

E AND R AMENDMENTS TO LB 813

Introduced by Ballard, 21, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. DEFINITION OF APPROPRIATION PERIOD.

4 For purposes of this act and any other legislative bill passed by
5 the One Hundred Eighth Legislature, First or Second Session, which
6 appropriates funds, FY2021-22 means the period July 1, 2021, through June
7 30, 2022; FY2022-23 means the period July 1, 2022, through June 30, 2023;
8 FY2023-24 means the period July 1, 2023, through June 30, 2024; FY2024-25
9 means the period July 1, 2024, through June 30, 2025; FY2025-26 means the
10 period July 1, 2025, through June 30, 2026; and FY2026-27 means the
11 period July 1, 2026, through June 30, 2027.

12 Sec. 2. APPROPRIATION LANGUAGE.

13 There are hereby appropriated, for FY2021-22 and FY2022-23, the sums
14 set forth in this act to each agency for each program from the respective
15 funds for the general operations of state government, postsecondary
16 education, capital construction, and state aid, except as otherwise
17 appropriated.

18 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

19 All General Fund appropriations existing on June 30, 2021, in excess
20 of expended and certified encumbrance amounts are hereby lapsed unless
21 otherwise provided. All Cash Fund and Revolving Fund appropriations
22 existing on June 30, 2021, in excess of expended and certified
23 encumbrance amounts are hereby lapsed unless otherwise expressly
24 provided. All certified encumbrance amounts on June 30, 2021, and June
25 30, 2022, are hereby reappropriated for FY2021-22 and FY2022-23,
26 respectively, which amounts shall be in addition to the amounts shown in
27 this act.

1 Sec. 4. REAPPROPRIATION OF BALANCES, FY2021-22 to FY2022-23.

2 In addition to the appropriations set forth in this act, there are
3 hereby reappropriated all unexpended appropriation balances existing on
4 June 30, 2022, for FY2022-23 to the respective agencies, programs, and
5 funds listed in this act, except as otherwise provided in this act.

6 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

7 The definitions contained in the Nebraska Accounting System Manual,
8 and any amendments thereto, on file with the Clerk of the Legislature are
9 hereby adopted by the Legislature as the definitions for this act, except
10 as provided in section 41 of this act.

11 Sec. 6. DRAWING AND PAYING WARRANTS.

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

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

18 Program No. 45 - Election Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>	
19			
20	<u>GENERAL FUND</u>	<u>-0-</u>	<u>77,956</u>
21	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>77,956</u>
22	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>46,875</u>

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

24 Program No. 506 - State Agency and County Post Audits

	<u>FY2021-22</u>	<u>FY2022-23</u>	
25			
26	<u>GENERAL FUND</u>	<u>-0-</u>	<u>126,652</u>
27	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>126,652</u>
28	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>110,000</u>

29 Sec. 9. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

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

1		<u>FY2021-22</u>	<u>FY2022-23</u>
2	<u>GENERAL FUND</u>	<u>-0-</u>	<u>451,749</u>
3	<u>CASH FUND</u>	<u>-0-</u>	<u>39,691</u>
4	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>619,025</u>
5	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,110,465</u>
6	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>102,583</u>
7	Sec. 10. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
8	<u>Program No. 161 - Education Innovation</u>		
9		<u>FY2021-22</u>	<u>FY2022-23</u>
10	<u>CASH FUND</u>	<u>-0-</u>	<u>187</u>
11	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>187</u>
12	Sec. 11. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
13	<u>Program No. 351 - Vocational Rehabilitation</u>		
14		<u>FY2021-22</u>	<u>FY2022-23</u>
15	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>73,530</u>
16	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>73,530</u>
17	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>48,768</u>
18	Sec. 12. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
19	<u>Program No. 352 - Disability Determination</u>		
20		<u>FY2021-22</u>	<u>FY2022-23</u>
21	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>22,421</u>
22	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>22,421</u>
23	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>14,701</u>
24	Sec. 13. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		
25	<u>Program No. 401 - Services for the Deaf and Hard of Hearing</u>		
26		<u>FY2021-22</u>	<u>FY2022-23</u>
27	<u>GENERAL FUND</u>	<u>-0-</u>	<u>14</u>
28	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>14</u>
29	Sec. 14. <u>AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION</u>		

1 Program No. 402 - Nebraska Center for the Education of Children who
2 are Blind or Visually Impaired

	<u>FY2021-22</u>	<u>FY2022-23</u>
4 <u>GENERAL FUND</u>	<u>-0-</u>	<u>166,724</u>
5 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>166,724</u>

6 Sec. 15. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION
7 Program No. 614 - Professional Practices Commission

	<u>FY2021-22</u>	<u>FY2022-23</u>
9 <u>GENERAL FUND</u>	<u>-0-</u>	<u>73</u>
10 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>73</u>

11 Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
12 Program No. 60 - Grain Warehouse Surveillance/Moisture Testing

	<u>FY2021-22</u>	<u>FY2022-23</u>
14 <u>CASH FUND</u>	<u>-0-</u>	<u>49,500</u>
15 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>49,500</u>
16 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>29,109</u>

17 Sec. 17. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
18 Program No. 686 - Nebraska Telecommunications Universal Service Fund

	<u>FY2021-22</u>	<u>FY2022-23</u>
20 <u>CASH FUND</u>	<u>-0-</u>	<u>10,049,356</u>
21 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>10,049,356</u>
22 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>32,500</u>

23 There is included in the appropriation to this program for FY2022-23
24 \$10,000,000 Cash Funds for state aid, which shall only be used for such
25 purpose.

26 Sec. 18. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
27 Program No. 33 - Administration

	<u>FY2021-22</u>	<u>FY2022-23</u>
29 <u>GENERAL FUND</u>	<u>-0-</u>	<u>23,809,082</u>

1	<u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>698,587</u>	
2	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>24,507,669</u>	
3	Sec. 19. <u>AGENCY NO. 27 – DEPARTMENT OF TRANSPORTATION</u>			
4	<u>Program No. 569 - Construction</u>			
5		<u>FY2021-22</u>	<u>FY2022-23</u>	
6	<u>CASH FUND</u>	<u>-0-</u>	<u>159,000,000</u>	
7	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>159,000,000</u>	
8	Sec. 20. <u>AGENCY NO. 33 – GAME AND PARKS COMMISSION</u>			
9	<u>Program No. 549 - Parks - Administration and Operation</u>			
10		<u>FY2021-22</u>	<u>FY2022-23</u>	
11	<u>CASH FUND</u>	<u>-0-</u>	<u>2,500,000</u>	
12	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>2,500,000</u>	
13	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>600,000</u>	
14	Sec. 21. <u>AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES</u>			
15	<u>Program No. 200 - Operations</u>			
16		<u>FY2021-22</u>	<u>FY2022-23</u>	
17	<u>GENERAL FUND</u>	<u>-0-</u>	<u>24,925,453</u>	
18	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>24,925,453</u>	
19	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>10,498,311</u>	
20	Sec. 22. <u>AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS</u>			
21	<u>COMMISSION</u>			
22	<u>Program No. 919 - Emergency Alert System Project</u>			
23		<u>FY2021-22</u>	<u>FY2022-23</u>	<u>FUTURE</u>
24	<u>NEBRASKA CAPITAL</u>			
25	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>170,000</u>	<u>-0-</u>
26	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>170,000</u>	<u>-0-</u>
27	<u>The Nebraska Educational Telecommunications Commission is hereby</u>			
28	<u>authorized to update the emergency alert system.</u>			
29	Sec. 23. <u>AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS</u>			

1	<u>COMMISSION</u>			
2	<u>Program No. 920 - Translator Sites</u>			
3		<u>FY2021-22</u>	<u>FY2022-23</u>	<u>FUTURE</u>
4	<u>NEBRASKA CAPITAL</u>			
5	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>210,000</u>	<u>-0-</u>
6	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>210,000</u>	<u>-0-</u>

7 The Nebraska Educational Telecommunications Commission is hereby
8 authorized to purchase two tower sites in the community of Max in Dundy
9 County, Nebraska, and the village of Culbertson, Nebraska.

10 Sec. 24. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
11 COLLEGES
12 Program No. 48 - Nebraska State Colleges - System Office

13		<u>FY2021-22</u>	<u>FY2022-23</u>	
14	<u>GENERAL FUND</u>	<u>-0-</u>	<u>1,335,197</u>	
15	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,335,197</u>	

16 Sec. 25. AGENCY NO. 53 – REAL PROPERTY APPRAISER BOARD
17 Program No. 79 - Appraiser Licensing

18		<u>FY2021-22</u>	<u>FY2022-23</u>	
19	<u>CASH FUND</u>	<u>-0-</u>	<u>3,783</u>	
20	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>3,783</u>	
21	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>	

22 Sec. 26. AGENCY NO. 63 – NEBRASKA STATE BOARD OF PUBLIC ACCOUNTANCY
23 Program No. 84 - Enforcement of Standards - Public Accountancy

24		<u>FY2021-22</u>	<u>FY2022-23</u>	
25	<u>SALARY LIMIT</u>	<u>-0-</u>	<u>2,500</u>	

26 Sec. 27. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
27 Program No. 173 - Communications Division

28		<u>FY2021-22</u>	<u>FY2022-23</u>	
29	<u>REVOLVING FUND</u>	<u>-0-</u>	<u>3,500,000</u>	

1 Sec. 68. AGENCY NO. 16 – DEPARTMENT OF REVENUE

2 Program No. 111 - Motor Fuels

3		FY2021-22	FY2022-23
4	<u>CASH FUND</u>	<u>1,727,408</u>	<u>1,550,120</u>
5	<u>PROGRAM TOTAL</u>	<u>1,727,408</u>	<u>1,550,120</u>
6	<u>SALARY LIMIT</u>	<u>1,196,853</u>	<u>1,111,267</u>
7	CASH FUND	1,727,408	1,750,120
8	PROGRAM TOTAL	1,727,408	1,750,120
9	SALARY LIMIT	1,196,853	1,211,267

10 Sec. 32. Laws 2021, LB380, section 83, is amended to read:

11 Sec. 83. AGENCY NO. 23 – DEPARTMENT OF LABOR

12 Program No. 31 - Division of Employment

13		FY2021-22	FY2022-23
14	CASH FUND	2,980,461	2,995,874
15	<u>FEDERAL FUND est.</u>	<u>41,159,897</u>	<u>43,532,919</u>
16	<u>PROGRAM TOTAL</u>	<u>44,140,358</u>	<u>46,528,793</u>
17	FEDERAL FUND est.	41,159,897	41,532,919
18	PROGRAM TOTAL	44,140,358	44,528,793
19	SALARY LIMIT	19,188,699	19,412,730

20 There is included in the appropriation to this program for FY2021-22
21 \$1,600,000 Cash Funds for state aid, which shall only be used for such
22 purpose. There is included in the appropriation to this program for
23 FY2022-23 \$1,600,000 Cash Funds for state aid, which shall only be used
24 for such purpose.

25 There is included in the appropriation to this program for FY2021-22
26 \$7,904,743 Federal Funds estimate for state aid, which shall only be used
27 for such purpose. There is included in the appropriation to this program
28 for FY2022-23 \$7,904,743 Federal Funds estimate for state aid, which
29 shall only be used for such purpose.

30 There is included in the appropriation to this program Federal Funds

1 made available to the state under section 903(d) and 903(f) of the
2 federal Social Security Act, as amended, of \$2,000,000 in FY2022-23 or so
3 much thereof as may be necessary, to be used for the administration of
4 the Employment Security Law and public employment offices, including the
5 administration of one-stop career centers to the extent authorized under
6 the federal Social Security Act and the Wagner-Peyser Act and the rules
7 and regulations adopted pursuant thereto. The expenditure or other
8 disposition of section 903(d) and 903(f) money appropriated in this
9 section shall be accounted for in accordance with standards established
10 by the United States Secretary of Labor. Except as provided in this
11 section, all provisions of subsection (2) of section 48-621, except
12 subdivision (2)(a)(i) of such section, shall apply to this appropriation.

13 Sec. 33. Laws 2021, LB383, section 25, is amended to read:

14 Sec. 25. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
15 COMMISSION

16 Program No. 908 - Tower Lighting Project

	FY2021-22	FY2022-23	FUTURE
17 GENERAL FUND	180,000	120,000	-0-
18 <u>NEBRASKA CAPITAL</u>			
19 <u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>160,000</u>	<u>-0-</u>
20 <u>PROGRAM TOTAL</u>	<u>180,000</u>	<u>280,000</u>	<u>-0-</u>
21 PROGRAM TOTAL	180,000	120,000	-0-

22
23 The Nebraska Educational Telecommunications Commission is hereby
24 authorized to replace the tower lighting system at KRNE Merriman, and
25 K33AC Pawnee City, and KLNE Lexington.

26 Sec. 34. Laws 2022, LB1011, section 56, is amended to read:

27 Sec. 56. AGENCY NO. 16 – DEPARTMENT OF REVENUE

28 Program No. 108 - Homestead Exemption

	FY2021-22	FY2022-23
29 <u>GENERAL FUND</u>	<u>7,900,000</u>	<u>9,900,000</u>

1	<u>PROGRAM TOTAL</u>	<u>7,900,000</u>	<u>9,900,000</u>
2	GENERAL FUND	7,900,000	11,700,000
3	<u>PROGRAM TOTAL</u>	<u>7,900,000</u>	<u>11,700,000</u>

4 There is included in the appropriation to this program for FY2021-22
5 \$7,900,000 General Funds for state aid, which shall only be used for such
6 purpose. There is included in the appropriation to this program for
7 FY2022-23 ~~\$11,700,000~~ \$9,900,000 General Funds for state aid, which shall
8 only be used for such purpose.

9 Sec. 35. Laws 2022, LB1011, section 187, is amended to read:

10 Sec. 187. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

11 Program No. 158 - Education Aid

	FY2021-22	FY2022-23	
12			
13	<u>GENERAL FUND</u>	<u>1,279,814,262</u>	<u>1,301,934,795</u>
14	GENERAL FUND	1,279,814,262	1,306,056,097
15	CASH FUND	3,790,938	3,790,938
16	FEDERAL FUND est.	592,183,782	401,155,053
17	<u>PROGRAM TOTAL</u>	<u>1,875,788,982</u>	<u>1,706,880,786</u>
18	PROGRAM TOTAL	1,875,788,982	1,711,002,088

19 There is included in the appropriation to this program for FY2021-22
20 \$1,279,814,262 General Funds, \$3,790,938 Cash Funds, and \$592,183,782
21 Federal Funds estimate for state aid, which shall only be used for such
22 purpose. There is included in the appropriation to this program for
23 FY2022-23 ~~\$1,306,056,097~~ \$1,301,934,795 General Funds, \$3,790,938 Cash
24 Funds, and \$401,155,053 Federal Funds estimate for state aid, which shall
25 only be used for such purpose.

26 There is included in the amount shown for FY2021-22 \$1,014,778,305
27 General Funds which are hereby appropriated to the Tax Equity and
28 Educational Opportunities Fund, which fund is hereby appropriated to
29 provide state aid to public school districts pursuant to the Tax Equity
30 and Educational Opportunities Support Act. There is included in the

1 amount shown for FY2022-23 \$1,034,512,641 ~~\$1,038,686,234~~ General Funds
2 which are hereby appropriated to the Tax Equity and Educational
3 Opportunities Fund, which fund is hereby appropriated to provide state
4 aid to public school districts pursuant to the Tax Equity and Educational
5 Opportunities Support Act.

6 There is included in the amount shown for this program \$233,390,568
7 General Funds provided as state aid for FY2021-22 for special education
8 reimbursement. There is included in the amount shown for this program
9 \$235,724,474 General Funds provided as state aid for FY2022-23 for
10 special education reimbursement.

11 There is included in the amount shown for this program \$1,465,500
12 General Funds provided as state aid for FY2021-22 and \$1,465,500 General
13 Funds provided as state aid for FY2022-23 to carry out the provisions of
14 subsection (2) of section 79-734.

15 There is included in the amount shown for this program \$10,161,395
16 General Funds provided as state aid for FY2021-22 and \$10,161,395 General
17 Funds provided as state aid for FY2022-23 for core services for
18 educational service units.

19 There is included in the amount shown for this program \$3,170,927
20 General Funds provided as state aid for FY2021-22 and \$3,170,927 General
21 Funds provided as state aid for FY2022-23 for technology infrastructure
22 for educational service units.

23 There is included in the amount shown for this program \$281,654
24 General Funds provided as state aid for FY2021-22 and \$281,654 General
25 Funds provided as state aid for FY2022-23 for distance education aid to
26 educational service units.

27 There is included in the amount shown for this program \$617,898
28 General Funds provided as state aid for FY2021-22 and \$670,189 ~~\$617,898~~
29 General Funds provided as state aid for FY2022-23 for the school
30 breakfast program.

31 There is included in the amount shown for this program \$392,032

1 General Funds provided as state aid for FY2021-22 and \$392,032 General
2 Funds provided as state aid for FY2022-23 for the school lunch program.

3 There is included in the amount shown for this program \$90,000
4 General Funds provided as state aid for FY2021-22 and \$90,000 General
5 Funds provided as state aid for FY2022-23 for the Summer Food Service
6 Program.

7 There is included in the amount shown for this program \$214,664
8 General Funds provided as state aid for FY2021-22 and \$214,664 General
9 Funds provided as state aid for FY2022-23 for adult basic education
10 programs.

11 There is included in the amount shown for this program \$750,000
12 General Funds provided as state aid for FY2021-22 and \$750,000 General
13 Funds provided as state aid for FY2022-23 for aid to institutions
14 offering high school equivalency programs.

15 There is included in the amount shown for this program \$3,619,357
16 General Funds provided as state aid for FY2021-22 and \$3,619,357 General
17 Funds provided as state aid for FY2022-23 for early childhood education
18 projects.

19 There is included in the amount shown for this program \$7,500,000
20 General Funds provided as state aid for FY2021-22 and \$7,500,000 General
21 Funds provided as state aid for FY2022-23 for the Early Childhood
22 Education Grant Program for at-risk children from birth to age three. It
23 is the intent of the Legislature that a maximum of five percent of
24 General Funds appropriated each fiscal year for the Early Childhood
25 Education Grant Program for at-risk children from birth to age three may
26 be used for evaluation and technical assistance.

27 There is included in the amount shown for this program \$100,000
28 General Funds provided as state aid for FY2021-22 and \$100,000 General
29 Funds provided as state aid for FY2022-23 for scholarships for early
30 childhood education providers.

31 There is included in the amount shown for this program \$69,000

1 General Funds provided as state aid for FY2021-22 and \$69,000 General
2 Funds provided as state aid for FY2022-23 for incentive bonuses for
3 providers of child care and early childhood education programs.

4 There is included in the amount shown for this program \$400,000
5 General Funds provided as state aid for FY2021-22 and \$400,000 General
6 Funds provided as state aid for FY2022-23 for the Nurturing Healthy
7 Behaviors program.

8 There is included in the amount shown for this program \$470,000
9 General Funds provided as state aid for FY2021-22 and \$470,000 General
10 Funds provided as state aid for FY2022-23 for learning community aid.

11 There is included in the amount shown for this program \$2,342,962
12 General Funds provided as state aid for FY2021-22 and \$2,342,962 General
13 Funds provided as state aid for FY2022-23 for programs for learners with
14 high ability.

15 Sec. 36. Laws 2022, LB1011, section 189, is amended to read:

16 Sec. 189. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

17 Program No. 38 - Behavioral Health Aid

	FY2021-22	FY2022-23
18		
19 <u>GENERAL FUND</u>	<u>77,956,716</u>	<u>68,811,162</u>
20 GENERAL FUND	77,956,716	74,311,162
21 CASH FUND	13,200,000	26,200,000
22 FEDERAL FUND est.	10,504,971	10,504,971
23 <u>PROGRAM TOTAL</u>	<u>101,661,687</u>	<u>105,516,133</u>
24 PROGRAM TOTAL	101,661,687	111,016,133

25 There is included in the appropriation to this program for FY2021-22
26 \$77,956,716 General Funds, \$13,200,000 Cash Funds, and \$10,504,971
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 FY2022-23 \$68,811,162 ~~\$74,311,162~~ General Funds, \$26,200,000 Cash Funds,
30 and \$10,504,971 Federal Funds estimate for state aid, which shall only be

1 used for such purpose.

2 There is included in the amount shown as aid for this program for
3 FY2022-23 \$10,305,951 General Funds for behavioral health provider rate
4 increases, which shall only be used for such purpose.

5 There is included in the appropriation to this program for FY2021-22
6 \$2,000,000 Cash Funds for state aid for the distribution of national
7 opioid settlement funds, which shall only be used for such purpose. There
8 is included in the appropriation to this program for FY2022-23
9 \$15,000,000 Cash Funds for state aid for the distribution of national
10 opioid settlement funds, which shall only be used for such purpose.

11 There is included in the amount shown as aid for this program for
12 FY2021-22 \$442,527 General Funds, which is to be used for purposes of the
13 outpatient competency restoration program. There is included in the
14 amount shown as aid for this program for FY2022-23 \$1,248,947 General
15 Funds, which is to be used for purposes of the outpatient competency
16 restoration program.

17 There is included in the amount shown as Cash Fund aid in this
18 program \$6,500,000 Cash Funds for FY2021-22 and \$6,500,000 Cash Funds for
19 FY2022-23 from the Nebraska Health Care Cash Fund to be used for
20 community-based mental health and substance abuse services, including
21 intermediate-level residential mental health services. It is the intent
22 of the Legislature that these funds shall be distributed to each of the
23 six behavioral health regions based upon a formula determined by the
24 Department of Health and Human Services.

25 There is included in the amount shown as Cash Fund aid in this
26 program \$1,500,000 Cash Funds for FY2021-22 and \$1,500,000 Cash Funds for
27 FY2022-23 from the Nebraska Health Care Cash Fund to be used for the cost
28 of maintenance and treatment of persons in emergency protective custody
29 under the Nebraska Mental Health Commitment Act.

30 It is the intent of the Legislature that any appropriation to the
31 department for behavioral health aid and designated as funding to be

1 allocated to the regional behavioral health authorities in behavioral
2 health regions shall be utilized to provide activities pursuant to the
3 approved annual budgets of the regional behavioral health authorities or
4 activities identified through demonstrated need.

5 Whenever circumstances occur during the budget year that impact the
6 initial projected regional behavioral health authority budgets, the
7 Director of Behavioral Health shall allow for reallocation of funding to
8 accommodate emerging needs identified by the regional behavioral health
9 authorities to maximize the ability of the behavioral health regions to
10 implement new behavioral health services and supports. The Director of
11 Behavioral Health shall determine whether to approve the reallocation of
12 funding within thirty days after receiving a request by a regional
13 behavioral health authority. Any request for reallocation of funding
14 under this section shall be deemed approved thirty days after receipt by
15 the Director of Behavioral Health unless sooner approved or denied.

16 Sec. 37. Laws 2022, LB1011, section 190, is amended to read:

17 Sec. 190. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

18 Program No. 347 - Public Assistance

	FY2021-22	FY2022-23
19		
20	<u>87,950,162</u>	<u>81,868,718</u>
21	87,950,162	89,156,005
22	4,160,000	4,160,000
23	<u>115,044,870</u>	<u>117,577,006</u>
24	<u>207,155,032</u>	<u>203,605,724</u>
25	115,044,870	118,275,593
26	<u>207,155,032</u>	<u>211,591,598</u>

27 There is included in the appropriation to this program for FY2021-22
28 \$87,950,162 General Funds, \$4,160,000 Cash Funds, and \$115,044,870
29 Federal Funds estimate for state aid, which shall only be used for such
30 purpose. There is included in the appropriation to this program for

1 FY2022-23 ~~\$81,868,718~~ ~~\$89,156,005~~ General Funds, \$4,160,000 Cash Funds,
2 and ~~\$117,577,006~~ ~~\$118,275,593~~ Federal Funds estimate for state aid, which
3 shall only be used for such purpose.

4 There is included in the amount shown as aid for this program for
5 FY2021-22 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund to
6 aid in carrying out the Nebraska Lifespan Respite Services Program and to
7 provide payment to caregivers to purchase services under the respite
8 subsidy program. There is included in the amount shown as aid for this
9 program for FY2022-23 \$810,000 Cash Funds from the Nebraska Health Care
10 Cash Fund to aid in carrying out the Nebraska Lifespan Respite Services
11 Program and to provide payment to caregivers to purchase services under
12 the respite subsidy program.

13 For the period beginning July 1, 2022, through June 30, 2023, funds
14 provided to the State of Nebraska pursuant to the federal Child Care and
15 Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such act
16 and sections existed on March 24, 2021, shall be used to increase child
17 care provider rates at the seventy-fifth percentile of the Market Rate
18 Survey. If the available amount of such funds is insufficient to pay such
19 costs, then funds provided to the state for the Temporary Assistance for
20 Needy Families program established in 42 U.S.C. 601 et seq. may also be
21 used. It is the intent of the Legislature to continue to pay child care
22 providers at the seventy-fifth percentile in FY2023-24 and FY2024-25
23 using the same federal funding sources.

24 Sec. 38. Laws 2022, LB1014, section 34, is amended to read:

25 Sec. 34. AGENCY NO. 31 – MILITARY DEPARTMENT

26 Program No. 191 - Governor's Emergency Program - COVID-19

	FY2021-22	FY2022-23
27		
28 <u>FEDERAL FUND est.</u>	<u>10,000,000</u>	<u>9,000,000</u>
29 <u>PROGRAM TOTAL</u>	<u>10,000,000</u>	<u>9,000,000</u>
30 FEDERAL FUND est.	10,000,000	5,000,000

1 FY2022-23 \$500,000 Federal Funds for the purpose of supporting (1) in-
2 person interpreting in rural areas and (2) legal communication access.

3 Expenditures from the appropriation to this program shall not be
4 restricted to state aid if operating and administrative expenditures are
5 necessary to administer the funding appropriated pursuant to this
6 section. In such instances, an agency, board, or commission shall be
7 reimbursed through the Federal Fund appropriation to the Military
8 Department, Agency No. 31, Program No. 191, as identified in section 34
9 of this act.

10 Sec. 40. Laws 2022, LB1024A, section 3, is amended to read:

11 Sec. 3. There is hereby appropriated (1) \$1,000,000 Federal Funds
12 for FY2021-22 and (2) \$69,800,000 ~~\$249,000,000~~ Federal Funds for
13 FY2022-23 to the Department of Economic Development, for Program 611, to
14 aid in carrying out the provisions of Legislative Bill 1024, One Hundred
15 Seventh Legislature, Second Session, 2022. The Federal Funds appropriated
16 in this section are from the funds allocated to the State of Nebraska
17 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the
18 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.

19 Total expenditures for permanent and temporary salaries and per
20 diems from funds appropriated in this section shall not exceed \$200,000
21 for FY2021-22 or \$1,200,000 for FY2022-23.

22 The unexpended balance of Federal Funds appropriated to this program
23 in this section for FY2021-22 is hereby reappropriated for FY2022-23.

24 It is the intent of the Legislature that the unexpended balance of
25 amounts appropriated to this program in this section for FY2022-23 be
26 reappropriated for FY2023-24 and for FY2024-25.

27 Sec. 41. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

28 (1) For purposes of this act, (a) SALARY LIMIT shall mean total
29 expenditures for permanent and temporary salaries and per diems and (b)
30 total expenditures for permanent and temporary salaries and per diems
31 shall mean all remuneration paid to employees treated as taxable

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

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

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

23 (4) The limitation on expenditures for permanent and temporary
24 salaries and per diems for FY2022-23 as enumerated in this act shall be
25 the basis for continuation funding for each fiscal year of the succeeding
26 biennium.

27 (5) The limitation on expenditures for permanent and temporary
28 salaries and per diems for FY2021-22 shall be increased by certified
29 encumbrance amounts from FY2020-21 for permanent and temporary salaries
30 and per diems. The limitation on expenditures for permanent and temporary
31 salaries and per diems for FY2022-23 shall be increased by certified

1 encumbrance amounts from FY2021-22 for permanent and temporary salaries
2 and per diems. Encumbered amounts shall be calculated in accordance with
3 section 81-138.01.

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

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

17 Sec. 42. Original Laws 2021, LB380, sections 57, 68, and 83; Laws
18 2021, LB383, section 25; Laws 2022, LB1011, sections 56, 187, 189, and
19 190; Laws 2022, LB1014, sections 34 and 49; and Laws 2022, LB1024A,
20 section 3, are repealed.

21 Sec. 43. Since an emergency exists, this act takes effect when
22 passed and approved according to law.

23 2. On page 1, strike beginning with "appropriations" in line 1
24 through line 6 and insert "appropriations; to amend Laws 2021, LB380,
25 sections 57, 68, and 83; Laws 2021, LB383, section 25; Laws 2022, LB1011,
26 sections 56, 187, 189, and 190; Laws 2022, LB1014, sections 34 and 49;
27 and Laws 2022, LB1024A, section 3; to define terms; to provide, change,
28 and eliminate appropriations for operation of state government; to repeal
29 the original sections; and to declare an emergency."