

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

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

Read first time January 12, 2012

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2011, LB 374,
2 sections 46, 47, 66, 93, 98, 100, 102, 104, 105, 109,
3 115, 132, 200, 226, 235, and 249; Laws 2011, LB 376,
4 section 19; and Laws 2011, LB 377, section 8; to define
5 terms; to provide, change, and eliminate provisions
6 relating to appropriations; to reduce appropriations; to
7 state intent; to provide for transfers; to repeal the
8 original sections; and to declare an emergency.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

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

7 Sec. 2. APPROPRIATION LANGUAGE.

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

13 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

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

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

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

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

5 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

6 The definitions contained in the Nebraska Accounting
 7 System Manual, and any amendments thereto, on file with the Clerk of
 8 the Legislature are hereby adopted by the Legislature as the
 9 definitions for this act, except as provided in section 43 of this
 10 act.

11 Sec. 6. DRAWING AND PAYING WARRANTS.

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

17 Sec. 7. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

18 Program No. 161- Education Innovation

	<u>FY2011-12</u>	<u>FY2012-13</u>
19		
20	<u>11,818</u>	<u>19,605</u>
21	<u>11,818</u>	<u>19,605</u>
22	<u>7,454</u>	<u>14,154</u>

23 Sec. 8. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

24 Program No. 351- Vocational Rehabilitation

	<u>FY2011-12</u>	<u>FY2012-13</u>
25		

1	<u>CASH FUND</u>	<u>747,046</u>	<u>500,000</u>
2	<u>PROGRAM TOTAL</u>	<u>747,046</u>	<u>500,000</u>
3	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>
4	Sec. 9. <u>AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION</u>		
5	<u>Program No. 614- Professional Practices Commission</u>		
6		<u>FY2011-12</u>	<u>FY2012-13</u>
7	<u>SALARY LIMIT</u>	<u>990</u>	<u>-0-</u>
8	Sec. 10. <u>AGENCY NO. 14 - PUBLIC SERVICE COMMISSION</u>		
9	<u>Program No. 686 - Nebraska Telecommunications Universal</u>		
10	<u>Service Fund</u>		
11		<u>FY2011-12</u>	<u>FY2012-13</u>
12	<u>CASH FUND</u>	<u>-0-</u>	<u>51,792</u>
13	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>51,792</u>
14	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>30,468</u>
15	Sec. 11. <u>AGENCY NO. 14 - PUBLIC SERVICE COMMISSION</u>		
16	<u>Program No. 792 - Major Oil Pipeline Siting</u>		
17		<u>FY2011-12</u>	<u>FY2012-13</u>
18	<u>GENERAL FUND</u>	<u>10,225</u>	<u>-0-</u>
19	<u>CASH FUND</u>	<u>541,687</u>	<u>542,643</u>
20	<u>PROGRAM TOTAL</u>	<u>551,912</u>	<u>542,643</u>
21	<u>SALARY LIMIT</u>	<u>34,338</u>	<u>25,361</u>
22	Sec. 12. <u>AGENCY NO. 24 - DEPARTMENT OF MOTOR VEHICLES</u>		
23	<u>Program No. 70 - Enforcement of Standards - Motor</u>		

1 Vehicles/Motor Vehicle Drivers

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

6 Sec. 13. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 7 SERVICES

8 Program No. 38 - Behavioral Health Aid

	<u>FY2011-12</u>	<u>FY2012-13</u>
10 <u>GENERAL FUND</u>	<u>-0-</u>	<u>181,196</u>
11 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>181,196</u>

12 There is included in the appropriation to this program
 13 for FY2012-13 \$181,196 General Funds for state aid, which shall only
 14 be used for such purpose.

15 Sec. 14. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 16 SERVICES

17 Program No. 178 - Professional Licensure

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

22 Sec. 15. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 23 SERVICES

24 Program No. 250 - Juvenile Services Operations

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

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

7 Program No. 347 - Public Assistance

8		<u>FY2011-12</u>	<u>FY2012-13</u>
9	<u>GENERAL FUND</u>	<u>12,000,000</u>	<u>14,667,762</u>
10	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>1,875,788</u>
11	<u>PROGRAM TOTAL</u>	<u>12,000,000</u>	<u>16,543,550</u>

12 There is included in the appropriation to this program
 13 for FY2011-12 \$12,000,000 General Funds for state aid, which shall
 14 only be used for such purpose. There is included in the appropriation
 15 to this program for FY2012-13 \$14,667,762 General Funds and
 16 \$1,875,788 Federal Funds estimate for state aid, which shall only be
 17 used for such purpose.

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

20 Program No. 424 - Developmental Disability Aid

21		<u>FY2011-12</u>	<u>FY2012-13</u>
22	<u>GENERAL FUND</u>	<u>-0-</u>	<u>1,346,359</u>
23	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,346,359</u>

24 There is included in the appropriation to this program

1 for FY2012-13 \$1,346,359 General Funds for state aid, which shall
 2 only be used for such purpose.

3 Sec. 18. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS
 4 Program No. 36 - Departmental Administration

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

7 Sec. 19. AGENCY NO. 39 - NEBRASKA BRAND COMMITTEE
 8 Program No. 75 - Nebraska Brand Committee

	<u>FY2011-12</u>	<u>FY2012-13</u>
10 <u>CASH FUND</u>	<u>36,624</u>	<u>-0-</u>
11 <u>PROGRAM TOTAL</u>	<u>36,624</u>	<u>-0-</u>

12 Sec. 20. AGENCY NO. 48 - COORDINATING COMMISSION FOR
 13 POSTSECONDARY EDUCATION

14 Program No. 640 - Postsecondary Education Coordination

	<u>FY2011-12</u>	<u>FY2012-13</u>
16 <u>CASH FUND</u>	<u>5,465</u>	<u>5,465</u>
17 <u>PROGRAM TOTAL</u>	<u>5,465</u>	<u>5,465</u>
18 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

19 Sec. 21. AGENCY NO. 54 - NEBRASKA STATE HISTORICAL
 20 SOCIETY

21 Program No. 648 - Nebraska State Historical Society

	<u>FY2011-12</u>	<u>FY2012-13</u>
23 <u>GENERAL FUND</u>	<u>59,012</u>	<u>61,720</u>

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LB 968

1	<u>CASH FUND</u>	<u>45,000</u>	<u>45,000</u>
2	<u>PROGRAM TOTAL</u>	<u>104,012</u>	<u>106,720</u>
3	Sec. 22. <u>AGENCY NO. 77 - COMMISSION OF INDUSTRIAL</u>		
4	<u>RELATIONS</u>		
5	<u>Program No. 490 - Commissioner Expenses</u>		
6		<u>FY2011-12</u>	<u>FY2012-13</u>
7	<u>GENERAL FUND</u>	<u>18,600</u>	<u>18,600</u>
8	<u>PROGRAM TOTAL</u>	<u>18,600</u>	<u>18,600</u>
9	Sec. 23. <u>AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL</u>		
10	<u>QUALITY</u>		
11	<u>Program No. 513 - Environmental Quality</u>		
12		<u>FY2011-12</u>	<u>FY2012-13</u>
13	<u>CASH FUND</u>	<u>-0-</u>	<u>106,582</u>
14	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>106,582</u>
15	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>41,186</u>
16	Sec. 24. <u>AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT</u>		
17	<u>BOARD</u>		
18	<u>Program No. 41 - Administration of Retirement Systems and</u>		
19	<u>Deferred Compensation</u>		
20		<u>FY2011-12</u>	<u>FY2012-13</u>
21	<u>CASH FUND</u>	<u>135,915</u>	<u>29,440</u>
22	<u>PROGRAM TOTAL</u>	<u>135,915</u>	<u>29,440</u>
23	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

1 Sec. 25. Laws 2011, LB374, section 46, is amended to
 2 read:

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

	FY2011-12	FY2012-13
6 GENERAL FUND	9,668,027	9,762,802
7 CASH FUND	1,076,053	1,082,205
8 FEDERAL FUND est.	21,633,256	22,115,955
9 REVOLVING FUND	154,728	154,728
10 PROGRAM TOTAL	32,532,064	33,115,690
11 SALARY LIMIT	11,796,556	12,032,466
12 <u>GENERAL FUND</u>	<u>9,656,209</u>	<u>9,743,197</u>
13 <u>CASH FUND</u>	<u>1,476,053</u>	<u>1,482,205</u>
14 <u>FEDERAL FUND est</u>	<u>21,633,256</u>	<u>22,115,955</u>
15 <u>REVOLVING FUND</u>	<u>204,728</u>	<u>204,728</u>
16 <u>PROGRAM TOTAL</u>	<u>32,970,246</u>	<u>33,546,085</u>
17 <u>SALARY LIMIT</u>	<u>11,789,102</u>	<u>12,018,312</u>

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

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

1 program for FY2012-13 \$2,751,600 General Funds and \$2,750,000 Federal
2 Funds estimate for statewide assessment and reporting, which shall
3 only be used for such purpose.

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

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

- 12 No. 25 - Commissioner's Office
13 No. 403 - Assessment/Report Card
14 No. 440 - Human Resources
15 No. 441 - Curriculum/Instruction/Innovation
16 No. 442 - Diversity Populations: Equity and Instructional
17 Issues
18 No. 444 - Office of Early Childhood
19 ~~No. 445 - Data Systems~~
20 No. 445 - Data, Research, Evaluation, and Information
21 Technology
22 No. 446 - Adult Program Services
23 No. 447 - School Improvement/Accreditation
24 No. 448 - Diversity Populations: Special Education
25 No. 449 - Federal Programs

1 No. 450 - Select Department-wide Costs
 2 No. 451 - Finance and Organization Services
 3 Sec. 26. Laws 2011, LB374, section 47, is amended to
 4 read:

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

	FY2011-12	FY2012-13
8 GENERAL FUND	1,006,042,169	1,066,008,001
9 CASH FUND	3,240,938	3,240,938
10 <u>GENERAL FUND</u>	<u>1,006,042,169</u>	<u>1,015,353,082</u>
11 <u>CASH FUND</u>	<u>3,453,896</u>	<u>3,453,896</u>
12 FEDERAL FUND est.	290,889,138	290,889,138
13 PROGRAM TOTAL	1,300,172,245	1,360,138,077
14 <u>PROGRAM TOTAL</u>	<u>1,300,385,203</u>	<u>1,309,696,116</u>

15 There is included in the appropriation to this program
 16 for FY2011-12 \$1,006,042,169 General Funds, ~~\$3,240,938~~\$3,453,896
 17 Cash Funds, and \$290,889,138 Federal Funds estimate for state aid,
 18 which shall only be used for such purpose. There is included in the
 19 appropriation to this program for FY2012-13 ~~\$1,066,008,001~~
 20 \$1,015,353,082 General Funds, ~~\$3,240,938~~\$3,453,896 Cash Funds, and
 21 \$290,889,138 Federal Funds estimate for state aid, which shall only
 22 be used for such purpose.

23 There is included in the amount shown for FY2011-12
 24 \$804,689,087 General Funds which are hereby appropriated to the Tax

1 Equity and Educational Opportunities Fund, which fund is hereby
2 appropriated to provide state aid to public school districts pursuant
3 to the Tax Equity and Educational Opportunities Support Act. There is
4 included in the amount shown for FY2012-13 ~~\$864,654,919~~ \$814,000,000
5 General Funds which are hereby appropriated to the Tax Equity and
6 Educational Opportunities Fund, which fund is hereby appropriated to
7 provide state aid to public school districts pursuant to the Tax
8 Equity and Educational Opportunities Support Act.

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

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

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

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

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

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

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

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

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

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

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

16 Sec. 27. Laws 2011, LB374, section 66, is amended to
 17 read:

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

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

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

7 Sec. 28. Laws 2011, LB374, section 93, is amended to
 8 read:

9 Sec. 93. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 10 SERVICES

11 Program No. 33 - Administration

	FY2011-12	FY2012-13
12 GENERAL FUND	90,958,934	94,779,489
13 GENERAL FUND	<u>91,180,964</u>	<u>95,369,883</u>
14 CASH FUND	20,926,010	21,024,723
15 FEDERAL FUND est.	197,811,557	202,719,702
16 PROGRAM TOTAL	309,696,501	318,523,914
17 SALARY LIMIT	114,169,331	116,494,285
18 FEDERAL FUND est.	<u>198,033,586</u>	<u>200,471,761</u>
19 PROGRAM TOTAL	<u>310,140,560</u>	<u>316,866,367</u>
20 SALARY LIMIT	<u>114,479,168</u>	<u>116,655,080</u>

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

23 The Department of Administrative Services shall monitor
 24

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

3 No. 261 - General Operations

4 No. 262 - Public Health Administration

5 No. 263 - Medicaid and Long-Term Care Administration

6 No. 264 - Children and Family Services Administration

7 No. 265 - Protection and Safety

8 No. 266 - Economic and Family Support

9 No. 267 - Developmental Disabilities Service Coordination

10 No. 268 - Behavioral Health Administration

11 No. 269 - Developmental Disabilities Administration

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

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

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

1 from the Nebraska Health Care Cash Fund to continue the Parkinson's
2 Disease Registry.

3 There is included in the appropriation to this program
4 \$404,643 Cash Funds for FY2011-12 and \$404,643 Cash Funds for
5 FY2012-13 from the Nebraska Health Care Cash Fund for respite
6 services in each of the service areas designated by the Department of
7 Health and Human Services and for administrative costs, including
8 personnel costs, associated with the Nebraska Lifespan Respite
9 Services Program.

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

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

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

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

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

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

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

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

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

1 the call; and

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

7 Sec. 29. Laws 2011, LB374, section 98, is amended to
 8 read:

9 Sec. 98. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
 10 SERVICES

11 Program No. 179 - Public Health

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

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

21 There is included in the appropriation to this program
 22 for FY2011-12 \$220,000 Cash Funds to operate a satellite office of
 23 minority health in the second and third congressional districts to
 24

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

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

13 Sec. 30. Laws 2011, LB374, section 100, is amended to
 14 read:

15 Sec. 100. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
 16 SERVICES

17 Program No. 344 - Children's Health Insurance

	FY2011-12	FY2012-13
18 GENERAL FUND	9,932,192	13,036,419
19 GENERAL FUND	<u>8,932,192</u>	<u>12,326,050</u>
20 CASH FUND	8,835,700	6,835,700
21 FEDERAL FUND est.	43,729,964	45,612,609
22 PROGRAM TOTAL	62,497,856	65,484,728
23 FEDERAL FUND est.	<u>41,399,961</u>	<u>43,050,279</u>

1 Sec. 102. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 2 SERVICES

3 Program No. 348 - Medical Assistance

	FY2011-12	FY2012-13
4		
5	599,909,134	630,241,604
6	<u>594,909,134</u>	<u>631,530,138</u>
7	24,344,412	24,344,412
8	998,926,616	1,029,200,776
9	1,623,180,162	1,683,786,792
10	<u>992,274,320</u>	<u>1,007,213,689</u>
11	<u>1,611,527,866</u>	<u>1,663,088,239</u>

12 There is included in the appropriation to this program
 13 for FY2011-12 ~~\$599,909,134~~ \$594,909,134 General Funds, \$24,344,412
 14 Cash Funds, and ~~\$998,926,616~~ \$992,274,320 Federal Funds estimate for
 15 state aid, which shall only be used for such purpose. There is
 16 included in the appropriation to this program for FY2012-13
 17 ~~\$630,241,604~~ \$631,530,138 General Funds, \$24,344,412 Cash Funds, and
 18 ~~\$1,029,200,776~~ \$1,007,213,689 Federal Funds estimate for state aid,
 19 which shall only be used for such purpose.

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

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

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

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

24 Sec. 32. Laws 2011, LB374, section 104, is amended to
25 read:

1 Sec. 104. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 2 SERVICES

3 Program No. 365 - Mental Health Operations

	FY2011-12	FY2012-13
4		
5	31,121,831	31,723,741
6	<u>31,121,831</u>	<u>31,752,373</u>
7	CASH FUND 3,562,814	3,616,795
8	FEDERAL FUND est. 9,937,371	9,941,425
9	<u>FEDERAL FUND est. 9,937,371</u>	<u>9,912,793</u>
10	PROGRAM TOTAL 44,622,016	45,281,961
11	SALARY LIMIT 25,390,217	25,864,761

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

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

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

21 Sec. 33. Laws 2011, LB374, section 105, is amended to
 22 read:

23 Sec. 105. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 24 SERVICES

1	Program No. 421 - Beatrice State Developmental Center		
2		FY2011-12	FY2012-13
3	GENERAL FUND	24,927,152	25,505,489
4	<u>GENERAL FUND</u>	<u>24,927,152</u>	<u>24,381,930</u>
5	CASH FUND	2,711,482	2,711,482
6	FEDERAL FUND est.	22,820,537	22,956,323
7	PROGRAM TOTAL	50,459,171	51,173,294
8	<u>FEDERAL FUND est.</u>	<u>22,820,537</u>	<u>20,879,882</u>
9	<u>PROGRAM TOTAL</u>	<u>50,459,171</u>	<u>47,973,294</u>
10	SALARY LIMIT	24,095,712	24,599,987

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

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

21 The reports shall indicate expenditures incurred in each
 22 quarter for the management teams as well as the independent expert
 23 and Department of Justice coordinator. Expenditures for temporary
 24 medical/clinical staff, newly hired permanent medical/clinical staff,

1 and additional costs for nurses, direct care staff, and shift
2 supervisors shall be reported. The number of newly hired staff and
3 the job titles of such staff shall also be reported. Contractual
4 expenditures for medical services shall be reported based upon the
5 category of care. Expenditures for clinical assessments of persons at
6 the Beatrice State Developmental Center, training, and the Outreach
7 Treatment and Intensive Services Program shall be reported.

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

15 The chief executive officer of the Department of Health
16 and Human Services shall certify to the budget administrator of the
17 budget division of the Department of Administrative Services the
18 FY2011-12 and FY2012-13 unexpended appropriation balances for the
19 Beatrice State Developmental Center, Program 421, which are available
20 to transition and maintain persons transferred from the Beatrice
21 State Developmental Center to community-based developmental
22 disability or other services. The budget administrator of the budget
23 division of the Department of Administrative Services shall
24 administratively transfer during FY2011-12 and FY2012-13 available
25 unexpended appropriation balances as certified by the chief executive

1 officer of the Department of Health and Human Services from the
 2 Beatrice State Developmental Center, Program 421, to Developmental
 3 Disability Aid, Program 424, and Medical Assistance, Program 348.

4 Sec. 34. Laws 2011, LB374, section 109, is amended to
 5 read:

6 Sec. 109. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 7 SERVICES

8 Program No. 519 - Nebraska Veterans' Homes

	FY2011-12	FY2012-13
9		
10	25,356,735	25,798,080
11	<u>24,856,735</u>	<u>25,298,080</u>
12	CASH FUND 14,047,196	14,201,610
13	FEDERAL FUND est. 15,410,475	15,474,204
14	<u>FEDERAL FUND est. 15,910,475</u>	<u>15,974,204</u>
15	PROGRAM TOTAL 54,814,406	55,473,894
16	SALARY LIMIT 28,572,099	29,040,920

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

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

- 22 No. 510 - Veterans' Home System Administration
- 23 No. 519 - Grand Island Veterans' Home
- 24 No. 520 - Norfolk Veterans' Home

1 No. 521 - Western Nebraska Veterans' Home
 2 No. 522 - Eastern Nebraska Veterans' Home
 3 Sec. 35. Laws 2011, LB374, section 115, is amended to
 4 read:

5 Sec. 115. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
 6 SERVICES

7 Program No. 870 - Norfolk Sex Offender Treatment

	FY2011-12	FY2012-13
8		
9	14,766,557	14,928,652
10	<u>13,766,557</u>	<u>13,928,652</u>
11	48,833	72,914
12	14,815,390	15,001,566
13	<u>13,815,390</u>	<u>14,001,566</u>
14	8,792,382	8,933,224

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

17 Sec. 36. Laws 2011, LB374, section 132, is amended to
 18 read:

19 Sec. 132. AGENCY NO. 31 - MILITARY DEPARTMENT

20 Program No. 192 - Governor's Emergency Aid

	FY2011-12	FY2012-13
21		
22	500,000	500,000
23	<u>9,400,000</u>	<u>500,000</u>

1	FEDERAL FUND est.	4,500,000	4,500,000
2	PROGRAM TOTAL	5,000,000	5,000,000
3	<u>PROGRAM TOTAL</u>	<u>13,900,000</u>	<u>5,000,000</u>

4 There is no salary limitation for this program.
 5 The unexpended General Fund and Cash Fund appropriation
 6 balances existing on June 30, 2011, are hereby reappropriated.

7 There is included in the appropriation to this program
 8 for FY2011-12 ~~\$500,000~~ \$9,400,000 General Funds, \$4,500,000 Federal
 9 Funds estimate, plus any reappropriated amount, for state aid. There
 10 is included in the appropriation to this program for FY2012-13
 11 \$500,000 General Funds and \$4,500,000 Federal Funds estimate for
 12 state aid.

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

16 Sec. 37. Laws 2011, LB374, section 200, is amended to
 17 read:

18 Sec. 200. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 19 SERVICES

20 Program No. 591 - Tort Claims

	FY2011-12	FY2012-13	
21			
22	GENERAL FUND	210,000	210,000
23	CASH FUND	150,000	50,000
24	PROGRAM TOTAL	360,000	260,000

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

5 (1) The following amounts are hereby transferred to the
6 Tort Claims Fund from the respective agency fund balances:
7 (a) \$58 from the Department of Motor Vehicles;
8 (b) \$165,621 from the Department of Roads;
9 (c) \$5,378 from the Game and Parks Commission; and
10 (d) \$15,269 from the Department of Administrative
11 Services state building division.

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

16 (2) The following amounts are hereby transferred to the
17 Tort Claims Fund from the respective agency fund balances:
18 (a) ~~\$58~~ \$369 from the Department of Motor Vehicles;
19 (b) ~~\$165,621~~ \$129,828 from the Department of Roads;
20 (c) ~~\$5,378~~ \$3,993 from the Game and Parks Commission; ~~and~~
21 (d) ~~\$15,269~~ \$1,764 from the Department of Administrative
22 Services state building division; -
23 (e) \$520 from the Department of Agriculture;
24 (f) \$650 from the Nebraska Brand Committee; and
25 (g) \$657 from the Department of Natural Resources.

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

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

9 Sec. 38. Laws 2011, LB374, section 226, is amended to
 10 read:

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

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

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

25 ~~Such amounts are hereby appropriated as reported to the~~

1 Department of Administrative Services. Such amounts shall not be
 2 included for purposes of calculating investment charges pursuant to
 3 section ~~72-1249.02~~.

4 Sec. 39. Laws 2011, LB374, section 235, is amended to
 5 read:

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

8 Program No. 202 - Crime Victims' Reparations

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

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

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

24 Sec. 40. Laws 2011, LB374, section 249, is amended to

1 read:

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

3 BOARD

4 Program No. 515 - Public Employees Retirement

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

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

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

24 There is included in the appropriation to this program

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

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

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

21 Sec. 41. Laws 2011, LB376, section 19, is amended to
22 read:

23 Sec. 19. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION
24 COURT

25 Program No. 526 - Judges' Salaries

1		FY2011-12	FY2012-13
2	CASH FUND	1,070,460	1,070,460
3	PROGRAM TOTAL	1,070,460	1,070,460
4	<u>CASH FUND</u>	<u>1,073,975</u>	<u>1,075,928</u>
5	<u>PROGRAM TOTAL</u>	<u>1,073,975</u>	<u>1,075,928</u>
6	SALARY LIMIT	924,375	924,375

7 Sec. 42. Laws 2011, LB377, section 8, is amended to read:
 8 Sec. 8. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN
 9 SERVICES

10 Program No. 902 - Bridges Program Relocation

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

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

23 Sec. 43. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

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

24 (3) Expenditures for permanent and temporary salaries
25 resulting from awards made to employees under sections 81-1346 to

1 81-1354 shall be in addition to the limitations on permanent and
2 temporary salaries and per diems otherwise shown in this act.

3 (4) The limitation on expenditures for permanent and
4 temporary salaries and per diems for FY2010-11 as established by the
5 Legislature shall be the basis for continuation funding for each
6 fiscal year of the succeeding biennium.

7 (5) The limitation on expenditures for permanent and
8 temporary salaries and per diems for FY2010-11 shall be increased by
9 certified encumbrance amounts from FY2009-10 for permanent and
10 temporary salaries and per diems. Encumbered amounts shall be
11 calculated in accordance with section 81-138.01.

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

16 Sec. 44. Original Laws 2011, LB 374, sections 46, 47, 66,
17 93, 98, 100, 102, 104, 105, 109, 115, 132, 200, 226, 235, and 249;
18 Laws 2011, LB 376, section 19; and Laws 2011, LB 377, section 8, are
19 repealed.

20 Sec. 45. Since an emergency exists, this act takes effect
21 when passed and approved according to law.