 18 \$2,582,102.

19 There is included in the appropriation to this program
 20 for FY2005-06 \$1,403,000 from the Nebraska Capital Construction
 21 Fund to begin construction.

22 There is included in the appropriation to this program
 23 for FY2006-07 ~~\$781,000~~ \$1,179,102 from the State Building Fund to
 24 complete construction

25 Sec. 30. Laws 2006, LB 1060, section 190, is amended to

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1 read:

2 Sec. 190. AGENCY NO. 5 - SUPREME COURT

3 Program No. 67 - Probation Services

	FY2005-06	FY2006-07
4		
5 GENERAL FUND	17,535,310	18,344,356
6 <u>GENERAL FUND</u>	<u>17,535,310</u>	<u>18,166,736</u>
7 CASH FUND	652,417	652,417
8 PROGRAM TOTAL	18,187,727	18,996,773
9 <u>PROGRAM TOTAL</u>	<u>18,187,727</u>	<u>18,819,153</u>
10 SALARY LIMIT	12,978,607	13,235,157

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

14 No. 397 - Statewide Probation

15 No. 398 - Intensive Supervision Probation

16 Sec. 31. Laws 2006, LB 1060, section 192, is amended to

17 read:

18 Sec. 192. AGENCY NO. 11 - ATTORNEY GENERAL

19 Program No. 507 - Interpretation and Application of Law

	FY2005-06	FY2006-07
20		
21 GENERAL FUND	5,518,423	5,799,501
22 CASH FUND	603,896	626,730
23 FEDERAL FUND est.	684,962	639,302
24 REVOLVING FUND	638,410	712,879
25 PROGRAM TOTAL	7,445,691	7,778,412

1 SALARY LIMIT 4,489,879 4,744,778

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

5 No. 270 - Administration

6 No. 271 - Civil Bureau

7 No. 272 - Criminal Bureau

8 No. 273 - Legal Services Bureau

9 No. 274 - Public Protection Bureau

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

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

14 Revolving Fund expenditures within program classification number
15 271 shall only be coded against budget subprogram 4.

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

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

1 There is included in the appropriation to this program
2 for FY2005-06 \$80,000 from the Attorney General Child Protection
3 Cash Fund and for FY2006-07 \$80,000 General Funds, which
4 appropriations shall only be administratively transferred to
5 program classification number 272, and such appropriations shall
6 only be expended from budget subprogram 6 as a separate and
7 distinct budget subprogram and shall not be commingled with any
8 other expenses, and such appropriations shall only be used to
9 provide assistance for legal expenses incurred in prosecuting
10 crimes against children by state and local prosecutors, including,
11 but not limited to, expert witness costs, as determined by the
12 Attorney General.

13 There is included in the appropriation to this program
14 for FY2006-07 \$150,000 General Funds, which appropriation shall
15 only be administratively transferred to program classification
16 number 272, and such appropriation shall only be expended from
17 budget subprogram 7 as a separate and distinct budget subprogram
18 and shall not be commingled with any other expenses, and such
19 appropriation shall only be used to pay for child autopsy expenses.

20 General Fund expenditures within program classification
21 number 273 shall only be coded against budget subprogram 1. Cash
22 Fund expenditures for Attorney General reports and opinions within
23 program classification number 273 shall only be coded against
24 budget subprogram 2. Revolving Fund expenditures within program
25 classification number 273 shall only be coded against budget

1 subprogram 4.

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

10 There is included in the appropriation to this program
11 for FY2005-06 \$150,000 Cash Funds and for FY2006-07 \$250,000
12 Cash Funds, which appropriations shall only be administratively
13 transferred to program classification number 274, and such
14 appropriations shall only be expended directly from the Nebraska
15 Health Care Cash Fund from budget subprogram 4 for purposes of
16 enforcing the tobacco settlement agreement.

17 There is included in the appropriation to this program
18 for FY2005-06 \$234,313 Cash Funds and for FY2006-07 \$234,313
19 Cash Funds, which appropriations shall only be administratively
20 transferred to program classification number 274, and such
21 appropriations shall only be expended from budget subprogram 5 for
22 purposes of administering the administrative license revocation
23 program.

24 There is included in the appropriation to this program
25 for FY2005-06 \$10,000 Cash Funds and for FY2006-07 \$10,000

1 Cash Funds, which appropriations shall only be administratively
2 transferred to program classification number 274, and such
3 appropriations shall only be expended from budget subprogram 6
4 for purposes of administering the Department of Justice Natural
5 Resources Enforcement Fund.

6 There is included in the appropriation to this program
7 for FY2005-06 \$81,480 General Funds and for FY2006-07 \$81,480
8 General Funds, which appropriations shall only be administratively
9 transferred to Agency 11, Program 575, for the purpose of meeting
10 the state agency's matching share of federal Byrne Grant funds
11 awarded by the Nebraska Commission on Law Enforcement and Criminal
12 Justice. The budget division of the Department of Administrative
13 Services shall lapse between July 1, 2006, and June 30, 2007, any
14 excess General Fund appropriations within budget program number 575
15 that are not needed to meet the state matching requirements for
16 Byrne Grants awarded to the Attorney General's office.

17 The agency budget request submitted by the Attorney
18 General for the 2007-09 biennium for umbrella budget program number
19 507 shall be prepared and submitted at the detailed account level
20 within the specified budget subprogram structure as required in
21 this section.

22 Sec. 32. Laws 2006, LB 1060, section 194, is amended to
23 read:

24 Sec. 194. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
25 Program No. 158 - Education Aid

LB 317

LB 317

	FY2005-06	FY2006-07
1		
2	870,734,644	893,819,176
3	<u>870,734,644</u>	<u>896,850,161</u>
4	1,040,938	1,040,938
5	246,664,572	254,535,831
6	1,118,440,154	1,149,395,945
7	<u>1,118,440,154</u>	<u>1,152,426,930</u>

8 There is included in the appropriation to this program
9 for FY2005-06 \$870,734,644 General Funds, \$1,040,938 Cash Funds,
10 and \$246,664,572 Federal Funds estimate for state aid, which
11 shall only be used for such purpose. There is included in
12 the appropriation to this program for FY2006-07 ~~\$893,819,176~~
13 \$896,850,161 General Funds, \$1,040,938 Cash Funds, and \$254,535,831
14 Federal Funds estimate for state aid, which shall only be used for
15 such purpose.

16 There is included in the amount shown for FY2005-06
17 \$683,473,181 General Funds which are hereby appropriated to
18 the Tax Equity and Educational Opportunities Fund, which
19 fund is hereby appropriated to provide state aid to public
20 school districts pursuant to the Tax Equity and Educational
21 Opportunities Support Act. There is included in the amount shown
22 for FY2006-07 ~~\$701,346,228~~ \$704,377,213 General Funds which are
23 hereby appropriated to the Tax Equity and Educational Opportunities
24 Fund, which fund is hereby appropriated to provide state aid to
25 public school districts pursuant to the Tax Equity and Educational

1 Opportunities Support Act.

2 There is included in the amount shown for this program
3 \$169,204,057 General Funds provided as state aid for FY2005-06 for
4 special education reimbursement. There is included in the amount
5 shown for this program \$174,280,179 General Funds provided as state
6 aid for FY2006-07 for special education reimbursement.

7 There is included in the amount shown for this program
8 \$420,000 General Funds provided as state aid for FY2005-06 and
9 \$420,000 General Funds provided as state aid for FY2006-07 to carry
10 out the provisions of subsection (2) of section 79-734.

11 There is included in the amount shown for this program
12 \$3,680,471 General Funds provided as state aid for FY2005-06 and
13 \$3,680,471 General Funds provided as state aid for FY2006-07 for
14 early childhood education projects.

15 There is included in the amount shown for this program
16 \$8,163,027 General Funds provided as state aid for FY2005-06 and
17 \$8,266,325 General Funds provided as state aid for FY2006-07 for
18 core services for educational service units.

19 There is included in the amount shown for this program
20 \$2,533,948 General Funds provided as state aid for FY2005-06 and
21 \$2,566,013 General Funds provided as state aid for FY2006-07 for
22 technology infrastructure for educational service units.

23 There is included in the amount shown for this program
24 \$2,336,921 General Funds provided as state aid for FY2005-06 and
25 \$2,336,921 General Funds provided as state aid for FY2006-07 for

1 programs for learners with high ability.

2 There is included in the amount shown for this program
3 \$271,378 General Funds provided as state aid for FY2005-06 and
4 \$271,378 General Funds provided as state aid for FY2006-07 for the
5 school breakfast program.

6 There is included in the amount shown for this program
7 \$421,087 General Funds provided as state aid for FY2005-06 and
8 \$421,087 General Funds provided as state aid for FY2006-07 for the
9 school lunch program.

10 There is included in the amount shown for this program
11 \$230,574 General Funds provided as state aid for FY2005-06 and
12 \$230,574 General Funds provided as state aid for FY2006-07 for
13 adult basic education programs.

14 There is included in the amount shown for this program
15 \$1,000,000 Cash Funds provided as state aid for FY2005-06 and
16 \$1,000,000 Cash Funds provided as state aid for FY2006-07 for
17 base-year incentive aid.

18 On or before October 1, of each year, the Department
19 of Health and Human Services Finance and Support and the State
20 Department of Education shall jointly certify to the budget
21 administrator of the budget division of the Department of
22 Administrative Services the amount of federal medicaid funds
23 paid to school districts pursuant to the Early Intervention Act
24 for special education services for children age five years and
25 older. The General Fund appropriation to the State Department of

1 Education, Program 158, for state special education aid shall
 2 be decreased by an amount equal to the amount that would have
 3 been reimbursed with state General Funds to the school districts
 4 through the special education reimbursement process for special
 5 education services for children age five years and older that was
 6 paid to school districts or approved cooperatives with federal
 7 medicaid funds. There is hereby appropriated from the General
 8 Fund an amount equal to the amount certified to the budget
 9 administrator for FY2005-06 and FY2006-07 to the Department of
 10 Health and Human Services Finance and Support to aid in carrying
 11 out the provisions of Laws 1991, LB 701. The budget administrator
 12 shall distribute the amount appropriated between budget programs
 13 according to percentages certified by the Department of Health and
 14 Human Services Finance and Support.

15 Sec. 33. Laws 2006, LB 1060, section 197, is amended to
 16 read:

17 Sec. 197. AGENCY NO. 16 - DEPARTMENT OF REVENUE
 18 Program No. 108 - Homestead Exemption

	FY2005-06	FY2006-07
19 GENERAL FUND	53,827,000	56,473,000
20 PROGRAM TOTAL	53,827,000	56,473,000
21 GENERAL FUND	<u>53,827,000</u>	<u>56,733,000</u>
22 PROGRAM TOTAL	<u>53,827,000</u>	<u>56,733,000</u>

23 There is included in the appropriation to this program
 24 for FY2005-06 \$53,827,000 General Funds for state aid, which
 25

1 shall only be used for such purpose. There is included in the
 2 appropriation to this program for FY2006-07 ~~\$56,473,000~~ \$56,733,000
 3 General Funds for state aid, which shall only be used for such
 4 purpose.

5 Sec. 34. Laws 2006, LB 1060, section 204, is amended to
 6 read:

7 Sec. 204. AGENCY NO. 26 - DEPARTMENT OF HEALTH AND HUMAN
 8 SERVICES FINANCE AND SUPPORT

9 Program No. 344 - Children's Health Insurance

	FY2005-06	FY2006-07
10		
11	GENERAL FUND 10,673,536	10,842,937
12	<u>GENERAL FUND 10,673,536</u>	<u>4,742,937</u>
13	CASH FUND 5,000,000	5,000,000
14	FEDERAL FUND est. 31,997,558	33,051,481
15	PROGRAM TOTAL 47,671,094	48,894,418
16	<u>PROGRAM TOTAL 47,671,094</u>	<u>42,794,418</u>

17 The unexpended Cash Fund and Federal Fund appropriation
 18 balances existing on June 30, 2005, are hereby reappropriated.

19 There is included in the appropriation to this program
 20 for FY2005-06 \$10,673,536 General Funds, \$5,000,000 Cash Funds, and
 21 \$31,997,558 Federal Funds estimate for state aid, which shall only
 22 be used for such purpose. There is included in the appropriation
 23 to this program for FY2006-07 ~~\$10,842,937~~ \$4,742,937 General Funds,
 24 \$5,000,000 Cash Funds, and \$33,051,481 Federal Funds estimate for
 25 state aid, which shall only be used for such purpose.

1 There is included in the appropriation to this program
 2 for FY2005-06 \$5,000,00 Cash Funds for state aid from the Nebraska
 3 Health Care Cash Fund. There is included in the appropriation to
 4 this program for FY2006-07 \$5,000,000 Cash Funds for state aid from
 5 the Nebraska Health Care Cash Fund.

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

11 Sec. 35. Laws 2006, LB 1060, section 206, is amended to
 12 read:

13 Sec. 206. AGENCY NO. 26 - DEPARTMENT OF HEALTH AND HUMAN
 14 SERVICES FINANCE AND SUPPORT

15 Program No. 348 - Medical Assistance

	FY2005-06	FY2006-07
16		
17	507,020,799	560,863,546
18	<u>507,020,799</u>	<u>547,363,546</u>
19	19,657,896	19,657,896
20	949,534,581	991,840,375
21	<u>1,476,213,276</u>	<u>1,572,361,817</u>
22	<u>1,476,213,276</u>	<u>1,558,861,817</u>

23 There is included in the appropriation to this
 24 program for FY2005-06 \$507,020,799 General Funds, \$19,657,896
 25 Cash Funds, and \$949,534,581 Federal Funds estimate for state

1 aid, which shall only be used for such purpose. There is
2 included in the appropriation to this program for FY2006-07
3 ~~\$560,863,546~~ \$547,363,546 General Funds, \$19,657,896 Cash Funds,
4 and \$991,840,375 Federal Funds estimate for state aid, which shall
5 only be used for such purpose.

6 There is included in the appropriation to this program
7 for FY2005-06 \$4,765,896 Cash Funds for state aid for the
8 continuation of the behavioral health provider rate increase
9 and behavioral health provider rate increase for managed care,
10 inpatient services, and residential treatment services provided
11 with funds from the Nebraska Health Care Cash Fund. There
12 is included in the appropriation to this program for FY2006-07
13 \$4,765,896 Cash Funds for state aid for the continuation of the
14 behavioral health provider rate increase and behavioral health
15 provider rate increase for managed care, inpatient services,
16 and residential treatment services provided with funds from the
17 Nebraska Health Care Cash Fund.

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

23 Sec. 36. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

24 (1) For purposes of this act, (a) SALARY LIMIT shall mean
25 total expenditures for permanent and temporary salaries and per

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

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

23 (3) Expenditures for permanent and temporary salaries
24 resulting from awards made to employees under sections 81-1346 to
25 81-1354 shall be in addition to the limitations on permanent and

1 temporary salaries and per diems otherwise shown in this act.

2 (4) The limitation on expenditures for permanent and
3 temporary salaries and per diems for FY2006-07 as established by
4 the Legislature shall be the basis for continuation funding for
5 each fiscal year of the succeeding biennium.

6 (5) The limitation on expenditures for permanent and
7 temporary salaries and per diems for FY2006-07 shall be increased
8 by certified encumbrance amounts from FY2005-06 for permanent and
9 temporary salaries and per diems. Encumbered amounts shall be
10 calculated in accordance with section 81-138.01.

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

15 Sec. 37. Original Laws 2005, LB 424, sections 35 and 36;
16 Laws 2005, LB 425, sections 65, 83, 84, 89, 92, 146, 161, and 239;
17 Laws 2006, LB 454A, section 1; Laws 2006, LB 605A, sections 1 and
18 2; and Laws 2006, LB 1060, sections 130, 186, 190, 192, 194, 197,
19 204, and 206, are repealed.

20 Sec. 38. Since an emergency exists, this act takes effect
21 when passed and approved according to law.