

ESUCC
Legislative Committee Meeting
Tuesday, April 4, 2017, 4:00 PM
ESU No. 3, 6949 South 110th Street, Omaha, NE 68128

Attendance Taken at 4:06 PM.

Beatty ESU 16:	Present
Bell ESU 10:	Present
Jeff West (NE):	Absent
Dr Kraig Lofquist:	Absent
Standish ESU 18:	Absent
Dan Schnoes (NE) (ESU 03):	Present
Paul Calvert (ESU 15):	Present

1. Call to Order

2. Roll Call

3. Agenda Item

3.1. Legislative Bills Update (Curt and Jason Bromm)

3.1.1. LB 22 - Provide, change, and eliminate provisions relating to appropriations and reduce appropriations

3.1.2. LB 219 - Change retirement system provisions relating to authorized benefit elections and actuarial assumptions

3.1.3. LB 327 - Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2019

3.1.4. LB409 - Change the base limitation and local effort rate for school districts

3.1.5. LB 415 - Provide and change notification requirements and duties and benefits for certain retirement system members, change certain annuity and disability benefit provisions, and provide duties for school districts and the Public Employees Retirement Board relating to retirement

3.1.6. LB 431 - Change provisions relating to cash reserves under the Nebraska Budget Act

- 3.1.7. LB 484 - Create the School Financing Review Commission
- 3.1.8. LB 521 - Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act
- 3.1.9. LB552 - Provide for the Children's Connection program
- 3.1.10. LB 568 - Change provisions related to temporary teaching certificates
- 3.1.11. LB 575 - Provide funding for schools offering certain programs and courses as prescribed
- 3.1.12. LB 595 - Provide for the use of physical force or physical restraint or removal from a class in response to student behavior
- 3.1.13. LB664 - Prohibit a political subdivision from using taxes or fees to employ a lobbyist

3.2. Legislative Summer Committee Meeting

4. Next Meetings Agenda Items

5. Executive Session

6. Adjournment

{{Name: Agenda Item Name}}
{{Discussion: Agenda Item Discussion}}
{{Comments: Agenda Item Comments}}
{{Actions: Agenda Item Actions}}

MONITOR LB 22 - Provide, change, and eliminate provisions relating to appropriations and reduce appropriations

OPPOSED LB 144 - Change agricultural and horticultural adjusted valuations for calculating state aid to schools

SUPPORT LB 175 - Adopt the Student Online Personal Protection Act

SUPPORT LB 219 - Change retirement system provisions relating to authorized benefit elections and actuarial assumptions

MONITOR LB 232 - Provide a property tax exemption for property leased to the state or a governmental subdivision

MONITOR LB 266 - Change the valuation of agricultural land and horticultural land

MONITOR LB 312 - Change and eliminate revenue and taxation provisions

MONITOR LB 327 - Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2019

MONITOR LB 338 - Adopt the Agricultural Valuation Fairness Act

OPPOSE LB 409 - Change the base limitation and local effort rate for school districts

MONITOR LB 415 - Provide and change notification requirements and duties and benefits for certain retirement system members, change certain annuity and disability benefit provisions, and provide duties for school districts and the Public Employees Retirement Board relating to retirement

OPPOSE LB 431 - Change provisions relating to cash reserves under the Nebraska Budget Act

OPPOSE LB 432 - Eliminate provisions of the Nebraska Budget Act relating to allowances for delinquent taxes and anticipated litigation

OPPOSE LB 479 - Change public hearing provisions and redefine a term under the Nebraska Budget Act

SUPPORT LB 484 - Create the School Financing Review Commission

OPPOSE LB503 - Prohibit certain provisions in collective-bargaining agreements

SUPPORT LB 521 - Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act

MONITOR LB 540 - Provide for a temporary aid adjustment factor in the Tax Equity and Educational Opportunities Support Act

SUPPORT LB552 - Provide for the Children's Connection program

LB 568 - Change provisions related to temporary teaching certificates

SUPPORT LB 575 - Provide funding for schools offering certain programs and courses as prescribed

MONITOR LB 576 - Limit increases in property tax bills

OPPOSE LB 595 - Provide for the use of physical force or physical restraint or removal from a class in response to student behavior

OPPOSE LB 608 - Adopt the Parental Choice Scholarship Program

OPPOSE LB 630 - Adopt the Independent Public Schools Act

MONITOR LB 633 - Authorize school districts to levy a tax and exceed budget authority for school security measures and student technology

MONITOR LB 634 - Include virtual school students in the state aid to schools formula

OOPOSE LB 662 - Establish a grading system for schools and school districts

NEU/OPP LB664 - Prohibit a political subdivision from using taxes or fees to employ a lobbyist



NEBRASKA

DEPARTMENT OF EDUCATION

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March 7, 2017

TO: ESU Administrators & Learning Community Chief Operating Officer

FR: Jen Utemark, State Aid Director

RE: Notification of the 2016/17 ESU Core Services & Technology Infrastructure Certification Reduction

LB 22 of the 105th Legislature, introduced by Senator Scheer at the request of the Governor, is part of the Governor's expedited FY 2016-17 budget adjustment recommendations. The bill makes adjustments to appropriations and re-appropriations for state operations, aid and construction programs in the current fiscal year ending June 30, 2017, provides for transfers, and modifies intent language and earmarks accompanying appropriations approved by the 104th Legislature. LB22 was signed and approved by the Governor on February 15, 2017. LB 22 contains an "emergency clause," meaning that it became effective on February 16, 2017.

Please note the total 2016/17 ESU Core Services & Technology Infrastructure Certification per 79-1241.03 of the Nebraska Revised Statutes will be reduced by four percent as a result of the deficit re-appropriations. The Appropriation Committee will begin hearings this March. The Department of Education anticipates an additional deficit bill to proceed to the legislative floor the following month. This anticipated deficit bill is expected to restore the ESU Coordinating Council's two percent distribution to the amount originally certified without reduction. Anticipated provisions will establish a four percent reduction prorated off the total amount certified to each of the ESUs and Learning Community of Douglas and Sarpy Counties. The adjustment will be recognized as a reduction to the final payment of aid on June 1, 2017.

Detailed information regarding the Governor's budget recommendations can be found in the document entitled "Governor's Budget Recommendations, FY 2016-17 Budget Adjustments" dated January 5, 2017, and may be viewed on the Administrative Services-State Budget Division's website at: <http://budget.nebraska.gov/biennium-2015-2017.html>.

If you have any questions regarding the 2016/17 ESU Core Services & Technology Infrastructure Certification reduction, please contact me at (402) 471-3323 or jen.utemark@nebraska.gov.

Website: https://www.education.ne.gov/FOS/SchoolFinance/ESU_CSTI_Cert.html

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 22

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

Read first time January 05, 2017

Committee: Appropriations

1 A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB259A,
2 section 2; Laws 2015, LB469A, section 1; Laws 2015, LB605A, section
3 8; Laws 2015, LB657, sections 10, 11, 12, 13, 14, 15, 16, 17, 19,
4 21, 25, 26, 27, 28, 29, 32, 34, 38, 39, 44, 51, 53, 54, 55, 56, 58,
5 67, 68, 71, 80, 83, 84, 85, 90, 94, 95, 97, 99, 100, 101, 107, 108,
6 112, 113, 114, 119, 126, 127, 129, 131, 133, 134, 136, 137, 138,
7 139, 140, 145, 150, 152, 153, 154, 155, 163, 166, 167, 169, 171,
8 174, 175, 178, 179, 188, 191, 192, 194, 195, 202, 204, 211, 213,
9 216, 218, 219, 221, 223, 224, 226, 232, 233, 234, 235, 236, 237,
10 238, 239, 240, 241, 242, 244, 245, 246, 247, 249, 256, and 260; Laws
11 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections 35
12 and 40; Laws 2016, LB956, sections 7, 10, 39, 41, 42, 44, 45, 46,
13 47, 48, 49, 51, 52, 53, 54, 55, 56, 61, 62, 63, 65, 66, and 67; and
14 Laws 2016, LB1038A, section 1; to define terms; to provide, change,
15 and eliminate provisions relating to appropriations; to reduce
16 appropriations; to state intent; to repeal the original sections;
17 and to declare an emergency.
18 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill passed by
3 the One Hundred Fifth Legislature, First or Second Session, which
4 appropriates funds, FY2014-15 means the period July 1, 2014, through June
5 30, 2015; FY2015-16 means the period July 1, 2015, through June 30, 2016;
6 FY2016-17 means the period July 1, 2016, through June 30, 2017; FY2017-18
7 means the period July 1, 2017, through June 30, 2018; and FY2018-19 means
8 the period July 1, 2018, through June 30, 2019.

9 Sec. 2. APPROPRIATION LANGUAGE.

10 There are hereby appropriated, for FY2015-16 and FY2016-17, the sums
11 set forth in this act to each agency for each program from the respective
12 funds for the general operations of state government, postsecondary
13 education, capital construction, and state aid, except as otherwise
14 appropriated.

15 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

16 All General Fund appropriations existing on June 30, 2015, in excess
17 of expended and certified encumbrance amounts are hereby lapsed unless
18 otherwise provided. All Cash Fund and Revolving Fund appropriations
19 existing on June 30, 2015, in excess of expended and certified
20 encumbrance amounts are hereby lapsed unless otherwise expressly
21 provided. All certified encumbrance amounts on June 30, 2015, and June
22 30, 2016, are hereby reappropriated for FY2015-16 and FY2016-17,
23 respectively, which amounts shall be in addition to the amounts shown in
24 this act.

25 Sec. 4. REAPPROPRIATION OF BALANCES, FY2015-16 to FY2016-17.

26 In addition to the appropriations set forth in this act, there are
27 hereby reappropriated all unexpended appropriation balances existing on
28 June 30, 2016, for FY2016-17 to the respective agencies, programs, and
29 funds listed in this act, except as otherwise provided in this act.

30 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

31 The definitions contained in the Nebraska Accounting System Manual,

1 and any amendments thereto, on file with the Clerk of the Legislature are
2 hereby adopted by the Legislature as the definitions for this act, except
3 as provided in section 151 of this act.

4 Sec. 6. DRAWING AND PAYING WARRANTS.

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

10 Sec. 7. AGENCY NO. 5 – SUPREME COURT

11 Program No. 235 - State Probation Contractual Services

	<u>FY2015-16</u>	<u>FY2016-17</u>
12		
13	<u>SALARY LIMIT</u>	<u>51,836</u>
	<u>-0-</u>	

14 Sec. 8. AGENCY NO. 5 – SUPREME COURT

15 Program No. 570 - Court Automation

	<u>FY2015-16</u>	<u>FY2016-17</u>
16		
17	<u>SALARY LIMIT</u>	<u>5,500</u>
	<u>-0-</u>	

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

19 Program No. 475 - Able Savings Program

	<u>FY2015-16</u>	<u>FY2016-17</u>
20		
21	<u>SALARY LIMIT</u>	<u>45,000</u>
	<u>-0-</u>	

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

23 Program No. 354 - Child Welfare Aid

	<u>FY2015-16</u>	<u>FY2016-17</u>
24		
25	<u>GENERAL FUND</u>	<u>7,803,559</u>
	<u>-0-</u>	
26	<u>PROGRAM TOTAL</u>	<u>7,803,559</u>
	<u>-0-</u>	

27 There is included in the appropriation to this program for FY2016-17
28 \$7,803,559 General Funds for state aid, which shall only be used for such
29 purpose.

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

1	<u>Program No. 424 - Developmental Disability Aid</u>		
2		<u>FY2015-16</u>	<u>FY2016-17</u>
3	<u>GENERAL FUND</u>	<u>-0-</u>	<u>1,163,144</u>
4	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>1,163,144</u>

5 There is included in the appropriation to this program for FY2016-17
6 \$1,163,144 General Funds for state aid, which shall only be used for such
7 purpose.

8 Sec. 12. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
9 Program No. 594 - State Insurance

10		<u>FY2015-16</u>	<u>FY2016-17</u>
11	<u>REVOLVING FUND</u>	<u>-0-</u>	<u>4,500,000</u>
12	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>4,500,000</u>

13 Sec. 13. Laws 2015, LB259A, section 2, is amended to read:

14 Sec. 2. There is hereby appropriated \$13,800,000 ~~\$19,600,000~~ from
15 the General Fund for FY2016-17 to the Department of Revenue, for Program
16 109, to aid in carrying out the provisions of Legislative Bill 259, One
17 Hundred Fourth Legislature, First Session, 2015.

18 There is included in the appropriation to this program for FY2016-17
19 \$13,800,000 General Funds for state aid, which shall only be used for
20 such purpose.

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

24 Sec. 14. Laws 2015, LB469A, section 1, is amended to read:

25 Section 1. There is hereby appropriated (1) \$411,750 from the
26 General Fund for FY2015-16 and (2) \$209,733 ~~\$218,472~~ from the General
27 Fund for FY2016-17 to the State Energy Office, for Program 106, to aid in
28 carrying out the provisions of Legislative Bill 469, One Hundred Fourth
29 Legislature, First Session, 2015.

30 The unexpended General Fund appropriation balance existing on June
31 30, 2016, less \$407,510, is hereby reappropriated.

1 Total expenditures for permanent and temporary salaries and per
2 diems from funds appropriated in this section shall not exceed \$54,754
3 for FY2015-16 or \$56,068 for FY2016-17.

4 Sec. 15. Laws 2015, LB605A, section 8, is amended to read:

5 Sec. 8. There is hereby appropriated (1) \$-0- from the General Fund
6 for FY2015-16 and (2) \$580,109 ~~\$600,109~~ from the General Fund for
7 FY2016-17 to the Nebraska Commission on Law Enforcement and Criminal
8 Justice, for Program 198, to aid in carrying out the provisions of
9 Legislative Bill 605, One Hundred Fourth Legislature, First Session,
10 2015.

11 Total expenditures for permanent and temporary salaries and per
12 diems from funds appropriated in this section shall not exceed \$-0- for
13 FY2015-16 or \$49,052 for FY2016-17.

14 There is included in the appropriation to this program for
15 FY2015-16 \$-0- General Funds for state aid, which shall only be used for
16 such purpose. There is included in the appropriation to this program for
17 FY2016-17 \$480,000 ~~\$500,000~~ General Funds for state aid, which shall only
18 be used for such purpose.

19 Sec. 16. Laws 2015, LB657, section 10, is amended to read:

20 Sec. 10. AGENCY NO. 3 – LEGISLATIVE COUNCIL

21 Program No. 122 - Legislative Services

	FY2015-16	FY2016-17
22		
23 <u>GENERAL FUND</u>	<u>9,271,131</u>	<u>9,188,429</u>
24 GENERAL FUND	9,271,131	9,574,405
25 CASH FUND	130,000	130,000
26 FEDERAL FUND est.	39,270	39,270
27 <u>PROGRAM TOTAL</u>	<u>9,440,401</u>	<u>9,357,699</u>
28 PROGRAM TOTAL	9,440,401	9,743,675
29 SALARY LIMIT	6,834,905	7,047,126

30 There is included in the appropriation to this program for FY2015-16
31 \$75,000 Cash Funds and for FY2016-17 \$75,000 Cash Funds from the Nebraska

1 Health Care Cash Fund for the purpose of ongoing health-related research
 2 and public policy development by the Health and Human Services Committee
 3 of the Legislature. Such funds may be used for, but shall not be limited
 4 to, hiring temporary legal research assistance, consulting and research
 5 contracts, reimbursement for necessary and appropriate expenses incurred
 6 in connection with such research and policy development, and actual and
 7 necessary travel reimbursement for task forces and committees established
 8 to conduct health policy work.

9 The unexpended General Fund appropriation balance existing on June
 10 30, 2015, is hereby reappropriated.

11 The unexpended General Fund appropriation balance existing on June
 12 30, 2016, less \$1,596,783, is hereby reappropriated.

13 Sec. 17. Laws 2015, LB657, section 11, is amended to read:

14 Sec. 11. AGENCY NO. 3 – LEGISLATIVE COUNCIL
 15 Program No. 123 - Clerk of the Legislature

	FY2015-16	FY2016-17
16		
17 <u>GENERAL FUND</u>	<u>3,890,706</u>	<u>3,849,719</u>
18 GENERAL FUND	3,890,706	4,010,124
19 CASH FUND	59,835	62,675
20 <u>PROGRAM TOTAL</u>	<u>3,950,541</u>	<u>3,912,394</u>
21 PROGRAM TOTAL	3,950,541	4,072,799
22 SALARY LIMIT	2,895,027	2,981,695

23 The unexpended General Fund appropriation balance existing on June
 24 30, 2015, is hereby reappropriated.

25 The unexpended General Fund appropriation balance existing on June
 26 30, 2016, less \$999,114, is hereby reappropriated.

27 Sec. 18. Laws 2015, LB657, section 12, is amended to read:

28 Sec. 12. AGENCY NO. 3 – LEGISLATIVE COUNCIL
 29 Program No. 126 - Legislative Research

	FY2015-16	FY2016-17
30		
31 <u>GENERAL FUND</u>	<u>691,245</u>	<u>677,671</u>

1	<u>PROGRAM TOTAL</u>	<u>691,245</u>	<u>677,671</u>
2	GENERAL FUND	691,245	705,907
3	<u>PROGRAM TOTAL</u>	<u>691,245</u>	<u>705,907</u>
4	SALARY LIMIT	570,867	584,761

5 The unexpended General Fund appropriation balance existing on June
6 30, 2015, is hereby reappropriated.

7 The unexpended General Fund appropriation balance existing on June
8 30, 2016, less \$225,806, is hereby reappropriated.

9 Sec. 19. Laws 2015, LB657, section 13, is amended to read:

10 Sec. 13. AGENCY NO. 3 – LEGISLATIVE COUNCIL

11 Program No. 127 - Revisor of Statutes

12		FY2015-16	FY2016-17
13	<u>GENERAL FUND</u>	<u>1,498,645</u>	<u>1,481,343</u>
14	GENERAL FUND	1,498,645	1,543,066
15	CASH FUND	50,000	50,000
16	<u>PROGRAM TOTAL</u>	<u>1,548,645</u>	<u>1,531,343</u>
17	PROGRAM TOTAL	1,548,645	1,593,066
18	SALARY LIMIT	1,085,503	1,118,329

19 The unexpended General Fund appropriation balance existing on June
20 30, 2015, is hereby reappropriated.

21 The unexpended General Fund appropriation balance existing on June
22 30, 2016, less \$541,727, is hereby reappropriated.

23 Sec. 20. Laws 2015, LB657, section 14, is amended to read:

24 Sec. 14. AGENCY NO. 3 – LEGISLATIVE COUNCIL

25 Program No. 129 - Legislative Audit

26		FY2015-16	FY2016-17
27	<u>GENERAL FUND</u>	<u>587,286</u>	<u>574,485</u>
28	<u>PROGRAM TOTAL</u>	<u>587,286</u>	<u>574,485</u>
29	GENERAL FUND	587,286	601,745
30	PROGRAM TOTAL	587,286	601,745

1 SALARY LIMIT 448,029 464,014

2 The unexpended General Fund appropriation balance existing on June
3 30, 2015, is hereby reappropriated.

4 The unexpended General Fund appropriation balance existing on June
5 30, 2016, less \$49,692, is hereby reappropriated.

6 Sec. 21. Laws 2015, LB657, section 15, is amended to read:

7 Sec. 15. AGENCY NO. 3 – LEGISLATIVE COUNCIL

8 Program No. 501 - Intergovernmental Cooperation

	FY2015-16	FY2016-17
9		
10	<u>501,172</u>	<u>487,536</u>
11	<u>501,172</u>	<u>487,536</u>
12	<u>501,172</u>	<u>507,850</u>
13	<u>501,172</u>	<u>507,850</u>
14	-0-	-0-

15 The unexpended General Fund appropriation balance existing on June
16 30, 2015, is hereby reappropriated.

17 The unexpended General Fund appropriation balance existing on June
18 30, 2016, less \$55,918, is hereby reappropriated.

19 Sec. 22. Laws 2015, LB657, section 16, is amended to read:

20 Sec. 16. AGENCY NO. 3 – LEGISLATIVE COUNCIL

21 Program No. 504 - Office of Public Counsel

	FY2015-16	FY2016-17
22		
23	<u>1,332,893</u>	<u>1,317,443</u>
24	<u>1,332,893</u>	<u>1,317,443</u>
25	<u>1,332,893</u>	<u>1,378,871</u>
26	<u>1,332,893</u>	<u>1,378,871</u>
27	1,069,963	1,102,367

28 The unexpended General Fund appropriation balance existing on June
29 30, 2015, is hereby reappropriated.

30 The unexpended General Fund appropriation balance existing on June

1 30, 2016, less \$189,503, is hereby reappropriated.

2 Sec. 23. Laws 2015, LB657, section 17, is amended to read:

3 Sec. 17. AGENCY NO. 3 – LEGISLATIVE COUNCIL

4 Program No. 638 - Fiscal and Program Analysis

	FY2015-16	FY2016-17
5		
6	<u>1,596,756</u>	<u>1,585,230</u>
7	<u>1,596,756</u>	<u>1,585,230</u>
8	1,596,756	1,651,781
9	1,596,756	1,651,781
10	1,321,978	1,363,435

11 The unexpended General Fund appropriation balance existing on June
12 30, 2015, is hereby reappropriated.

13 The unexpended General Fund appropriation balance existing on June
14 30, 2016, less \$169,731, is hereby reappropriated.

15 Sec. 24. Laws 2015, LB657, section 19, is amended to read:

16 Sec. 19. AGENCY NO. 5 – SUPREME COURT

17 Program No. 67 - Probation Services

	FY2015-16	FY2016-17
18		
19	<u>23,004,432</u>	<u>22,699,722</u>
20	23,004,432	23,645,544
21	580,000	580,000
22	212,364	214,155
23	<u>23,796,796</u>	<u>23,493,877</u>
24	23,796,796	24,439,699
25	17,512,925	17,930,226

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

29 No. 397 - Statewide Probation

30 No. 398 - Intensive Supervision Probation

31 Cash Fund expenditures for this program shall not be limited to the

1 amounts shown.

2 The unexpended General Fund appropriation balance existing on June
3 30, 2015, is hereby reappropriated.

4 The unexpended General Fund appropriation balance existing on June
5 30, 2016, less \$456,297, is hereby reappropriated.

6 Sec. 25. Laws 2015, LB657, section 21, is amended to read:

7 Sec. 21. AGENCY NO. 5 – SUPREME COURT

8 Program No. 420 - State Specialized Court Operations

	FY2015-16	FY2016-17
9		
10 <u>GENERAL FUND</u>	<u>2,339,787</u>	<u>2,282,716</u>
11 <u>PROGRAM TOTAL</u>	<u>2,339,787</u>	<u>2,282,716</u>
12 GENERAL FUND	2,339,787	2,385,796
13 PROGRAM TOTAL	2,339,787	2,385,796
14 SALARY LIMIT	1,285,592	1,316,396

15 The unexpended General Fund appropriation balance existing on June
16 30, 2015, is hereby reappropriated.

17 The unexpended General Fund appropriation balance existing on June
18 30, 2016, less \$49,270, is hereby reappropriated.

19 The supervision and management of the State Specialized Courts shall
20 be under the direct jurisdiction of the Supreme Court and the State Court
21 Administrator.

22 Sec. 26. Laws 2015, LB657, section 25, is amended to read:

23 Sec. 25. AGENCY NO. 7 – GOVERNOR

24 Program No. 18 - Governor's Policy Research Office

	FY2015-16	FY2016-17
25		
26 GENERAL FUND	653,434	670,575
27 PROGRAM TOTAL	653,434	670,575
28 SALARY LIMIT	535,975	547,637

29 The unexpended General Fund appropriation balance existing on June
30 30, 2015, is hereby reappropriated.

31 The unexpended General Fund appropriation balance existing on June

1 30, 2016, less \$325,792, is hereby reappropriated.

2 Sec. 27. Laws 2015, LB657, section 26, is amended to read:

3 Sec. 26. AGENCY NO. 7 – GOVERNOR

4 Program No. 21 - Office of the Governor

	FY2015-16	FY2016-17
5		
6	<u>1,439,641</u>	<u>1,377,496</u>
7	<u>1,439,641</u>	<u>1,377,496</u>
8	1,439,641	1,462,832
9	1,439,641	1,462,832
10	926,781	947,633

11 The unexpended General Fund appropriation balance existing on June
12 30, 2015, is hereby reappropriated.

13 The unexpended General Fund appropriation balance existing on June
14 30, 2016, less \$162,488, is hereby reappropriated.

15 Sec. 28. Laws 2015, LB657, section 27, is amended to read:

16 Sec. 27. AGENCY NO. 8 – LIEUTENANT GOVERNOR

17 Program No. 124 - Office of the Lieutenant Governor

	FY2015-16	FY2016-17
18		
19	<u>36,174</u>	<u>35,182</u>
20	<u>36,174</u>	<u>35,182</u>
21	36,174	36,648
22	36,174	36,648
23	24,267	24,483

24 The unexpended General Fund appropriation balance existing on June
25 30, 2015, is hereby reappropriated.

26 The unexpended General Fund appropriation balance existing on June
27 30, 2016, less \$32,080, is hereby reappropriated.

28 Sec. 29. Laws 2015, LB657, section 28, is amended to read:

29 Sec. 28. AGENCY NO. 9 – SECRETARY OF STATE

30 Program No. 22 - Departmental Administration

	FY2015-16	FY2016-17
1		
2	<u>201,145</u>	<u>193,392</u>
3	201,145	204,686
4	239,054	243,265
5	<u>440,199</u>	<u>436,657</u>
6	440,199	447,951
7	224,677	230,060

8 Sec. 30. Laws 2015, LB657, section 29, is amended to read:

9 Sec. 29. AGENCY NO. 9 – SECRETARY OF STATE

10 Program No. 45 - Election Administration

	FY2015-16	FY2016-17
11		
12	<u>1,065,492</u>	<u>1,408,476</u>
13	1,065,492	1,467,163
14	619,157	230,810
15	98,300	98,300
16	<u>1,782,949</u>	<u>1,737,586</u>
17	1,782,949	1,796,273
18	370,983	379,872

19 There is included in the appropriation to this program for FY2015-16
20 \$60,000 Cash Funds for state aid, which shall only be used for such
21 purpose. There is included in the appropriation to this program for
22 FY2016-17 \$60,000 Cash Funds for state aid, which shall only be used for
23 such purpose.

24 The unexpended General Fund appropriation balance existing on June
25 30, 2016, less \$1,704, is hereby reappropriated.

26 Sec. 31. Laws 2015, LB657, section 32, is amended to read:

27 Sec. 32. AGENCY NO. 9 – SECRETARY OF STATE

28 Program No. 86 - Enforcement of Standards - Records Management

	FY2015-16	FY2016-17
29		
30	<u>150,624</u>	<u>148,478</u>

1	GENERAL FUND	150,624	154,665
2	CASH FUND	2,688,540	2,690,208
3	REVOLVING FUND	1,105,976	1,149,378
4	<u>PROGRAM TOTAL</u>	<u>3,945,140</u>	<u>3,988,064</u>
5	PROGRAM TOTAL	3,945,140	3,994,251
6	SALARY LIMIT	608,188	622,761

7 The unexpended General Fund appropriation balance existing on June
 8 30, 2016, less \$3,744, is hereby reappropriated.

9 Sec. 32. Laws 2015, LB657, section 34, is amended to read:

10 Sec. 34. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS

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

12		FY2015-16	FY2016-17
13	<u>GENERAL FUND</u>	<u>2,420,735</u>	<u>2,388,664</u>
14	<u>PROGRAM TOTAL</u>	<u>2,420,735</u>	<u>2,388,664</u>
15	GENERAL FUND	2,420,735	2,488,192
16	PROGRAM TOTAL	2,420,735	2,488,192
17	SALARY LIMIT	1,745,099	1,782,594

18 The unexpended General Fund appropriation balance existing on June
 19 30, 2016, less \$12,650, is hereby reappropriated.

20 Sec. 33. Laws 2015, LB657, section 38, is amended to read:

21 Sec. 38. AGENCY NO. 11 – ATTORNEY GENERAL

22 Program No. 507 - Interpretation and Application of Law

23		FY2015-16	FY2016-17
24	<u>GENERAL FUND</u>	<u>6,088,343</u>	<u>5,962,821</u>
25	GENERAL FUND	6,088,343	6,211,272
26	CASH FUND	874,922	890,190
27	FEDERAL FUND est.	1,650,096	1,675,232
28	REVOLVING FUND	1,313,141	1,348,876
29	<u>PROGRAM TOTAL</u>	<u>9,926,502</u>	<u>9,877,119</u>
30	PROGRAM TOTAL	9,926,502	10,125,570

1 SALARY LIMIT 6,485,979 6,633,361

2 The Department of Administrative Services shall monitor the
3 appropriations and expenditures for this program according to the
4 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 The unexpended General Fund appropriation balance existing on June
11 30, 2016, less \$432,920, is hereby reappropriated.

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

14 General Fund expenditures within program classification number 271
15 shall only be coded against budget subprogram 1. Revolving Fund
16 expenditures within program classification number 271 shall only be coded
17 against budget subprogram 4.

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

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

27 There is included in the appropriation to this program for FY2015-16
28 \$80,000 General Funds and for FY2016-17 \$80,000 General Funds, which
29 appropriations shall only be administratively transferred to program
30 classification number 272, and such appropriations shall only be expended
31 from budget subprogram 6 as a separate and distinct budget subprogram and

1 shall not be commingled with any other expenses, and such appropriations
2 shall only be used to provide assistance for legal expenses incurred in
3 prosecuting crimes against children by state and local prosecutors,
4 including, but not limited to, expert witness costs, as determined by the
5 Attorney General.

6 There is included in the appropriation to this program for FY2015-16
7 \$50,000 General Funds and for FY2016-17 \$50,000 General Funds, which
8 appropriations shall only be administratively transferred to program
9 classification number 272, and such appropriations shall only be expended
10 from budget subprogram 7 as a separate and distinct budget subprogram and
11 shall not be commingled with any other expenses, and such appropriations
12 shall only be used to pay for child autopsy expenses, for legal expenses
13 incurred in prosecuting crimes against children by state and local
14 prosecutors, and for legal expenses incurred in prosecuting human
15 trafficking crimes, including, but not limited to, expert witness costs,
16 as determined by the Attorney General.

17 General Fund expenditures within program classification number 273
18 shall only be coded against budget subprogram 1. Revolving Fund
19 expenditures within program classification number 273 shall only be coded
20 against budget subprogram 4.

21 With the exception of water law division appropriations, all other
22 General Fund expenditures for the public protection bureau within program
23 classification number 274 shall only be coded against budget subprogram
24 1. General Fund expenditures for the water law division within program
25 classification number 274 shall only be coded against budget subprogram
26 2. Cash Fund expenditures for motor vehicle fraud enforcement within
27 program classification number 274 shall only be coded against budget
28 subprogram 3.

29 There is included in the appropriation to this program for FY2015-16
30 \$395,807 Cash Funds and for FY2016-17 \$395,807 Cash Funds, which
31 appropriations shall only be administratively transferred to program

1 classification number 274, and such appropriations shall only be expended
2 directly from the Nebraska Health Care Cash Fund from budget subprogram 4
3 for purposes of enforcing the tobacco settlement agreement.

4 The agency budget request submitted by the Attorney General for the
5 2015-2017 biennium for umbrella budget program number 507 shall be
6 prepared and submitted at the detailed account level within the specified
7 budget subprogram structure as required in this section.

8 Sec. 34. Laws 2015, LB657, section 39, is amended to read:

9 Sec. 39. AGENCY NO. 12 – STATE TREASURER

10 Program No. 24 - State Disbursement Unit

	FY2015-16	FY2016-17
11		
12	<u>1,117,552</u>	<u>1,040,120</u>
13	1,117,552	1,135,542
14	47,500	47,500
15	1,675,968	1,702,956
16	<u>2,841,020</u>	<u>2,790,576</u>
17	2,841,020	2,885,998
18	1,237,752	1,266,392

19 Sec. 35. Laws 2015, LB657, section 44, is amended to read:

20 Sec. 44. AGENCY NO. 12 – STATE TREASURER

21 Program No. 659 - Long-Term Care Savings Program

	FY2015-16	FY2016-17
22		
23	<u>43,870</u>	<u>33,242</u>
24	<u>43,870</u>	<u>33,242</u>
25	43,870	44,323
26	43,870	44,323
27	13,473	13,796

28 The unexpended General Fund appropriation balance existing on June
29 30, 2016, less \$20,299, is hereby reappropriated.

30 Sec. 36. Laws 2015, LB657, section 51, is amended to read:

31 Sec. 51. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

1	Program No. 351 - Vocational Rehabilitation		
2		FY2015-16	FY2016-17
3	<u>GENERAL FUND</u>	<u>4,875,621</u>	<u>4,797,612</u>
4	GENERAL FUND	4,875,621	4,997,512
5	CASH FUND	500,000	500,000
6	FEDERAL FUND est.	21,764,320	22,308,428
7	<u>PROGRAM TOTAL</u>	<u>27,139,941</u>	<u>27,606,040</u>
8	PROGRAM TOTAL	27,139,941	27,805,940
9	SALARY LIMIT	11,337,352	11,588,183

10 The unexpended General Fund appropriation balance existing on June
 11 30, 2016, less \$253,207, is hereby reappropriated.

12 There is included in the appropriation to this program for FY2015-16
 13 \$6,600,867 Federal Funds estimate for state aid, which shall only be used
 14 for such purpose. There is included in the appropriation to this program
 15 for FY2016-17 \$6,600,867 Federal Funds estimate for state aid, which
 16 shall only be used for such purpose.

17 Sec. 37. Laws 2015, LB657, section 53, is amended to read:

18 Sec. 53. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

19 Program No. 401 - Services for the Deaf and Hard of Hearing

20		FY2015-16	FY2016-17
21	<u>GENERAL FUND</u>	<u>2,011,573</u>	<u>1,971,296</u>
22	GENERAL FUND	2,011,573	2,053,433
23	CASH FUND	2,965	2,965
24	<u>PROGRAM TOTAL</u>	<u>2,014,538</u>	<u>1,974,261</u>
25	PROGRAM TOTAL	2,014,538	2,056,398
26	SALARY LIMIT	13,998	14,334

27 Sec. 38. Laws 2015, LB657, section 54, is amended to read:

28 Sec. 54. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

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

1		FY2015-16	FY2016-17
2	<u>GENERAL FUND</u>	<u>1,987,191</u>	<u>1,947,403</u>
3	<u>PROGRAM TOTAL</u>	<u>1,987,191</u>	<u>1,947,403</u>
4	GENERAL FUND	1,987,191	2,028,545
5	PROGRAM TOTAL	1,987,191	2,028,545
6	SALARY LIMIT	13,886	14,219

7 Sec. 39. Laws 2015, LB657, section 55, is amended to read:

8 Sec. 55. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

9 Program No. 614 - Professional Practices Commission

10		FY2015-16	FY2016-17
11	<u>CASH FUND</u>	<u>131,629</u>	<u>241,857</u>
12	<u>PROGRAM TOTAL</u>	<u>131,629</u>	<u>241,857</u>
13	<u>SALARY LIMIT</u>	<u>71,976</u>	<u>106,057</u>
14	CASH FUND	131,629	134,279
15	PROGRAM TOTAL	131,629	134,279
16	SALARY LIMIT	71,976	73,701

17 Sec. 40. Laws 2015, LB657, section 56, is amended to read:

18 Sec. 56. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

19 Program No. 16 - Expenses, Constitutional Officers

20		FY2015-16	FY2016-17
21	<u>GENERAL FUND</u>	<u>55,650</u>	<u>62,833</u>
22	<u>PROGRAM TOTAL</u>	<u>55,650</u>	<u>62,833</u>
23	GENERAL FUND	55,650	55,650
24	PROGRAM TOTAL	55,650	55,650

25 Sec. 41. Laws 2015, LB657, section 58, is amended to read:

26 Sec. 58. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

27 Program No. 54 - Enforcement of Standards - Common Carriers

28		FY2015-16	FY2016-17
29	<u>GENERAL FUND</u>	<u>1,950,198</u>	<u>1,909,615</u>
30	<u>PROGRAM TOTAL</u>	<u>1,950,198</u>	<u>1,909,615</u>

1	GENERAL FUND	1,950,198	1,989,182
2	PROGRAM TOTAL	1,950,198	1,989,182
3	SALARY LIMIT	1,211,011	1,232,482

4 The unexpended General Fund appropriation balance not to exceed
5 \$50,000 existing on June 30, 2015, is hereby reappropriated. Expenditure
6 of reappropriated funds shall be limited to vehicle purchases.

7 The unexpended General Fund appropriation balance existing on June
8 30, 2016, less \$146,536, is hereby reappropriated.

9 Sec. 42. Laws 2015, LB657, section 67, is amended to read:

10 Sec. 67. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE

11 Program No. 358 - Board of Parole

	FY2015-16	FY2016-17
12		
13	<u>327,153</u>	<u>73,373</u>
14	<u>327,153</u>	<u>73,373</u>
15	327,153	334,804
16	327,153	334,804
17	228,154	233,619

18 The unexpended General Fund appropriation balance existing on June
19 30, 2015, is hereby reappropriated.

20 The unexpended General Fund appropriation balance existing on June
21 30, 2016, less \$278,297, is hereby reappropriated.

22 Sec. 43. Laws 2015, LB657, section 68, is amended to read:

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

24 Program No. 102 - Revenue Administration

	FY2015-16	FY2016-17
25		
26	<u>24,721,538</u>	<u>24,227,905</u>
27	24,721,538	25,249,661
28	1,923,411	1,963,185
29	<u>26,644,949</u>	<u>26,191,090</u>
30	26,644,949	27,212,846

1 SALARY LIMIT 16,760,104 17,137,320

2 The unexpended General Fund appropriation balance, not to exceed
3 \$1,300,000 existing on June 30, 2015, is hereby reappropriated.
4 Expenditure of reappropriated funds shall be limited to necessary
5 maintenance and improvements to the Department of Revenue's electronic
6 commerce systems, modernization of the corporate electronic filing
7 system, and potential enhancements of the current data analytics project.

8 There is included in the appropriation to this program for FY2015-16
9 \$316,482 Cash Funds for staff necessary to audit and enforce provisions
10 of the tobacco Master Settlement Agreement from the Nebraska Health Care
11 Cash Fund. There is included in the appropriation to this program for
12 FY2016-17 \$316,482 Cash Funds for staff necessary to audit and enforce
13 provisions of the tobacco Master Settlement Agreement from the Nebraska
14 Health Care Cash Fund.

15 Sec. 44. Laws 2015, LB657, section 71, is amended to read:

16 Sec. 71. AGENCY NO. 16 – DEPARTMENT OF REVENUE
17 Program No. 112 - Property Assessment

	FY2015-16	FY2016-17
18		
19	<u>1,755,763</u>	<u>1,727,755</u>
20	1,755,763	1,799,745
21	837,315	850,318
22	<u>2,593,078</u>	<u>2,578,073</u>
23	2,593,078	2,650,063
24	1,646,014	1,683,307

25 The unexpended General Fund appropriation balance existing on June
26 30, 2016, less \$131,670, is hereby reappropriated.

27 Sec. 45. Laws 2015, LB657, section 80, is amended to read:

28 Sec. 80. AGENCY NO. 18 – DEPARTMENT OF AGRICULTURE
29 Program No. 78 - Department of Agriculture

	FY2015-16	FY2016-17
30		
31	<u>6,138,817</u>	<u>5,968,107</u>

1	GENERAL FUND	6,138,817	6,217,820
2	CASH FUND	7,709,855	7,742,297
3	FEDERAL FUND est.	4,093,078	4,135,994
4	REVOLVING FUND	644,112	655,536
5	<u>PROGRAM TOTAL</u>	<u>18,585,862</u>	<u>18,501,934</u>
6	PROGRAM TOTAL	18,585,862	18,751,647
7	SALARY LIMIT	7,990,552	8,179,299

8 The unexpended General Fund appropriation balance not to exceed
9 \$200,000 existing on June 30, 2015, is hereby reappropriated. Expenditure
10 of reappropriated funds shall be limited to the completion of the
11 paperless inspection project.

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

- 15 No. 27 - Shared Services
- 16 No. 57 - Food Safety and Consumer Protection
- 17 No. 63 - Animal and Plant Health Protection
- 18 No. 564 - Ag Promotion and Development

19 There is included in the appropriation to this program for FY2015-16
20 \$420,000 Federal Funds estimate for state aid, which shall only be used
21 for such purpose. There is included in the appropriation to this program
22 for FY2016-17 \$420,000 Federal Funds estimate for state aid, which shall
23 only be used for such purpose.

24 There is included in the appropriation to this program for FY2015-16
25 a retainer fee of \$11,047 General Funds and \$3,491 Cash Funds which shall
26 be paid in four equal quarterly amounts to the Nebraska Public Safety
27 Communication System Revolving Fund on or before July 15, October 15,
28 January 15, and April 15 for Department of Administrative Services
29 central costs of operating the Nebraska Public Safety Communication
30 System, which shall only be used for such purpose. The retainer fee
31 amounts shall only be expended against budget subprogram 1 as a separate

1 and distinct budget subprogram and shall not be commingled with any other
2 expenses.

3 There is included in the appropriation to this program for FY2016-17
4 a retainer fee of \$11,041 General Funds and \$3,491 Cash Funds which shall
5 be paid in four equal quarterly amounts to the Nebraska Public Safety
6 Communication System Revolving Fund on or before July 15, October 15,
7 January 15, and April 15 for Department of Administrative Services
8 central costs of operating the Nebraska Public Safety Communication
9 System, which shall only be used for such purpose. The retainer fee
10 amounts shall only be expended against budget subprogram 1 as a separate
11 and distinct budget subprogram and shall not be commingled with any other
12 expenses.

13 Sec. 46. Laws 2015, LB657, section 83, is amended to read:

14 Sec. 83. AGENCY NO. 21 – STATE FIRE MARSHAL
15 Program No. 193 - Public Protection

	FY2015-16	FY2016-17
16		
17 <u>GENERAL FUND</u>	<u>3,139,591</u>	<u>3,109,534</u>
18 GENERAL FUND	3,139,591	3,239,098
19 CASH FUND	1,747,175	1,796,971
20 FEDERAL FUND est.	426,290	434,371
21 <u>PROGRAM TOTAL</u>	<u>5,313,056</u>	<u>5,340,876</u>
22 PROGRAM TOTAL	5,313,056	5,470,440
23 SALARY LIMIT	3,174,554	3,293,977

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

- 27 No. 225 - General Operations
- 28 No. 226 - Pipeline Safety
- 29 No. 227 - Underground Storage Tanks
- 30 No. 229 - Cigarette Ignition Propensity Testing

31 There is included in the appropriation to this program for FY2015-16

1 \$55,000 Federal Funds estimate for state aid, which shall only be used
 2 for such purpose. There is included in the appropriation to this program
 3 for FY2016-17 \$55,000 Federal Funds estimate for state aid, which shall
 4 only be used for such purpose. If federal restrictions prevent using
 5 these Federal Funds for state aid, the State Fire Marshal may reallocate
 6 available funds in the Underground Storage Tank Fund to provide state aid
 7 payments to the affected political subdivisions.

8 There is included in the appropriation to this program for FY2015-16
 9 \$20,000 Cash Funds for fireworks testing, which shall only be used for
 10 such purpose. There is included in the appropriation to this program for
 11 FY2016-17 \$20,000 Cash Funds for fireworks testing, which shall only be
 12 used for such purpose.

13 Sec. 47. Laws 2015, LB657, section 84, is amended to read:

14 Sec. 84. AGENCY NO. 21 – STATE FIRE MARSHAL
 15 Program No. 340 - Training Division

	FY2015-16	FY2016-17
16		
17	<u>879,178</u>	<u>862,042</u>
18	879,178	897,960
19	21,996	22,004
20	<u>901,174</u>	<u>884,046</u>
21	901,174	919,964
22	484,783	496,398

23 The unexpended General Fund appropriation balance existing on June
 24 30, 2016, less \$46,937, is hereby reappropriated.

25 Sec. 48. Laws 2015, LB657, section 85, is amended to read:

26 Sec. 85. AGENCY NO. 21 – STATE FIRE MARSHAL
 27 Program No. 845 - Nebraska Public Safety Communication System

	FY2015-16	FY2016-17
28		
29	<u>219,669</u>	<u>210,882</u>
30	219,669	219,669
31	79,981	79,981

1	<u>PROGRAM TOTAL</u>	<u>299,650</u>	<u>290,863</u>
2	PROGRAM TOTAL	299,650	299,650

3 The unexpended General Fund appropriation balance existing on June
4 30, 2015, is hereby reappropriated.

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, less \$21,820, is hereby reappropriated.

7 There is included in the appropriation to this program for FY2015-16
8 a retainer fee of \$94,069 General Funds and \$13,883 Cash Funds which
9 shall be paid in four equal quarterly amounts to the Nebraska Public
10 Safety Communication System Revolving Fund on or before July 15, October
11 15, January 15, and April 15 for Department of Administrative Services
12 central costs of operating the Nebraska Public Safety Communication
13 System, which shall only be used for such purpose. The retainer fee
14 amounts shall only be expended against budget subprogram 1 as a separate
15 and distinct budget subprogram and shall not be commingled with any other
16 expenses.

17 There is included in the appropriation to this program for FY2016-17
18 a retainer fee of \$94,069 General Funds and \$13,883 Cash Funds which
19 shall be paid in four equal quarterly amounts to the Nebraska Public
20 Safety Communication System Revolving Fund on or before July 15, October
21 15, January 15, and April 15 for Department of Administrative Services
22 central costs of operating the Nebraska Public Safety Communication
23 System, which shall only be used for such purpose. The retainer fee
24 amounts shall only be expended against budget subprogram 1 as a separate
25 and distinct budget subprogram and shall not be commingled with any other
26 expenses.

27 All other State Fire Marshal costs of operating the Nebraska Public
28 Safety Communication System shall only be expended against budget
29 subprogram 4 as a separate and distinct budget subprogram and shall not
30 be commingled with any other expenses.

31 Sec. 49. Laws 2015, LB657, section 90, is amended to read:

1 Sec. 90. AGENCY NO. 23 – DEPARTMENT OF LABOR

2 Program No. 194 - Division for Protection of People and Property

	FY2015-16	FY2016-17
3		
4	<u>679,089</u>	<u>663,181</u>
5	679,089	690,814
6	1,707,414	1,737,250
7	670,612	682,337
8	<u>3,057,115</u>	<u>3,082,768</u>
9	3,057,115	3,110,401
10	1,471,583	1,495,047

11 The unexpended General Fund appropriation balance, not to exceed
 12 \$70,000, existing on June 30, 2015, is hereby reappropriated. Expenditure
 13 of reappropriated funds shall be limited to: (1) Changing the
 14 Professional Employer Organization registration process from a paper
 15 process to a dot.net web application; (2) one-time costs of putting the
 16 Labor Standards program in the electronic content management system; and
 17 (3) hiring of a contractor to complete conversion of the Contractor
 18 Registration Act, Employee Classification Act, and the Nebraska Wage
 19 Payment and Collection Act web application.

20 The unexpended General Fund appropriation balance existing on June
 21 30, 2016, less \$125,090, is hereby reappropriated.

22 Sec. 50. Laws 2015, LB657, section 94, is amended to read:

23 Sec. 94. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

24 Program No. 32 - Medicaid Prescription Drug Act Administration

	FY2015-16	FY2016-17
25		
26	<u>530,944</u>	<u>516,964</u>
27	530,944	538,504
28	530,754	538,311
29	<u>1,061,698</u>	<u>1,055,275</u>
30	1,061,698	1,076,815

1 SALARY LIMIT 363,379 372,255

2 The unexpended General Fund appropriation balance existing on June
3 30, 2016, less \$13,231, is hereby reappropriated.

4 Sec. 51. Laws 2015, LB657, section 95, is amended to read:

5 Sec. 95. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

6 Program No. 33 - Administration

	FY2015-16	FY2016-17
7		
8 <u>GENERAL FUND</u>	<u>122,581,860</u>	<u>120,989,244</u>
9 GENERAL FUND	122,581,860	124,995,166
10 CASH FUND	24,768,081	25,006,614
11 FEDERAL FUND est.	266,155,409	273,683,478
12 <u>PROGRAM TOTAL</u>	<u>413,505,350</u>	<u>419,679,336</u>
13 PROGRAM TOTAL	413,505,350	423,685,258
14 SALARY LIMIT	142,968,336	147,284,632

15 The unexpended General Fund appropriation balance existing on June
16 30, 2015, is hereby reappropriated in the amount of \$2,245,960 for a
17 behavioral health data system.

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

- 21 No. 261 - General Operations
- 22 No. 262 - Public Health Administration
- 23 No. 263 - Medicaid and Long-Term Care Administration
- 24 No. 264 - Children and Family Services Administration
- 25 No. 265 - Protection and Safety
- 26 No. 266 - Economic and Family Support
- 27 No. 267 - Developmental Disabilities Service Coordination
- 28 No. 268 - Behavioral Health Administration
- 29 No. 269 - Developmental Disabilities Administration

30 (2) All contracts and agreements governing at-risk managed care
31 service delivery shall provide that a legislative appropriation for rate

1 increases for providers of services under the Medical Assistance Act
2 shall be passed on in their entirety to participating providers by any
3 contractor governing at-risk managed care service delivery.

4 (3) There is included in the appropriation to this program for
5 FY2015-16 \$13,688 Cash Funds for regulatory support for out-of-hospital
6 emergency care providers licensing from the Nebraska Health Care Cash
7 Fund. There is included in the appropriation to this program for
8 FY2016-17 \$13,688 Cash Funds for regulatory support for out-of-hospital
9 emergency care providers licensing from the Nebraska Health Care Cash
10 Fund.

11 (4) There is included in the appropriation to this program for
12 FY2015-16 \$26,000 Cash Funds from the Nebraska Health Care Cash Fund to
13 continue the Parkinson's Disease Registry. There is included in the
14 appropriation to this program for FY2016-17 \$26,000 Cash Funds from the
15 Nebraska Health Care Cash Fund to continue the Parkinson's Disease
16 Registry.

17 (5) There is included in the appropriation to this program \$404,643
18 Cash Funds for FY2015-16 and \$404,643 Cash Funds for FY2016-17 from the
19 Nebraska Health Care Cash Fund for respite services in each of the
20 service areas designated by the Department of Health and Human Services
21 and for administrative costs, including personnel costs, associated with
22 the Nebraska Lifespan Respite Services Program.

23 (6) There is included in the appropriation to this program for
24 FY2015-16 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for
25 costs of smoking cessation covered by medicaid. There is included in the
26 appropriation to this program for FY2016-17 \$6,000 Cash Funds from the
27 Nebraska Health Care Cash Fund for costs of smoking cessation covered by
28 medicaid.

29 (7) It is the intent of the Legislature that the Division of
30 Developmental Disabilities of the Department of Health and Human Services
31 shall conduct a study regarding wages and benefits for front-line staff

1 in service provision for individuals with developmental disabilities in
2 Nebraska. Front-line staff members have a direct impact on quality
3 indicators in the developmental disabilities system and turnover in staff
4 members increases costs for the system as a whole. The study shall
5 analyze opportunities in Nebraska to strengthen the direct care workforce
6 by analyzing supply and demand considerations by geographical area,
7 comparability between institutional and community-based providers,
8 competitiveness with other direct care services (such as nursing
9 facilities and behavioral health providers and home health), increased
10 costs related to new requirements related to federal home and community-
11 based services rule changes, and best practices for wages, benefits, and
12 training to incentivize retention and skill.

13 It is the intent of the Legislature that the Department of Health
14 and Human Services shall provide quarterly status reports electronically
15 on the replacement of the Medicaid Medical Information System (MMIS).

16 (8) There is included in the appropriation to this program \$250,000
17 from the General Fund for FY2015-16 to the Department of Health and Human
18 Services to contract for an independent study of current health data
19 systems in the State of Nebraska. The results of the study shall be
20 designed to facilitate the transformation of health care delivery in
21 Nebraska through open access to actionable data. The department shall use
22 a request for proposals process to contract for the study. The study
23 shall include, but not be limited to, a review of Nebraska's current
24 agency collection of health care information, health reporting systems,
25 programming capabilities, and data warehouse usage. The study shall
26 include, but not be limited to recommendations for:

- 27 (a) Providing service data;
- 28 (b) Providing medicaid eligibility and claims data;
- 29 (c) Providing access to timely data;
- 30 (d) Linking existing data sources;
- 31 (e) Reporting system participants;

- 1 (f) Data portals and warehousing of data;
- 2 (g) Privacy protections;
- 3 (h) Customer quality assurance; and
- 4 (i) Generating actionable data analysis.

5 The department shall report the findings electronically to the
6 Legislature no later than June 30, 2016.

7 (9) The Department of Health and Human Services shall not be
8 required to continue the quarterly report related to the previous year
9 Laws 2013, LB195, ACCESS Nebraska report.

10 (10) The Department of Health and Human Services shall report on a
11 quarterly basis information gathered, either as a part of the continuous
12 quality improvement process or through other means, the following data
13 regarding the ACCESS Nebraska program and medicaid call centers and
14 public benefits administration program:

- 15 (a) Call wait times;
- 16 (b) Call abandonment rates;
- 17 (c) Timeliness of initial applications by benefit program (including
18 client fault versus department fault for untimely applications);
- 19 (d) Timeliness of renewal applications by benefit program (including
20 client fault versus department fault for untimely applications);
- 21 (e) Data related to client cases closed who reapply for benefits
22 within thirty days and sixty days after case closure; and
- 23 (f) Any other data relevant to the effectiveness of the ACCESS
24 Nebraska program and medicaid call centers.

25 (11) The Department of Health and Human Services shall complete a
26 needs assessment regarding staffing levels in the ACCESS Nebraska
27 program, in the Division of Medicaid and Long-Term Care of the
28 department, and in the Division of Children and Family Services of the
29 department. The needs assessment shall include:

- 30 (a) Data analysis of current staff vacancies by geographic area and
31 types of positions;

1 (b) Need for recruitment and retention of new employees by
2 geographic area and types of positions;

3 (c) Analysis of the human resources functions provided and needed to
4 adequately train new staff members and move them into full capacity;

5 (d) Analysis of the adequacy of current staffing numbers and
6 patterns based on achieving federal standards related to (i) timeliness
7 of new and renewal applications, (ii) accuracy of benefit amount
8 determinations, and (iii) accuracy of approvals and denials; and

9 (e) Analysis of strategies implemented and strategies needed to
10 adequately staff the ACCESS Nebraska program in order to achieve federal
11 timeliness and accuracy regulations and internal department goals.

12 (12) The Department of Health and Human Services shall submit a
13 report detailing the needs assessment under subsection (11) of this
14 section to the Health and Human Services Committee of the Legislature,
15 Appropriations Committee of the Legislature, and ACCESS Nebraska Special
16 Investigative Committee of the Legislature no later than December 15,
17 2015.

18 There is included in the appropriation to this program for FY2015-16
19 \$1,000,000 General Funds for the electronic records initiative, to be
20 used only for that purpose. There is included in the appropriation to
21 this program for FY2016-17 \$960,000 ~~\$1,000,000~~ General Funds for the
22 electronic records initiative, to be used only for this purpose.

23 Sec. 52. Laws 2015, LB657, section 97, is amended to read:

24 Sec. 97. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

25 Program No. 175 - Rural Health Provider Incentive Program

	FY2015-16	FY2016-17
26		
27 <u>GENERAL FUND</u>	<u>787,086</u>	<u>755,603</u>
28 <u>CASH FUND</u>	<u>1,956,815</u>	<u>2,056,815</u>
29 <u>PROGRAM TOTAL</u>	<u>2,743,901</u>	<u>2,812,418</u>
30 GENERAL FUND	787,086	787,086
31 CASH FUND	1,956,815	1,956,815

1 PROGRAM TOTAL 2,743,901 2,743,901

2 There is included in the appropriation to this program for FY2015-16
3 \$787,086 General Funds and \$1,956,815 Cash Funds for state aid, which
4 shall only be used for such purpose. There is included in the
5 appropriation to this program for FY2016-17 \$755,603 ~~\$787,086~~ General
6 Funds and \$2,056,815 ~~\$1,956,815~~ Cash Funds for state aid, which shall
7 only be used for such purpose.

8 Sec. 53. Laws 2015, LB657, section 99, is amended to read:
9 Sec. 99. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
10 Program No. 178 - Professional Licensure

	FY2015-16	FY2016-17
11		
12	<u>92,691</u>	<u>100,716</u>
13	92,691	104,912
14	6,397,181	6,497,032
15	<u>6,489,872</u>	<u>6,597,748</u>
16	6,489,872	6,601,944
17	2,935,432	3,003,780

18 The unexpended General Fund appropriation balance existing on June
19 30, 2016, less \$32,906, is hereby reappropriated.

20 Sec. 54. Laws 2015, LB657, section 100, is amended to read:
21 Sec. 100. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
22 Program No. 179 - Public Health

	FY2015-16	FY2016-17
23		
24	<u>1,259,166</u>	<u>1,219,526</u>
25	1,259,166	1,273,450
26	777,348	786,871
27	17,518,314	17,732,497
28	<u>19,554,828</u>	<u>19,738,894</u>
29	19,554,828	19,792,818
30	6,440,705	6,595,027

1 The unexpended General Fund appropriation balance existing on June
2 30, 2016, less \$109,239, is hereby reappropriated.

3 There is included in the appropriation to this program for FY2015-16
4 \$220,000 Cash Funds to operate a satellite office of minority health in
5 the second and third congressional districts to coordinate and administer
6 state policy relating to minority health from the Nebraska Health Care
7 Cash Fund. There is included in the appropriation to this program for
8 FY2016-17 \$220,000 Cash Funds to operate a satellite office of minority
9 health in the second and third congressional districts to coordinate and
10 administer state policy relating to minority health from the Nebraska
11 Health Care Cash Fund.

12 There is included in the appropriation to this program for FY2015-16
13 \$100,000 Cash Funds for staff and operating expenses for public health
14 from the Nebraska Health Care Cash Fund. There is included in the
15 appropriation to this program for FY2016-17 \$100,000 Cash Funds for staff
16 and operating expenses for public health from the Nebraska Health Care
17 Cash Fund.

18 Sec. 55. Laws 2015, LB657, section 101, is amended to read:

19 Sec. 101. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

20 Program No. 250 - Juvenile Services Operations

	FY2015-16	FY2016-17
21		
22 GENERAL FUND	19,827,766	20,619,219
23 CASH FUND	1,335,380	1,085,380
24 FEDERAL FUND est.	712,823	712,823
25 PROGRAM TOTAL	21,875,969	22,417,422
26 SALARY LIMIT	12,207,114	12,470,866

27 Of the unexpended General Fund appropriation balance existing on
28 June 30, 2015, \$6,600,000 is hereby reappropriated to Agency 25, Program
29 354 - Child Welfare Aid.

30 The unexpended General Fund appropriation balance existing on June
31 30, 2016, less \$1,593,936, is hereby reappropriated.

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

4 No. 315 - Office of Juvenile Services

5 No. 345 - Juvenile Community-Based Services

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

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

8 There is included in the appropriation to this program for FY2015-16
9 \$1,000,000 Cash Funds for mental health services to juvenile offenders
10 under section 43-407 from the Nebraska Health Care Cash Fund. There is
11 included in the appropriation to this program for FY2016-17 \$1,000,000
12 Cash Funds for mental health services to juvenile offenders under section
13 43-407 from the Nebraska Health Care Cash Fund.

14 Sec. 56. Laws 2015, LB657, section 107, is amended to read:

15 Sec. 107. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

16 Program No. 359 - Bridge to Independence

	FY2015-16	FY2016-17
17 GENERAL FUND	1,596,899	1,609,205
18 FEDERAL FUND est.	1,852,898	1,865,204
19 PROGRAM TOTAL	3,449,797	3,474,409
20 SALARY LIMIT	892,005	913,379

22 The unexpended General appropriation balance existing on June 30,
23 2015, is hereby reappropriated.

24 The unexpended General Fund appropriation balance existing on June
25 30, 2016, less \$107,425, is hereby reappropriated.

26 Sec. 57. Laws 2015, LB657, section 108, is amended to read:

27 Sec. 108. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

28 Program No. 365 - Mental Health Operations

	FY2015-16	FY2016-17
29 <u>GENERAL FUND</u>	<u>38,614,327</u>	<u>38,688,900</u>
30 GENERAL FUND	38,614,327	39,688,900

1	CASH FUND	4,010,320	4,010,320
2	FEDERAL FUND est.	5,850,938	5,811,903
3	<u>PROGRAM TOTAL</u>	<u>48,475,585</u>	<u>48,511,123</u>
4	PROGRAM TOTAL	48,475,585	49,511,123
5	SALARY LIMIT	27,833,056	28,317,217

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

- 9 No. 361 - Hastings Regional Center
- 10 No. 363 - Lincoln Regional Center
- 11 No. 379 - Evaluation and Screening - Community-Based Residential
12 Services

13 Sec. 58. Laws 2015, LB657, section 112, is amended to read:

14 Sec. 112. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
15 Program No. 514 - Health Aid

16		FY2015-16	FY2016-17
17	<u>GENERAL FUND</u>	<u>7,077,612</u>	<u>6,640,908</u>
18	GENERAL FUND	7,077,612	6,917,612
19	CASH FUND	11,495,817	11,495,817
20	FEDERAL FUND est.	54,042,225	54,042,225
21	<u>PROGRAM TOTAL</u>	<u>72,615,654</u>	<u>72,178,950</u>
22	PROGRAM TOTAL	72,615,654	72,455,654

23 Of the unexpended General Fund appropriation balance existing on
24 June 30, 2015, \$1,800,000 is hereby reappropriated to Agency 25, Program
25 354 - Child Welfare Aid.

26 The unexpended General Fund appropriation balance existing on June
27 30, 2016, less \$1,359,271, is hereby reappropriated.

28 There is included in the appropriation to this program for FY2015-16
29 \$7,077,612 General Funds, \$11,495,817 Cash Funds, and \$54,042,225 Federal
30 Funds estimate for state aid, which shall only be used for such purpose.
31 There is included in the appropriation to this program for FY2016-17

1 ~~\$6,640,908~~ ~~\$6,917,612~~ General Funds, \$11,495,817 Cash Funds, and
2 \$54,042,225 Federal Funds estimate for state aid, which shall only be
3 used for such purpose.

4 There is included in the appropriation to this program \$653,759
5 General Funds for FY2015-16 and up to \$653,759 General Funds for
6 FY2016-17, which shall only be used for the following purposes:
7 Reimbursement for the provision of pap smears, colposcopy, cervical
8 biopsy, cryotherapy, loop electrosurgical excision procedure (LEEP), and
9 such other treatments and procedures as may be developed for the followup
10 of abnormal pap smears; the diagnosis and treatment of sexually
11 transmitted diseases, including, but not limited to, chlamydia,
12 gonorrhea, HPV (genital warts), and herpes; and associated laboratory and
13 equipment costs and staff training costs relating to the use of
14 colposcopy equipment. None of the General Funds provided under this
15 program shall be used to perform or facilitate the performance of
16 abortion or to counsel or refer for abortion.

17 There is included in the appropriation to this program for FY2015-16
18 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for the
19 Poison Control Center at the University of Nebraska Medical Center, which
20 shall only be used by the medical center for the Poison Control Center.
21 There is included in the appropriation to this program for FY2016-17
22 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for the
23 Poison Control Center at the University of Nebraska Medical Center, which
24 shall only be used by the medical center for the Poison Control Center.

25 There is included in the appropriation to this program for FY2015-16
26 \$1,100,000 General Funds for evidence-based early intervention home
27 visitation programs. There is included in the appropriation to this
28 program for FY2016-17 up to \$1,100,000 General Funds for evidence-based
29 early intervention home visitation programs.

30 There is included in the appropriation to this program for FY2015-16
31 \$100,000 General Funds to contract with the University of Nebraska

1 Medical Center for the Nebraska Perinatal Quality Improvement
2 Collaborative. There is included in the appropriation to this program for
3 FY2016-17 up to \$100,000 General Funds to contract with the University of
4 Nebraska Medical Center for the Nebraska Perinatal Quality Improvement
5 Collaborative.

6 There is included in the appropriation to this program for FY2015-16
7 \$300,000 General Funds to contract for services for implementation of a
8 statewide drug disposal project. There is included in the appropriation
9 to this program for FY2016-17 up to \$300,000 General Funds to contract
10 for services for implementation of a statewide drug disposal project.

11 There is included in the appropriation to this program for FY2015-16
12 \$292,000 General Funds for state aid for tuition reimbursement for
13 emergency medical services responders' initial and ongoing training.
14 There is included in the appropriation to this program for FY2016-17 up
15 to \$292,000 General Funds for state aid for tuition reimbursement for
16 emergency medical services responders' initial and ongoing training.

17 There is included in this appropriation a one-time appropriation for
18 FY2015-16 of \$160,000 General Funds for cardiac monitors.

19 Sec. 59. Laws 2015, LB657, section 113, is amended to read:

20 Sec. 113. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

21 Program No. 519 - Nebraska Veterans' Homes

	FY2015-16	FY2016-17
22 GENERAL FUND	25,004,405	25,599,759
23 CASH FUND	14,059,524	14,379,025
24 FEDERAL FUND est.	20,517,740	21,793,768
25 PROGRAM TOTAL	59,581,669	61,772,552
26 SALARY LIMIT	31,114,919	32,139,452

28 The unexpended General Fund appropriation balance existing on June
29 30, 2015, is hereby reappropriated in the amount of \$1,300,000 to
30 modernize and improve the efficiency of veterans home facilities. The
31 unexpended General Fund appropriation balance existing on June 30, 2015,

1 is hereby reappropriated in the amount of \$1,400,000 to implement
2 medication dispensing machines. The unexpended General Fund appropriation
3 balance existing on June 30, 2015, is hereby reappropriated in the amount
4 of \$2,300,000 to replace electronic medical record capabilities.

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, less \$4,877,474, is hereby reappropriated.

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

10 No. 510 - Veterans' Home System Administration

11 No. 519 - Grand Island Veterans' Home

12 No. 520 - Norfolk Veterans' Home

13 No. 521 - Western Nebraska Veterans' Home

14 No. 522 - Eastern Nebraska Veterans' Home

15 Sec. 60. Laws 2015, LB657, section 114, is amended to read:

16 Sec. 114. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

17 Program No. 559 - Care Management

	FY2015-16	FY2016-17
18 GENERAL FUND	2,270,157	2,315,560
19 PROGRAM TOTAL	2,270,157	2,315,560

21 The unexpended General Fund appropriation balance existing on June
22 30, 2016, less \$3,567, is hereby reappropriated.

23 There is included in the appropriation to this program for FY2015-16
24 \$2,270,157 General Funds for state aid, which shall only be used for such
25 purpose. There is included in the appropriation to this program for
26 FY2016-17 \$2,315,560 General Funds for state aid, which shall only be
27 used for such purpose.

28 Sec. 61. Laws 2015, LB657, section 119, is amended to read:

29 Sec. 119. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

30 Program No. 870 - Norfolk Sex Offender Treatment

	FY2015-16	FY2016-17
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1	GENERAL FUND	14,546,263	14,876,715
2	CASH FUND	72,914	72,914
3	PROGRAM TOTAL	14,619,177	14,949,629
4	SALARY LIMIT	9,370,102	9,531,596

5 The unexpended General Fund appropriation balance up to \$800,000
6 existing on June 30, 2015, is hereby reappropriated to increase medical
7 staff.

8 The unexpended General Fund appropriation balance existing on June
9 30, 2016, less \$603,152, is hereby reappropriated.

10 Sec. 62. Laws 2015, LB657, section 126, is amended to read:

11 Sec. 126. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

12 Program No. 36 - Departmental Administration

13		FY2015-16	FY2016-17
14	<u>GENERAL FUND</u>	<u>998,245</u>	<u>976,296</u>
15	<u>PROGRAM TOTAL</u>	<u>998,245</u>	<u>976,296</u>
16	<u>SALARY LIMIT</u>	<u>643,224</u>	<u>668,137</u>
17	GENERAL FUND	998,245	1,023,114
18	PROGRAM TOTAL	998,245	1,023,114
19	SALARY LIMIT	643,224	658,137

20 The unexpended General Fund appropriation balance existing on June
21 30, 2015, less \$114,000, is hereby reappropriated.

22 The unexpended General Fund appropriation balance existing on June
23 30, 2016, less \$145,781, is hereby reappropriated.

24 Sec. 63. Laws 2015, LB657, section 127, is amended to read:

25 Sec. 127. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

26 Program No. 37 - Veterans' Cemeteries

27		FY2015-16	FY2016-17
28	<u>GENERAL FUND</u>	<u>250,675</u>	<u>247,557</u>
29	GENERAL FUND	250,675	257,872
30	CASH FUND	45,557	45,557

1	<u>PROGRAM TOTAL</u>	<u>296,232</u>	<u>293,114</u>
2	PROGRAM TOTAL	296,232	303,429
3	SALARY LIMIT	146,804	150,278

4 The unexpended General Fund appropriation balance existing on June
5 30, 2015, less \$54,000, is hereby reappropriated.

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$111,697, is hereby reappropriated.

8 Sec. 64. Laws 2015, LB657, section 129, is amended to read:

9 Sec. 129. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

10 Program No. 304 - Nebraska Soil and Water Conservation Fund

	FY2015-16	FY2016-17
11		
12	<u>2,318,036</u>	<u>2,225,315</u>
13	2,318,036	2,318,036
14	50,000	50,000
15	<u>2,368,036</u>	<u>2,275,315</u>
16	2,368,036	2,368,036

17 The unexpended General Fund appropriation balance existing on June
18 30, 2015, is hereby reappropriated.

19 There is included in the appropriation to this program for FY2015-16
20 \$2,318,036 General Funds, any reappropriated amounts, and \$50,000 Cash
21 Funds for state aid, which shall only be used for such purpose. There is
22 included in the appropriation to this program for FY2016-17 \$2,225,315
23 ~~\$2,318,036~~ General Funds, any reappropriated amounts, and \$50,000 Cash
24 Funds for state aid, which shall only be used for such purpose.

25 Sec. 65. Laws 2015, LB657, section 131, is amended to read:

26 Sec. 131. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

27 Program No. 307 - Nebraska Resources Development Fund

	FY2015-16	FY2016-17
28		
29	<u>3,140,325</u>	<u>3,014,712</u>
30	3,140,325	3,140,325

1	CASH FUND	3,047,500	3,047,500
2	<u>PROGRAM TOTAL</u>	<u>6,187,825</u>	<u>6,062,212</u>
3	PROGRAM TOTAL	6,187,825	6,187,825

4 The unexpended General Fund appropriation balance existing on June
5 30, 2015, is hereby reappropriated.

6 There is included in the appropriation to this program for FY2015-16
7 \$3,140,325 General Funds, any reappropriated amounts, and \$3,047,500 Cash
8 Funds for state aid, which shall only be used for such purpose. There is
9 included in the appropriation to this program for FY2016-17 \$3,014,712
10 ~~\$3,140,325~~ General Funds, any reappropriated amounts, and \$3,047,500 Cash
11 Funds for state aid, which shall only be used for such purpose.

12 The appropriation to this program for state aid shall first be
13 utilized for projects which have been allocated funds but for which only
14 a portion of the allocation has been actually obligated. The total amount
15 of funds allocated for projects less the amounts obligated for such
16 projects shall not exceed \$18,500,000. The definitions of the terms
17 allocated and obligated shall be based on the terminology utilized by the
18 Department of Natural Resources in the Nebraska Resources Development
19 Fund Status Report.

20 It is the intent of the Legislature that \$3,140,325 General Funds be
21 appropriated to this program through FY2018-19.

22 Sec. 66. Laws 2015, LB657, section 133, is amended to read:

23 Sec. 133. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

24 Program No. 313 - Water Sustainability Fund

	FY2015-16	FY2016-17
25		
26	<u>8,004,518</u>	<u>7,567,960</u>
27	<u>8,004,518</u>	<u>7,567,960</u>
28	8,004,518	8,007,960
29	8,004,518	8,007,960
30	92,600	94,763

31 The unexpended Cash Fund appropriation balance existing on June 30,

1 2015, is hereby reappropriated.

2 There is included in the appropriation to this program for FY2015-16
3 \$7,872,993 Cash Funds, plus any reappropriated amounts, for state aid,
4 which shall only be used for such purpose. There is included in the
5 appropriation to this program for FY2016-17 \$7,432,993 ~~\$7,872,993~~ Cash
6 Funds, plus any reappropriated amounts, for state aid, which shall only
7 be used for such purpose.

8 Sec. 67. Laws 2015, LB657, section 134, is amended to read:

9 Sec. 134. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

10 Program No. 334 - Soil and Water Conservation

	FY2015-16	FY2016-17
11		
12	<u>11,086,574</u>	<u>10,835,317</u>
13	11,086,574	11,286,789
14	7,260,462	7,273,803
15	757,803	766,697
16	<u>19,104,839</u>	<u>18,875,817</u>
17	19,104,839	19,327,289
18	6,267,247	6,417,285

19 The unexpended General Fund appropriation balance existing on June
20 30, 2016, less \$1,300,000, is hereby reappropriated.

21 There is hereby reappropriated an amount certified by the Department
22 of Natural Resources to the budget administrator of the budget division
23 of the Department of Administrative Services of the unexpended General
24 Fund and Cash Fund appropriation balances existing on June 30, 2015, that
25 are allocated in budget subprograms 19, 20, and 21 of Program 334.
26 Reappropriated funds shall be allocated to the same budget subprogram.

27 There is included in the appropriation to this program for FY2015-16
28 \$6,450,000 Cash Funds plus any reappropriated amounts and \$5,000 Federal
29 Funds estimate, for state aid, which shall only be used for such purpose.
30 There is included in the appropriation to this program for FY2016-17
31 \$6,450,000 Cash Funds plus any reappropriated amounts and \$5,000 Federal

1 Funds estimate, for state aid, which shall only be used for such purpose.

2 Sec. 68. Laws 2015, LB657, section 136, is amended to read:

3 Sec. 136. AGENCY NO. 31 – MILITARY DEPARTMENT

4 Program No. 192 - Governor's Emergency Aid

	FY2015-16	FY2016-17
5		
6 <u>GENERAL FUND</u>	<u>250,000</u>	<u>-0-</u>
7 GENERAL FUND	250,000	250,000
8 FEDERAL FUND est.	4,500,000	4,500,000
9 <u>PROGRAM TOTAL</u>	<u>4,750,000</u>	<u>4,500,000</u>
10 PROGRAM TOTAL	4,750,000	4,750,000

11 There is no salary limitation for this program.

12 The unexpended General Fund and Cash Fund appropriation balances
13 existing on June 30, 2015, are hereby reappropriated. The unexpended Cash
14 Fund appropriation balance existing on June 30, 2016, is hereby
15 reappropriated.

16 The unexpended General Fund appropriation balance existing on June
17 30, 2016, less \$5,581,226, is hereby reappropriated.

18 There is included in the appropriation to this program for FY2015-16
19 \$250,000 General Funds and \$4,500,000 Federal Funds estimate for state
20 aid. There is included in the appropriation to this program for
21 FY2016-17 ~~\$-0-~~ ~~\$250,000~~ General Funds and \$4,500,000 Federal Funds
22 estimate for state aid.

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

26 Sec. 69. Laws 2015, LB657, section 137, is amended to read:

27 Sec. 137. AGENCY NO. 31 – MILITARY DEPARTMENT

28 Program No. 544 - National and State Guard

	FY2015-16	FY2016-17
29		
30 <u>GENERAL FUND</u>	<u>3,049,723</u>	<u>2,935,389</u>
31 GENERAL FUND	3,049,723	3,083,063

1	CASH FUND	399,808	399,808
2	FEDERAL FUND est.	16,125,111	16,277,429
3	<u>PROGRAM TOTAL</u>	<u>19,574,642</u>	<u>19,612,626</u>
4	PROGRAM TOTAL	19,574,642	19,760,300
5	SALARY LIMIT	5,551,623	5,683,034

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$214,335, is hereby reappropriated.

8 Sec. 70. Laws 2015, LB657, section 138, is amended to read:

9 Sec. 138. AGENCY NO. 31 – MILITARY DEPARTMENT

10 Program No. 545 - Emergency Management

11		FY2015-16	FY2016-17
12	<u>GENERAL FUND</u>	<u>1,356,596</u>	<u>1,346,755</u>
13	GENERAL FUND	1,356,596	1,402,870
14	CASH FUND est.	542,981	552,629
15	FEDERAL FUND est.	3,360,717	3,397,754
16	<u>PROGRAM TOTAL</u>	<u>5,260,294</u>	<u>5,297,138</u>
17	PROGRAM TOTAL	5,260,294	5,353,253
18	SALARY LIMIT	1,920,708	1,965,459

19 Cash Fund expenditures shall not be limited to the amounts shown.

20 The unexpended General Fund appropriation balance, not to exceed
21 \$100,000, existing on June 30, 2015, is hereby reappropriated.

22 There is included in the appropriation to this program for FY2015-16
23 \$1,570,604 Federal Funds estimate for state aid, which shall only be used
24 for such purpose. There is included in the appropriation to this program
25 for FY2016-17 \$1,570,604 Federal Funds estimate for state aid, which
26 shall only be used for such purpose.

27 The Nebraska Emergency Management Agency shall by March 1 of each
28 year provide a report electronically to the Appropriations Committee of
29 the Legislature on the past, present, and future use of homeland security
30 funding. No expenditure of state, federal, or other funding sources
31 administered by the Nebraska Emergency Management Agency for homeland

1 security purposes shall be made for the ensuing fiscal year beginning
2 July 1 until the agency has provided the report to the committee. The
3 report shall include, but not be limited to, the planned use of known and
4 anticipated future funding as well as information on the past use of
5 funding within the last five years, including specific amounts allocated
6 to any unit of state or local government. The report shall also assess
7 the risk that state funding will be needed in the future to supplant
8 nonstate sources of revenue in order to continue homeland security
9 activities at both the state and local level.

10 Sec. 71. Laws 2015, LB657, section 139, is amended to read:

11 Sec. 139. AGENCY NO. 31 – MILITARY DEPARTMENT

12 Program No. 548 - Tuition Assistance

	FY2015-16	FY2016-17
14 GENERAL FUND	608,775	608,775
15 PROGRAM TOTAL	608,775	608,775
16 SALARY LIMIT	-0-	-0-

17 The unexpended General Fund appropriation balance existing on June
18 30, 2016, less \$46,015, is hereby reappropriated.

19 There is included in the appropriation to this program for FY2015-16
20 \$608,775 General Funds for state aid, which shall only be used for such
21 purpose. There is included in the appropriation to this program for
22 FY2016-17 \$608,775 General Funds for state aid, which shall only be used
23 for such purpose.

24 Sec. 72. Laws 2015, LB657, section 140, is amended to read:

25 Sec. 140. AGENCY NO. 32 – BOARD OF EDUCATIONAL LANDS AND FUNDS

26 Program No. 529 - Land Surveys

	FY2015-16	FY2016-17
28 <u>GENERAL FUND</u>	<u>328,604</u>	<u>321,945</u>
29 GENERAL FUND	328,604	335,359
30 CASH FUND	23,098	23,387
31 <u>PROGRAM TOTAL</u>	<u>351,702</u>	<u>345,332</u>

1	PROGRAM TOTAL	351,702	358,746
2	SALARY LIMIT	226,142	263,511

3 The unexpended General Fund appropriation balance existing on June
4 30, 2015, is hereby reappropriated.

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, less \$86,770, is hereby reappropriated.

7 It is the intent of the Legislature that payment for unused vacation
8 and sick leave hours upon employee retirement be made with unexpended
9 appropriation balances reappropriated to this program.

10 Any General Funds expended for costs associated with the
11 administration of school lands shall be reimbursed, on a quarterly basis,
12 to the General Fund by the Board of Educational Lands and Funds.

13 Sec. 73. Laws 2015, LB657, section 145, is amended to read:

14 Sec. 145. AGENCY NO. 33 – GAME AND PARKS COMMISSION

15 Program No. 336 - Wildlife Conservation

16		FY2015-16	FY2016-17
17	<u>GENERAL FUND</u>	<u>1,303,605</u>	<u>1,282,874</u>
18	GENERAL FUND	1,303,605	1,336,327
19	CASH FUND	24,111,881	24,584,384
20	FEDERAL FUND est.	3,625,534	3,674,889
21	<u>PROGRAM TOTAL</u>	<u>29,041,020</u>	<u>29,542,147</u>
22	PROGRAM TOTAL	29,041,020	29,595,600
23	SALARY LIMIT	13,744,022	14,135,703

24 There is included in the appropriation to this program for FY2015-16
25 \$585,000 Cash Funds for state aid, which shall only be used for such
26 purpose. There is included in the appropriation to this program for
27 FY2016-17 \$585,000 Cash Funds for state aid, which shall only be used for
28 such purpose.

29 The unexpended General Fund appropriation balance existing on June
30 30, 2016, less \$14,485, is hereby reappropriated.

31 Sec. 74. Laws 2015, LB657, section 150, is amended to read:

1 Sec. 150. AGENCY NO. 33 – GAME AND PARKS COMMISSION
2 Program No. 617 - Engineering and Area Maintenance

	FY2015-16	FY2016-17
4 <u>GENERAL FUND</u>	<u>2,205,719</u>	<u>2,159,392</u>
5 GENERAL FUND	2,205,719	2,249,367
6 CASH FUND	948,349	966,914
7 <u>PROGRAM TOTAL</u>	<u>3,154,068</u>	<u>3,126,306</u>
8 PROGRAM TOTAL	3,154,068	3,216,281
9 SALARY LIMIT	1,630,040	1,668,986

10 The unexpended General Fund appropriation balance existing on June
11 30, 2016, less \$139,040, is hereby reappropriated.

12 Sec. 75. Laws 2015, LB657, section 152, is amended to read:

13 Sec. 152. AGENCY NO. 33 – GAME AND PARKS COMMISSION

14 Program No. 846 - Nebraska Public Safety Communication System

	FY2015-16	FY2016-17
16 <u>GENERAL FUND</u>	<u>37,384</u>	<u>35,889</u>
17 GENERAL FUND	37,384	37,384
18 CASH FUND	93,957	93,957
19 <u>PROGRAM TOTAL</u>	<u>131,341</u>	<u>129,846</u>
20 PROGRAM TOTAL	131,341	131,341

21 There is included in the appropriation to this program for FY2015-16
22 a retainer fee of up to \$37,384 General Funds and up to \$93,957 Cash
23 Funds which shall be paid in four equal quarterly amounts to the Nebraska
24 Public Safety Communication System Revolving Fund on or before July 15,
25 October 15, January 15, and April 15 for Department of Administrative
26 Services central costs of operating the Nebraska Public Safety
27 Communication System, which shall only be used for such purpose. The
28 retainer fee amounts shall only be expended against budget subprogram 1
29 as a separate and distinct budget subprogram and shall not be commingled
30 with any other expenses.

31 There is included in the appropriation to this program for FY2016-17

1 a retainer fee of up to ~~\$35,889~~ ~~\$37,384~~ General Funds and up to \$93,957
 2 Cash Funds which shall be paid in four equal quarterly amounts to the
 3 Nebraska Public Safety Communication System Revolving Fund on or before
 4 July 15, October 15, January 15, and April 15 for Department of
 5 Administrative Services central costs of operating the Nebraska Public
 6 Safety Communication System, which shall only be used for such purpose.
 7 The retainer fee amounts shall only be expended against budget subprogram
 8 1 as a separate and distinct budget subprogram and shall not be
 9 commingled with any other expenses.

10 Sec. 76. Laws 2015, LB657, section 153, is amended to read:

11 Sec. 153. AGENCY NO. 34 – NEBRASKA LIBRARY COMMISSION

12 Program No. 252 - Library and Information Services

	FY2015-16	FY2016-17
14 <u>GENERAL FUND</u>	<u>2,691,538</u>	<u>2,679,252</u>
15 GENERAL FUND	2,691,538	2,790,888
16 CASH FUND	94,085	94,085
17 FEDERAL FUND est.	900,821	900,830
18 <u>PROGRAM TOTAL</u>	<u>3,686,444</u>	<u>3,674,167</u>
19 PROGRAM TOTAL	3,686,444	3,785,803
20 SALARY LIMIT	2,175,492	2,225,010

21 The unexpended General Fund appropriation balance existing on June
 22 30, 2016, less \$89,525, is hereby reappropriated.

23 Sec. 77. Laws 2015, LB657, section 154, is amended to read:

24 Sec. 154. AGENCY NO. 34 – NEBRASKA LIBRARY COMMISSION

25 Program No. 302 - Library Development

	FY2015-16	FY2016-17
27 <u>GENERAL FUND</u>	<u>1,271,970</u>	<u>1,243,282</u>
28 GENERAL FUND	1,271,970	1,295,085
29 FEDERAL FUND est.	611,395	611,395
30 <u>PROGRAM TOTAL</u>	<u>1,883,365</u>	<u>1,854,677</u>
31 PROGRAM TOTAL	1,883,365	1,906,480

1 The unexpended General Fund appropriation balance existing on June
2 30, 2016, less \$22,377, is hereby reappropriated.

3 There is included in the appropriation to this program for FY2015-16
4 \$1,271,970 General Funds estimate and \$611,395 Federal Funds estimate for
5 state aid, which shall only be used for such purpose. There is included
6 in the appropriation to this program for FY2016-17 ~~\$1,243,282~~ ~~\$1,295,085~~
7 General Funds estimate and \$611,395 Federal Funds estimate for state aid,
8 which shall only be used for such purpose.

9 Sec. 78. Laws 2015, LB657, section 155, is amended to read:

10 Sec. 155. AGENCY NO. 35 – NEBRASKA LIQUOR CONTROL COMMISSION

11 Program No. 73 - Licensing and Regulation

	FY2015-16	FY2016-17
12		
13	<u>1,151,402</u>	<u>1,121,257</u>
14	1,151,402	1,173,203
15	70,719	70,719
16	<u>1,222,121</u>	<u>1,191,976</u>
17	<u>704,649</u>	<u>766,799</u>
18	1,222,121	1,243,922
19	704,649	719,111

20 The unexpended General Fund appropriation balance, not to exceed
21 \$41,000, existing on June 30, 2015, is hereby reappropriated. Expenditure
22 of reappropriated funds shall be limited to the Special Designated
23 Licenses OnBase Implementation project.

24 The unexpended General Fund appropriation balance existing on June
25 30, 2016, less \$130,570, is hereby reappropriated.

26 Sec. 79. Laws 2015, LB657, section 163, is amended to read:

27 Sec. 163. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

28 Program No. 214 - Vocational and Life Skills

	FY2015-16	FY2016-17
29		
30	5,056,967	5,100,926
31	5,056,967	5,100,926

1 SALARY LIMIT 1,154,055 1,181,228

2 The unexpended General Fund appropriation balance, less aid,
3 existing on June 30, 2015, is hereby reappropriated.

4 The unexpended General Fund appropriation balance existing on June
5 30, 2016, less \$914,021, is hereby reappropriated.

6 There is included in the appropriation to this program for FY2015-16
7 \$3,500,000 General Funds for state aid, which shall only be used for such
8 purpose. There is included in the appropriation to this program for
9 FY2016-17 \$3,500,000 General Funds for state aid, which shall only be
10 used for such purpose.

11 Sec. 80. Laws 2015, LB657, section 166, is amended to read:

12 Sec. 166. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
13 COMMISSION

14 Program No. 533 - Network Operations

	FY2015-16	FY2016-17
15		
16	<u>9,689,691</u>	<u>9,445,739</u>
17	9,689,691	9,839,311
18	310,206	310,206
19	<u>9,999,897</u>	<u>9,755,945</u>
20	9,999,897	10,149,517
21	3,087,299	3,180,585

22 The unexpended General Fund appropriation balance existing on June
23 30, 2015, is hereby reappropriated for the television antennae and
24 related costs at KTNE (Alliance).

25 The unexpended General Fund appropriation balance existing on June
26 30, 2016, less \$297,900, is hereby reappropriated.

27 Sec. 81. Laws 2015, LB657, section 167, is amended to read:

28 Sec. 167. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
29 COMMISSION

30 Program No. 566 - Public Radio

	FY2015-16	FY2016-17
31		

1	<u>GENERAL FUND</u>	<u>484,098</u>	<u>470,167</u>
2	GENERAL FUND	484,098	489,757
3	CASH FUND	27,549	27,549
4	<u>PROGRAM TOTAL</u>	<u>511,647</u>	<u>497,716</u>
5	PROGRAM TOTAL	511,647	517,306
6	SALARY LIMIT	185,109	189,375

7 The limitation on expenditures for permanent and temporary salaries
8 and per diems contained in this section does not include expenditures
9 from trust funds.

10 The unexpended General Fund appropriation balance existing on June
11 30, 2016, less \$28,803, is hereby reappropriated.

12 Sec. 82. Laws 2015, LB657, section 169, is amended to read:

13 Sec. 169. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
14 EDUCATION

15 Program No. 640 - Postsecondary Education Coordination

16		FY2015-16	FY2016-17
17	<u>GENERAL FUND</u>	<u>1,384,210</u>	<u>1,347,463</u>
18	GENERAL FUND	1,384,210	1,403,607
19	CASH FUND	35,000	35,000
20	FEDERAL FUND est.	6,023	6,023
21	<u>PROGRAM TOTAL</u>	<u>1,425,233</u>	<u>1,388,486</u>
22	PROGRAM TOTAL	1,425,233	1,444,630
23	SALARY LIMIT	873,086	894,006

24 The unexpended General Fund appropriation balance existing on June
25 30, 2016, less \$33,296, is hereby reappropriated.

26 There is included in the appropriation to this program for FY2015-16
27 an estimated \$115,000 General Funds and for FY2016-17 an estimated
28 \$115,000 General Funds for Midwestern Higher Education Compact state
29 membership dues.

30 Sec. 83. Laws 2015, LB657, section 171, is amended to read:

31 Sec. 171. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY

1 EDUCATION

2 Program No. 690 - Nebraska Opportunity Grant Program

	FY2015-16	FY2016-17
4 <u>GENERAL FUND</u>	<u>6,868,156</u>	<u>6,593,430</u>
5 GENERAL FUND	6,868,156	6,868,156
6 CASH FUND	10,000,000	-0-
7 <u>PROGRAM TOTAL</u>	<u>16,868,156</u>	<u>6,593,430</u>
8 PROGRAM TOTAL	16,868,156	6,868,156

9 There are no personal services included in the appropriations in
10 this section.

11 There is included in the appropriation to this program for FY2015-16
12 \$6,868,156 General Funds and \$10,000,000 Cash Funds for state aid, which
13 shall only be used for such purpose. There is included in the
14 appropriation to this program for FY2016-17 \$6,593,430 ~~\$6,868,156~~ General
15 Funds and \$-0- Cash Funds for state aid, which shall only be used for
16 such purpose.

17 Sec. 84. Laws 2015, LB657, section 174, is amended to read:

18 Sec. 174. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
19 COLLEGES

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

	FY2015-16	FY2016-17
22 <u>GENERAL FUND</u>	<u>50,877,911</u>	<u>50,308,078</u>
23 GENERAL FUND	50,877,911	52,404,248
24 CASH FUND est.	33,199,918	33,199,918
25 FEDERAL FUND est.	46,739,698	46,739,698
26 REVOLVING FUND est.	9,112,985	9,112,985
27 <u>PROGRAM TOTAL</u>	<u>139,930,512</u>	<u>139,360,679</u>
28 PROGRAM TOTAL	139,930,512	141,456,849

29 The unexpended General Fund appropriation balance, not to exceed
30 \$75,000, existing on June 30, 2015, is hereby reappropriated.
31 Expenditures from such reappropriated amount shall be limited to

1 expenditures for nonrecurring costs.

2 The unexpended General Fund appropriation balance existing on June
3 30, 2016, less \$155,370, is hereby reappropriated.

4 It is the intent of the Legislature that upon the approval of the
5 Board of Trustees of the Nebraska State Colleges, the System Office of
6 the Nebraska State Colleges may divide and distribute the funds
7 appropriated to this program among Chadron State College, Peru State
8 College, Wayne State College, and the System Office of the Nebraska State
9 Colleges.

10 It is the intent of the Legislature that Cash Fund revenue from
11 resident tuition, nonresident tuition, off-campus tuition, and fees
12 separately assessed shall be individually accounted for on the Nebraska
13 Information System.

14 The Legislature reaffirms its intent to utilize the Nebraska
15 Educational Data System created by Laws 1978, LB 897, to support the
16 appropriations and oversight process for postsecondary education. It is
17 further the intent of the Legislature that all institutions provide the
18 data in the precise formats required by the Coordinating Commission for
19 Postsecondary Education.

20 The Legislature reaffirms its commitment to long-range and short-
21 range computer planning by the Nebraska state colleges. It is the intent
22 of the Legislature that comprehensive computer plans of the Nebraska
23 state colleges be updated biennially and submitted to the Legislative
24 Fiscal Analyst, the Department of Administrative Services, and the
25 Coordinating Commission for Postsecondary Education on or before October
26 15 of each odd-numbered year. The plans required to be submitted to the
27 Legislative Fiscal Analyst by this section shall be submitted
28 electronically.

29 The Department of Administrative Services shall monitor the
30 appropriations and expenditures of the Board of Trustees of the Nebraska
31 State Colleges, Agency No. 50-0, and the Nebraska State Colleges, Agency

1 Nos. 50-1, 50-3, and 50-4, according to NCHEMS-Program Classification
2 Structure, Second Edition. Expenditure authority shall be limited to
3 program appropriations.

4 Sec. 85. Laws 2015, LB657, section 175, is amended to read:

5 Sec. 175. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA
6 Program No. 781 - University - Administration

7 (1) There is hereby appropriated to the Board of Regents of the
8 University of Nebraska for expenditure and distribution to the campuses
9 by the University of Nebraska Central Administration the following sums
10 of money.

	FY2015-16	FY2016-17
11		
12	<u>563,885,541</u>	<u>569,745,983</u>
13	<u>563,885,541</u>	<u>569,745,983</u>
14	563,885,541	583,068,732
15	563,885,541	583,068,732

16 The unexpended General Fund appropriation balance existing on June
17 30, 2016, less \$5,173,708, is hereby reappropriated.

18 (2) It is intended that the University of Nebraska Central
19 Administration, upon approval of the Board of Regents of the University
20 of Nebraska, divide and distribute the funds appropriated in this section
21 among all the campuses and the central administration, including the
22 Nebraska College of Technical Agriculture at Curtis. At the direction of
23 the board, these funds may be supplemented by Cash Funds, Federal Funds,
24 Revolving Funds, and Trust Funds.

25 (3) There is included in the appropriation to this program for
26 FY2015-16 an estimated \$3,151,279 General Funds and for FY2016-17 an
27 estimated \$3,398,163 General Funds for the Nebraska College of Technical
28 Agriculture at Curtis.

29 There is included in the appropriation to this program for FY2015-16
30 an estimated \$2,804,862 General Funds and for FY2016-17 an estimated
31 \$2,804,862 General Funds for the Nebraska Forest Service Program.

1 There is included in the appropriation to this program \$1,800,000
2 General Funds for FY2015-16 and \$1,800,000 General Funds for FY2016-17
3 for pediatric cancer of which \$1,500,000 per year is for pediatric cancer
4 research and \$300,000 per year is for pediatric cancer specialists.

5 There is included in the appropriation to this program \$1,000,000
6 General Funds for FY2015-16 and \$2,000,000 General Funds for FY2016-17
7 for the academic program costs associated with the Health Science
8 Education Center located at the University of Nebraska at Kearney.

9 There is included in the appropriation to this program \$424,000
10 General Funds for FY2015-16 and \$424,000 General Funds for FY2016-17 for
11 the operating and maintenance cost associated with the Health Science
12 Education Center located at the University of Nebraska at Kearney.

13 There is included in the appropriation to this program \$750,000
14 General Funds for FY2015-16 and \$1,000,000 General Funds for FY2016-17
15 for a Biomedical Institute located at the University of Nebraska Medical
16 Center.

17 There is included in the appropriation to this program \$100,000
18 General Funds for FY2015-16 and \$100,000 General Funds for FY2016-17 for
19 the Nebraska Business Development Center at the University of Nebraska at
20 Omaha.

21 There is included in the appropriation to this program \$1,000,000
22 General Funds for FY2015-16 and \$2,000,000 General Funds for FY2016-17
23 for the academic program costs and the operating and maintenance costs
24 associated with the Center for Advanced Interprofessional Learning.

25 There is included in the appropriation to this program \$1,250,000
26 General Funds for FY2015-16 and \$1,250,000 General Funds for FY2016-17
27 for the Yeutter Institute for International Trade and Finance. It is the
28 intent of the Legislature that funds appropriated for the Yeutter
29 Institute for International Trade and Finance shall be used,
30 administered, and invested in such manner as the Board of Regents of the
31 University of Nebraska shall determine. Funds appropriated shall be used

1 to support endowed chairs which shall be held, managed, and invested as
2 authorized by section 72-1246 with only the income therefrom expended for
3 the endowed chairs. The budget administrator of the budget division of
4 the Department of Administrative Services shall allot \$1,250,000 General
5 Funds for FY2015-16 and \$1,250,000 General Funds for FY2016-17 to the
6 Board of Regents of the University of Nebraska for the Yeutter Institute
7 for International Trade and Finance upon evidence provided by the board
8 that \$1,250,000 for FY2015-16 and \$1,250,000 for FY2016-17 in private
9 funds have been received by the board for this institute.

10 There is included in the appropriation to this program \$160,150
11 General Funds for FY2015-16 and \$320,300 General Funds for FY2016-17 for
12 faculty salary enhancement at the Nebraska College of Technical
13 Agriculture at Curtis.

14 There is included in the appropriation to this program \$100,000
15 General Funds for FY2015-16 and \$100,000 General Funds for FY2016-17 for
16 a staff veterinarian at the Nebraska College of Technical Agriculture at
17 Curtis.

18 It is the intent of the Legislature that the Institute of
19 Agriculture and Natural Resources and the Cooperative Extension Program
20 are treated fairly in the University of Nebraska 2015-2017 biennial
21 budget-setting process.

22 (4)(a) There is included in the appropriation to this program for
23 the Board of Regents of the University of Nebraska for FY2015-16 an
24 estimated \$11,719,478 General Funds and for FY2016-17 an estimated
25 \$11,719,478 General Funds, to be administered by Central Administration,
26 for the purpose of targeted research activities at the University of
27 Nebraska. It is intended that none of these funds be used for new capital
28 construction or renovation, except that a small portion may be used for
29 short-term cash flow. Further, it is intended that an estimated \$315,291
30 of the estimated \$11,719,478 for FY2015-16 and an estimated \$315,291 of
31 the estimated \$11,719,478 for FY2016-17 be used in conjunction with the

1 Experimental Program to Stimulate Competitive Research (EPSCoR) which is
2 expected to have an increased emphasis on applied research and technology
3 transfer.

4 (b) It is intended that faculty teams, research centers, or
5 individual faculty from the various colleges and departments of all of
6 the campuses of the University of Nebraska should present research
7 proposals to the Research Fund Advisory Committee and Central
8 Administration for the various targeted research areas after the
9 FY2015-16 appropriation has been made but prior to August 15, 2015.
10 Inherent in this process is the concept that the best proposals be
11 selected regardless of the campus of origin and that selections be made
12 on a competitive basis.

13 (c) It is intended for the EPSCoR Program that faculty teams,
14 clusters, research centers, or individual faculty from the various
15 colleges and departments of all of the campuses of the University of
16 Nebraska and Creighton University should present to the EPSCoR Planning
17 Committee research proposals to be funded by the EPSCoR Program. Inherent
18 in this process is the concept that the best proposals be selected
19 regardless of the campus of origin and that selections be made on a
20 competitive basis. Emphasis shall be placed on technology transfer and
21 the research needs of business and industry. It is intended that the
22 EPSCoR Planning Committee shall continue to develop the Nebraska State
23 Science and Technology Transfer Plan as part of the EPSCoR Program. It is
24 further intended that the existing Research Fund Advisory Committee and
25 the existing EPSCoR Planning Committee coordinate and integrate the
26 planning and project evaluation criteria and procedures for both the
27 Nebraska Research Initiative Program and the EPSCoR Program. Matching
28 funds for any research grants to Creighton University shall be in the
29 form of a contract in which specific services are identified and a time
30 period is specified. Creighton University shall provide an appropriate
31 share of any match.

1 (d) The unexpended appropriations balance from the \$11,719,478
2 estimated General Funds appropriated for research existing on June 30,
3 2015, and the unexpended appropriations balance from the estimated
4 \$11,719,478 General Funds appropriated for research existing on June 30,
5 2016, are hereby reappropriated.

6 (5) It is intended that:

7 (a) The University of Nebraska shall report its expenditures on the
8 Allotment Status Report and Regular Budget Status Report according to its
9 internal operational and organizational structure, subject to approval by
10 the Accounting Administrator and the budget administrator of the budget
11 division of the Department of Administrative Services;

12 (b) The University of Nebraska shall report its expenditures on the
13 Program Classification Expenditure Report in the NCHEMS-Program
14 Classification Structure, Second Edition, subject to approval by the
15 Accounting Administrator and the budget administrator of the budget
16 division of the Department of Administrative Services;

17 (c) The University of Nebraska shall submit the budget request in
18 the NCHEMS-Program Classification Structure, Second Edition, for the
19 University of Nebraska-Lincoln with an informational budget request for
20 the Institute of Agriculture and Natural Resources, University of
21 Nebraska at Omaha, University of Nebraska Medical Center, University of
22 Nebraska at Kearney, Nebraska College of Technical Agriculture at Curtis,
23 and University of Nebraska Central Administration;

24 (d) Comprehensive computer plans at the University of Nebraska shall
25 be biennially updated and submitted to the Legislative Fiscal Analyst and
26 to the budget division of the Department of Administrative Services on or
27 before September 1 of odd-numbered years; and

28 (e) The Nebraska Educational Data System created by Laws 1978, LB
29 897, shall be utilized to support the appropriations and oversight
30 process for postsecondary education. It is further the intent of the
31 Legislature that all institutions shall provide the data in the precise

1 formats required by the Coordinating Commission for Postsecondary
2 Education and that any expenditure of General Funds on the development of
3 new information systems, including any student information system, meet
4 the requirements of the Nebraska Educational Data System as determined by
5 the Coordinating Commission for Postsecondary Education.

6 Sec. 86. Laws 2015, LB657, section 178, is amended to read:

7 Sec. 178. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY

8 Program No. 553 - Sesquicentennial Commission

	FY2015-16	FY2016-17
9		
10	<u>94,000</u>	<u>90,240</u>
11	<u>94,000</u>	<u>90,240</u>
12	94,000	94,000
13	94,000	94,000
14	28,000	28,000

15 The unexpended General Fund appropriation balance existing on June
16 30, 2016, less \$43,504, is hereby reappropriated.

17 Sec. 87. Laws 2015, LB657, section 179, is amended to read:

18 Sec. 179. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY

19 Program No. 648 - Nebraska State Historical Society

	FY2015-16	FY2016-17
20		
21	<u>5,016,695</u>	<u>4,376,073</u>
22	5,016,695	4,558,409
23	2,512,562	2,555,542
24	845,966	858,731
25	<u>8,375,223</u>	<u>7,790,346</u>
26	<u>3,896,340</u>	<u>4,127,129</u>
27	8,375,223	7,972,682
28	3,896,340	3,989,374

29 The unexpended General Fund appropriation balance on June 30, 2015,
30 is hereby reappropriated.

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

4 No. 43 - Departmental Administration

5 No. 258 - Library/Archives Division

6 No. 541 - Museum Operation

7 No. 542 - Branch Museums

8 No. 543 - Archeology Division

9 No. 552 - Historic Preservation

10 No. 632 - Hall of Fame Commission

11 No. 647 - Skeletal Remains Protection

12 No. 653 - Gerald R. Ford Conservation Center

13 The unexpended General Fund appropriation balance existing on June
14 30, 2016, less \$1,253,150, is hereby reappropriated.

15 There is included in the appropriation to this program for FY2015-16
16 \$100,000 Federal Funds estimate for state aid, which shall only be used
17 for such purpose. There is included in the appropriation to this program
18 for FY2016-17 \$100,000 Federal Funds estimate for state aid, which shall
19 only be used for such purpose.

20 There is included in the appropriation to this program for FY2015-16
21 \$25,000 General Funds and for FY2016-17 \$25,000 General Funds to carry
22 out obligations of the agency under the Unmarked Human Burial Sites and
23 Skeletal Remains Protection Act, which shall only be used for such
24 purpose.

25 It is the intent of the Legislature that the Nebraska State
26 Historical Society shall continue to budget and account for each of the
27 branch museums at the subprogram level within this program.

28 Appropriations shall only be expended for the operation,
29 construction, maintenance, or repair of a gift of real property after
30 that property has been approved for acceptance by the Governor and the
31 Legislature as required under section 81-1108.33.

1 Sec. 88. Laws 2015, LB657, section 188, is amended to read:

2 Sec. 188. AGENCY NO. 64 – NEBRASKA STATE PATROL

3 Program No. 100 - Public Protection

	FY2015-16	FY2016-17
4		
5	<u>56,922,030</u>	<u>56,136,717</u>
6	56,922,030	58,476,481
7	5,315,137	5,365,127
8	298,064	358,422
9	<u>62,535,231</u>	<u>61,860,266</u>
10	62,535,231	64,200,030
11	37,371,796	38,772,587

12 The unexpended General Fund appropriation balance existing on June
13 30, 2015, is hereby reappropriated.

14 The unexpended General Fund appropriation balance existing on June
15 30, 2016, less \$1,252,344, is hereby reappropriated.

16 The unexpended Cash Fund appropriation balance, of \$1,997,500,
17 existing on June 30, 2015, is hereby reappropriated. Expenditure of
18 reappropriated funds shall be limited to the automated fingerprint
19 identification system (AFIS) upgrade.

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

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

26 There is included in the appropriation to this program for FY2015-16
27 \$150,000 General Funds and \$100,000 Federal Funds from the Byrne Criminal
28 History Improvement set-aside funds, subject to available federal
29 appropriation, which shall only be expended for criminal justice
30 information systems improvements. There is included in the appropriation
31 to this program for FY2016-17 \$150,000 General Funds and \$100,000 Federal

1 Funds from the Byrne Criminal History Improvement set-aside funds,
2 subject to available federal appropriation, which shall only be expended
3 for criminal justice information systems improvements. Federal Funds
4 transferred to the Nebraska State Patrol pursuant to this section shall
5 be expended consistent with all applicable federal laws, rules, and
6 regulations pertaining to Byrne Criminal History Improvement set-aside
7 funds.

8 There is included in the appropriation to this program for FY2015-16
9 \$485,979 Cash Funds and for FY2016-17 \$485,979 Cash Funds, which
10 appropriation amounts shall only be expended to provide law enforcement
11 coverage along state road construction zones. The Department of Roads
12 shall contract with the Nebraska State Patrol for such law enforcement
13 coverage and shall pay for such services from the Roads Operations Cash
14 Fund to the Nebraska State Patrol Cash Fund in four equal quarterly
15 amounts to be transferred by the State Treasurer on or before July 15,
16 October 15, January 15, and April 15, for both FY2015-16 and FY2016-17.

17 Sec. 89. Laws 2015, LB657, section 191, is amended to read:

18 Sec. 191. AGENCY NO. 64 – NEBRASKA STATE PATROL

19 Program No. 630 - State Capitol Security

	FY2015-16	FY2016-17
20		
21 <u>GENERAL FUND</u>	<u>253,704</u>	<u>243,556</u>
22 GENERAL FUND	253,704	253,704
23 REVOLVING FUND	1,070,437	1,094,530
24 <u>PROGRAM TOTAL</u>	<u>1,324,141</u>	<u>1,338,086</u>
25 PROGRAM TOTAL	1,324,141	1,348,234
26 SALARY LIMIT	617,983	631,896

27 The unexpended General Fund appropriation balance existing on June
28 30, 2015, is hereby reappropriated.

29 The unexpended General Fund appropriation balance existing on June
30 30, 2016, less \$316,645, is hereby reappropriated.

31 Any security agreements entered into by the Nebraska State Patrol,

1 on behalf of the state capitol security division, shall require that all
2 such revenue be credited directly to the Capitol Security Revolving Fund.

3 For budgeting purposes only, the amount of projected revenue to be
4 received from security agreements entered into by the Nebraska State
5 Patrol, on behalf of the state capitol security division, to be credited
6 directly to the Capitol Security Revolving Fund is estimated to be
7 \$428,000 for FY2015-16 and \$428,000 for FY2016-17.

8 Sec. 90. Laws 2015, LB657, section 192, is amended to read:

9 Sec. 192. AGENCY NO. 64 – NEBRASKA STATE PATROL

10 Program No. 850 - Nebraska Public Safety Communication System

	FY2015-16	FY2016-17
11		
12 <u>GENERAL FUND</u>	<u>1,361,276</u>	<u>1,311,001</u>
13 GENERAL FUND	1,361,276	1,365,626
14 CASH FUND	2,570,000	3,820,000
15 <u>PROGRAM TOTAL</u>	<u>3,931,276</u>	<u>5,131,001</u>
16 PROGRAM TOTAL	3,931,276	5,185,626
17 SALARY LIMIT	88,264	90,378

18 The unexpended General Fund appropriation balance existing on June
19 30, 2015, is hereby reappropriated. The unexpended Cash Fund
20 appropriation balance existing on June 30, 2015, is hereby
21 reappropriated.

22 There is included in the appropriation to this program for FY2015-16
23 a retainer fee of \$262,138 General Funds and \$1,064,426 Cash Funds and
24 there is included in the appropriation to this program for FY2016-17 a
25 retainer fee of \$262,138 General Funds and \$1,064,426 Cash Funds which
26 shall be paid in four equal quarterly amounts to the Nebraska Public
27 Safety Communication System Revolving Fund on or before July 15, October
28 15, January 15, and April 15 for Department of Administrative Services
29 central costs of operating the Nebraska Public Safety Communication
30 System, which shall only be used for such purpose. The retainer fee
31 amounts shall only be expended against budget subprogram 1 as a separate

1 and distinct budget subprogram and shall not be commingled with any other
2 expenses.

3 All other Nebraska State Patrol costs of operating the Nebraska
4 Public Safety Communication System shall only be expended against budget
5 subprogram 4 as a separate and distinct budget subprogram and shall not
6 be commingled with any other expenses.

7 Sec. 91. Laws 2015, LB657, section 194, is amended to read:

8 Sec. 194. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

9 Program No. 101 - Chief Information Officer

	FY2015-16	FY2016-17
10		
11	<u>370,880</u>	<u>364,741</u>
12	370,880	379,939
13	1,087,514	-0-
14	<u>1,458,394</u>	<u>364,741</u>
15	1,458,394	379,939
16	242,279	248,083

17 The unexpended General Fund appropriation balance existing on June
18 30, 2015, is hereby reappropriated. Expenditure of reappropriated funds
19 shall be limited to the NebraskaMap GeoData Hosting Services project.

20 The unexpended General Fund appropriation balance existing on June
21 30, 2016, less \$7,953, is hereby reappropriated.

22 Sec. 92. Laws 2015, LB657, section 195, is amended to read:

23 Sec. 195. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

24 Program No. 169 - Federal Liaison

	FY2015-16	FY2016-17
25		
26	<u>3,500</u>	<u>3,360</u>
27	<u>3,500</u>	<u>3,360</u>
28	3,500	3,500
29	3,500	3,500

30 The unexpended General Fund appropriation balance existing on June
31 30, 2015, is hereby reappropriated.

1 The unexpended General Fund appropriation balance existing on June
2 30, 2016, less \$15,637, is hereby reappropriated.

3 Sec. 93. Laws 2015, LB657, section 202, is amended to read:

4 Sec. 202. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

5 Program No. 509 - Budget Division

	FY2015-16	FY2016-17
6		
7	<u>1,240,096</u>	<u>1,220,041</u>
8	<u>1,240,096</u>	<u>1,220,041</u>
9	1,240,096	1,270,876
10	1,240,096	1,270,876
11	794,309	813,341

12 The unexpended General Fund appropriation balance existing on June
13 30, 2015, is hereby reappropriated.

14 The unexpended General Fund appropriation balance existing on June
15 30, 2016, less \$1,372,351, is hereby reappropriated.

16 Sec. 94. Laws 2015, LB657, section 204, is amended to read:

17 Sec. 204. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

18 Program No. 560 - State Building Division

	FY2015-16	FY2016-17
19		
20	<u>240,073</u>	<u>231,672</u>
21	240,073	241,325
22	233,377	233,457
23	36,531,471	36,650,979
24	<u>37,004,921</u>	<u>37,116,108</u>
25	37,004,921	37,125,761
26	3,477,283	3,550,805

27 Charges assessed by the Department of Administrative Services
28 pursuant to provisions of subdivision (4)(b) of section 81-1108.17 for
29 the Ferguson House shall not annually exceed an amount calculated as
30 follows:

31 (1) Multiply the insured replacement value of the Ferguson House

1 property by two one-hundredths;

2 (2) Divide the amount of tenant-occupied gross square feet of
3 Ferguson House space by the Ferguson House gross square feet of total
4 space; and

5 (3) Multiply the amount computed in subdivision (1) of this section
6 by the amount computed in subdivision (2) of this section.

7 The unexpended General Fund appropriation balance existing on June
8 30, 2016, less \$2,212, is hereby reappropriated.

9 Sec. 95. Laws 2015, LB657, section 211, is amended to read:

10 Sec. 211. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

11 Program No. 605 - Personnel Division

	FY2015-16	FY2016-17
12		
13 <u>GENERAL FUND</u>	<u>1,574,066</u>	<u>1,545,799</u>
14 GENERAL FUND	1,574,066	1,610,207
15 REVOLVING FUND	7,980,902	8,033,201
16 <u>PROGRAM TOTAL</u>	<u>9,554,968</u>	<u>9,579,000</u>
17 PROGRAM TOTAL	9,554,968	9,643,408
18 SALARY LIMIT	7,392,582	7,423,248

19 It is the intent of the Legislature that the personnel division of
20 the Department of Administrative Services continue to accurately track
21 vacant positions in state government and report electronically to the
22 Legislative Fiscal Analyst on a quarterly basis.

23 The unexpended General Fund appropriation balance existing on June
24 30, 2016, less \$90,036, is hereby reappropriated.

25 Sec. 96. Laws 2015, LB657, section 213, is amended to read:

26 Sec. 213. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

27 Program No. 608 - Employee Relations Division

	FY2015-16	FY2016-17
28		
29 <u>GENERAL FUND</u>	<u>397,642</u>	<u>390,445</u>
30 <u>PROGRAM TOTAL</u>	<u>397,642</u>	<u>390,445</u>
31 GENERAL FUND	397,642	406,714

1	PROGRAM TOTAL	397,642	406,714
2	SALARY LIMIT	273,056	279,563

3 The unexpended General Fund appropriation balance existing on June
4 30, 2015, is hereby reappropriated.

5 Sec. 97. Laws 2015, LB657, section 216, is amended to read:

6 Sec. 216. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

7 Program No. 685 - Office of the Nebraska Capitol Commission

8		FY2015-16	FY2016-17
9	<u>GENERAL FUND</u>	<u>4,053,489</u>	<u>4,095,630</u>
10	GENERAL FUND	4,053,489	4,266,281
11	CASH FUND	35,387	35,387
12	REVOLVING FUND	4,750	4,750
13	<u>PROGRAM TOTAL</u>	<u>4,093,626</u>	<u>4,135,767</u>
14	PROGRAM TOTAL	4,093,626	4,306,418
15	SALARY LIMIT	1,258,597	1,288,168

16 The unexpended General Fund appropriation balance existing on June
17 30, 2015, is hereby reappropriated. It is the intent of the Legislature
18 that any reappropriated balance be used for unexpected increases in
19 utility expenses.

20 The unexpended General Fund appropriation balance existing on June
21 30, 2016, less \$66,276, is hereby reappropriated.

22 Sec. 98. Laws 2015, LB657, section 218, is amended to read:

23 Sec. 218. AGENCY NO. 67 – EQUAL OPPORTUNITY COMMISSION

24 Program No. 59 - Enforcement of Standards

25		FY2015-16	FY2016-17
26	<u>GENERAL FUND</u>	<u>1,186,572</u>	<u>1,212,290</u>
27	GENERAL FUND	1,186,572	1,262,802
28	FEDERAL FUND est.	783,888	810,622
29	<u>PROGRAM TOTAL</u>	<u>1,970,460</u>	<u>2,022,912</u>
30	PROGRAM TOTAL	1,970,460	2,073,424

1 SALARY LIMIT 1,207,240 1,269,655

2 Of the unexpended General Fund appropriation balance existing on
3 June 30, 2015, \$50,000 is hereby reappropriated. Expenditure of
4 reappropriated funds shall be limited to contractual services.

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, less \$53,289, is hereby reappropriated.

7 Sec. 99. Laws 2015, LB657, section 219, is amended to read:

8 Sec. 219. AGENCY NO. 68 – COMMISSION ON LATINO-AMERICANS

9 Program No. 537 - Commission on Latino-Americans

	FY2015-16	FY2016-17
11 <u>GENERAL FUND</u>	<u>202,917</u>	<u>199,521</u>
12 GENERAL FUND	202,917	207,834
13 CASH FUND	5,000	5,000
14 <u>PROGRAM TOTAL</u>	<u>207,917</u>	<u>204,521</u>
15 PROGRAM TOTAL	207,917	212,834
16 SALARY LIMIT	131,466	134,575

17 Of the unexpended General Fund appropriation balance existing on
18 June 30, 2015, \$6,000 is hereby reappropriated. Expenditure of
19 reappropriated funds shall be limited to travel expenses.

20 Sec. 100. Laws 2015, LB657, section 221, is amended to read:

21 Sec. 221. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL

22 Program No. 327 - Aid to the Arts

	FY2015-16	FY2016-17
24 <u>GENERAL FUND</u>	<u>940,069</u>	<u>905,346</u>
25 GENERAL FUND	940,069	943,069
26 FEDERAL FUND est.	545,800	545,800
27 <u>PROGRAM TOTAL</u>	<u>1,485,869</u>	<u>1,451,146</u>
28 PROGRAM TOTAL	1,485,869	1,488,869

29 There is included in the appropriation to this program for FY2015-16
30 \$940,069 General Funds and \$545,800 Federal Funds estimate for state aid,

1 which shall only be used for such purpose. There is included in the
2 appropriation to this program for FY2016-17 ~~\$905,346~~ ~~\$943,069~~ General
3 Funds and \$545,800 Federal Funds estimate for state aid, which shall only
4 be used for such purpose.

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, less \$40,858, is hereby reappropriated.

7 Sec. 101. Laws 2015, LB657, section 223, is amended to read:

8 Sec. 223. AGENCY NO. 70 – FOSTER CARE REVIEW OFFICE

9 Program No. 116 - Foster Care Review Office

	FY2015-16	FY2016-17
10		
11 <u>GENERAL FUND</u>	<u>1,571,910</u>	<u>1,531,596</u>
12 GENERAL FUND	1,571,910	1,606,214
13 CASH FUND	5,700	5,700
14 FEDERAL FUND est.	512,932	523,181
15 <u>PROGRAM TOTAL</u>	<u>2,090,542</u>	<u>2,060,477</u>
16 PROGRAM TOTAL	2,090,542	2,135,095
17 SALARY LIMIT	1,243,056	1,272,122

18 Of the unexpended General Fund appropriation balance existing on
19 June 30, 2015, \$100,000 is hereby reappropriated. Expenditure of
20 reappropriated funds shall be limited to data base development,
21 implementation, and related expenses.

22 The unexpended General Fund appropriation balance existing on June
23 30, 2016, less \$96,949, is hereby reappropriated.

24 Sec. 102. Laws 2015, LB657, section 224, is amended to read:

25 Sec. 224. AGENCY NO. 70 – FOSTER CARE REVIEW OFFICE

26 Program No. 353 - Children's Commission

	FY2015-16	FY2016-17
27		
28 GENERAL FUND	185,011	-0-
29 PROGRAM TOTAL	185,011	-0-
30 SALARY LIMIT	138,664	-0-

31 Of the unexpended General Fund appropriation balance existing on

1 June 30, 2015, \$60,000 is hereby reappropriated.

2 The unexpended General Fund appropriation balance existing on June
3 30, 2016, less \$16,728, is hereby reappropriated.

4 Sec. 103. Laws 2015, LB657, section 226, is amended to read:

5 Sec. 226. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

6 Program No. 601 - Community and Rural Development

	FY2015-16	FY2016-17
7		
8 <u>GENERAL FUND</u>	<u>796,059</u>	<u>767,862</u>
9 <u>CASH FUND</u>	<u>12,196,934</u>	<u>11,938,787</u>
10 GENERAL FUND	796,059	799,877
11 CASH FUND	12,196,934	11,906,772
12 FEDERAL FUND est.	25,784,220	25,812,644
13 PROGRAM TOTAL	38,777,213	38,519,293
14 SALARY LIMIT	1,138,985	1,165,592

15 There is included in the appropriation to this program for FY2015-16
16 \$500,000 General Funds, \$11,550,000 Cash Funds, and \$23,937,950 Federal
17 Funds estimate for state aid, which shall only be used for such purpose.

18 There is included in the appropriation to this program for FY2016-17
19 \$500,000 General Funds, \$11,250,000 Cash Funds, and \$23,937,950 Federal
20 Funds estimate for state aid, which shall only be used for such purpose.

21 There is included in the appropriation to this program for FY2015-16
22 \$500,000 General Funds to provide funding to development districts formed
23 under sections 13-1901 to 13-1907. There is included in the appropriation
24 to this program for FY2016-17 \$500,000 General Funds to provide funding
25 to development districts formed under sections 13-1901 to 13-1907.

26 Sec. 104. Laws 2015, LB657, section 232, is amended to read:

27 Sec. 232. AGENCY NO. 76 – COMMISSION ON INDIAN AFFAIRS

28 Program No. 584 - Indian Affairs

	FY2015-16	FY2016-17
29		
30 <u>GENERAL FUND</u>	<u>215,260</u>	<u>210,845</u>
31 GENERAL FUND	215,260	220,673

1	CASH FUND	20,000	20,000
2	<u>PROGRAM TOTAL</u>	<u>235,260</u>	<u>230,845</u>
3	PROGRAM TOTAL	235,260	240,673
4	SALARY LIMIT	150,404	153,814

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, less \$6,726, is hereby reappropriated.

7 Sec. 105. Laws 2015, LB657, section 233, is amended to read:

8 Sec. 233. AGENCY NO. 77 – COMMISSION OF INDUSTRIAL RELATIONS

9 Program No. 490 - Commissioner Expenses

	FY2015-16	FY2016-17	
11	<u>GENERAL FUND</u>	<u>82,046</u>	<u>66,858</u>
12	<u>PROGRAM TOTAL</u>	<u>82,046</u>	<u>66,858</u>
13	GENERAL FUND	82,046	69,644
14	PROGRAM TOTAL	82,046	69,644
15	SALARY LIMIT	73,000	73,000

16 The unexpended General Fund appropriation balance existing on June
17 30, 2016, less \$29,727, is hereby reappropriated.

18 Sec. 106. Laws 2015, LB657, section 234, is amended to read:

19 Sec. 234. AGENCY NO. 77 – COMMISSION OF INDUSTRIAL RELATIONS

20 Program No. 531 - Administration

	FY2015-16	FY2016-17	
22	<u>GENERAL FUND</u>	<u>238,305</u>	<u>245,775</u>
23	<u>PROGRAM TOTAL</u>	<u>238,305</u>	<u>245,775</u>
24	GENERAL FUND	238,305	256,016
25	PROGRAM TOTAL	238,305	256,016
26	SALARY LIMIT	141,002	155,146

27 The unexpended General Fund appropriation balance existing on June
28 30, 2015, is hereby reappropriated.

29 The unexpended General Fund appropriation balance existing on June
30 30, 2016, less \$40,369, is hereby reappropriated.

1 Sec. 107. Laws 2015, LB657, section 235, is amended to read:

2 Sec. 235. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
3 CRIMINAL JUSTICE

4 Program No. 150 - Juvenile Services Act

	FY2015-16	FY2016-17
5		
6	<u>707,635</u>	<u>681,948</u>
7	<u>707,635</u>	<u>681,948</u>
8	707,635	710,362
9	707,635	710,362
10	65,492	67,059

11 The unexpended General Fund appropriation balance, less aid,
12 existing on June 30, 2015, is hereby reappropriated.

13 The unexpended General Fund appropriation balance existing on June
14 30, 2016, less \$304,580, is hereby reappropriated.

15 There is included in the appropriation to this program for FY2015-16
16 \$587,812 General Funds for state aid, which shall only be used for such
17 purpose. There is included in the appropriation to this program for
18 FY2016-17 ~~\$564,300~~ ~~\$587,812~~ General Funds for state aid, which shall only
19 be used for such purpose.

20 Sec. 108. Laws 2015, LB657, section 236, is amended to read:

21 Sec. 236. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
22 CRIMINAL JUSTICE

23 Program No. 155 - County Juvenile Services Aid

	FY2015-16	FY2016-17
24		
25	<u>7,401,271</u>	<u>7,110,654</u>
26	<u>7,401,271</u>	<u>7,110,654</u>
27	7,401,271	7,406,931
28	7,401,271	7,406,931
29	173,783	177,081

30 There is included in the appropriation to this program for FY2015-16
31 \$7,000,000 General Funds for state aid, which shall only be used for such

1 purpose. There is included in the appropriation to this program for
2 FY2016-17 ~~\$6,748,000~~ ~~\$7,000,000~~ General Funds for state aid, which shall
3 only be used for such purpose.

4 The unexpended General Fund appropriation balance, less aid, on June
5 30, 2015, is hereby reappropriated.

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$442,732, is hereby reappropriated.

8 Sec. 109. Laws 2015, LB657, section 237, is amended to read:

9 Sec. 237. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
10 CRIMINAL JUSTICE

11 Program No. 198 - Central Administration

	FY2015-16	FY2016-17
12 <u>GENERAL FUND</u>	<u>522,610</u>	<u>509,310</u>
13 GENERAL FUND	522,610	534,702
14 CASH FUND	40,342	41,140
15 FEDERAL FUND est.	5,414,599	5,424,569
16 <u>PROGRAM TOTAL</u>	<u>5,977,551</u>	<u>5,975,019</u>
17 PROGRAM TOTAL	5,977,551	6,000,411
18 SALARY LIMIT	610,603	625,232

19 The unexpended General Fund appropriation balance, less aid,
20 existing on June 30, 2015, is hereby reappropriated.

21 The unexpended General Fund appropriation balance existing on June
22 30, 2016, less \$55,315, is hereby reappropriated.

23 There is included in the appropriation to this program for FY2015-16
24 \$13,457 General Funds and \$4,520,673 Federal Funds estimate for state
25 aid, which shall only be used for such purpose. There is included in the
26 appropriation to this program for FY2016-17 \$12,919 ~~\$13,457~~ General Funds
27 and \$4,520,673 Federal Funds estimate for state aid, which shall only be
28 used for such purpose.

29 There is included in the appropriation to this program for FY2015-16
30 \$62,000 General Funds and \$194,233 Federal Funds estimate from the
31

1 federal Victims of Crime Act of 1984 to operate a victim notification
2 system, which shall only be used for such purpose. There is included in
3 the appropriation to this program for FY2016-17 \$62,000 General Funds and
4 \$194,233 Federal Funds estimate from the federal Victims of Crime Act of
5 1984 to operate a victim notification system, which shall only be used
6 for such purpose.

7 Sec. 110. Laws 2015, LB657, section 238, is amended to read:

8 Sec. 238. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
9 CRIMINAL JUSTICE

10 Program No. 199 - Nebraska Law Enforcement Training Center

	FY2015-16	FY2016-17
11		
12 <u>GENERAL FUND</u>	<u>2,016,615</u>	<u>1,989,342</u>
13 GENERAL FUND	2,016,615	2,072,231
14 CASH FUND	887,772	898,509
15 FEDERAL FUND est.	59,923	60,648
16 <u>PROGRAM TOTAL</u>	<u>2,964,310</u>	<u>2,948,499</u>
17 PROGRAM TOTAL	2,964,310	3,031,388
18 SALARY LIMIT	860,014	880,621

19 The unexpended General Fund appropriation balance existing on June
20 30, 2015, is hereby reappropriated.

21 The unexpended General Fund appropriation balance existing on June
22 30, 2016, less \$113,009, is hereby reappropriated.

23 There is included in the appropriation to this program for FY2015-16
24 \$884,369 General Funds for Training Center building rental charges to be
25 paid to the state building division of the Department of Administrative
26 Services, which shall only be used for such purpose. There is included in
27 the appropriation to this program for FY2016-17 \$916,523 General Funds
28 for Training Center building rental charges to be paid to the state
29 building division of the Department of Administrative Services, which
30 shall only be used for such purpose.

31 There is included in the appropriation to this program for FY2015-16

1 \$465,875 General Funds for the annual depreciation charge to be paid to
 2 the state building division of the Department of Administrative Services,
 3 which shall only be used for such purpose. There is included in the
 4 appropriation to this program for FY2016-17 \$465,875 General Funds for
 5 the annual depreciation charge to be paid to the state building division
 6 of the Department of Administrative Services, which shall only be used
 7 for such purpose.

8 All food service charges for students shall be separate and distinct
 9 from tuition and fee charges assessed, and such food service charges
 10 shall not be included or commingled for purposes of establishing annual
 11 tuition and fee rates.

12 Any rules, regulations, or operating instructions adopted by the
 13 Nebraska Commission on Law Enforcement and Criminal Justice shall be
 14 consistent with the provisions of this section.

15 Sec. 111. Laws 2015, LB657, section 239, is amended to read:

16 Sec. 239. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
 17 CRIMINAL JUSTICE

18 Program No. 201 - Victim-Witness Assistance

	FY2015-16	FY2016-17
19		
20	<u>56,563</u>	<u>54,365</u>
21	56,563	56,630
22	2,762,126	2,764,169
23	<u>2,818,689</u>	<u>2,818,534</u>
24	2,818,689	2,820,799
25	57,101	58,470

26 The unexpended General Fund appropriation balance, less aid,
 27 existing on June 30, 2015, is hereby reappropriated.

28 The unexpended General Fund appropriation balance existing on June
 29 30, 2016, less \$3,783, is hereby reappropriated.

30 There is included in the appropriation to this program for FY2015-16
 31 \$52,559 General Funds and \$2,632,086 Federal Funds estimate for state

1 aid, which shall only be used for such purpose. There is included in the
2 appropriation to this program for FY2016-17 ~~\$50,457~~ ~~\$52,559~~ General Funds
3 and \$2,632,086 Federal Funds estimate for state aid, which shall only be
4 used for such purpose.

5 Sec. 112. Laws 2015, LB657, section 240, is amended to read:

6 Sec. 240. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
7 CRIMINAL JUSTICE

8 Program No. 202 - Crime Victims' Reparations

	FY2015-16	FY2016-17
9		
10	<u>27,837</u>	<u>26,724</u>
11	27,837	27,837
12	244,000	244,000
13	128,400	128,400
14	<u>400,237</u>	<u>399,124</u>
15	400,237	400,237
16	-0-	-0-

17 The unexpended General Fund appropriation balance, less aid,
18 existing on June 30, 2015, is hereby reappropriated.

19 There is included in the appropriation to this program for FY2015-16
20 \$20,000 General Funds, \$244,000 Cash Funds, and \$121,980 Federal Funds
21 estimate for state aid, which shall only be used for such purpose. There
22 is included in the appropriation to this program for FY2016-17 \$19,200
23 ~~\$20,000~~ General Funds, \$244,000 Cash Funds, and \$121,980 Federal Funds
24 estimate for state aid, which shall only be used for such purpose.

25 Sec. 113. Laws 2015, LB657, section 241, is amended to read:

26 Sec. 241. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
27 CRIMINAL JUSTICE

28 Program No. 203 - Jail Standards Board

	FY2015-16	FY2016-17
29		
30	<u>309,693</u>	<u>303,786</u>
31	<u>309,693</u>	<u>303,786</u>

1	GENERAL FUND	309,693	316,444
2	PROGRAM TOTAL	309,693	316,444
3	SALARY LIMIT	189,358	193,896

4 The unexpended General Fund appropriation balance existing on June
5 30, 2015, is hereby reappropriated.

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$49,305, is hereby reappropriated.

8 Sec. 114. Laws 2015, LB657, section 242, is amended to read:

9 Sec. 242. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
10 CRIMINAL JUSTICE

11 Program No. 204 - Office of Violence Prevention

	FY2015-16	FY2016-17
12		
13	<u>458,787</u>	<u>442,644</u>
14	458,787	461,087
15	10,500	10,500
16	<u>469,287</u>	<u>453,144</u>
17	469,287	471,587
18	54,519	55,825

19 The unexpended General Fund appropriation balance, less aid,
20 existing on June 30, 2015, is hereby reappropriated.

21 The unexpended General Fund appropriation balance existing on June
22 30, 2016, less \$310,690, is hereby reappropriated.

23 There is included in the appropriation to this program for FY2015-16
24 \$350,000 General Funds for state aid, which shall only be used for such
25 purpose. There is included in the appropriation to this program for
26 FY2016-17 \$336,000 ~~\$350,000~~ General Funds for state aid, which shall only
27 be used for such purpose.

28 Sec. 115. Laws 2015, LB657, section 244, is amended to read:

29 Sec. 244. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
30 CRIMINAL JUSTICE

31 Program No. 215 - Criminal Justice Information System

	FY2015-16	FY2016-17
1		
2	<u>153,042</u>	<u>149,717</u>
3	153,042	157,205
4	810,634	810,634
5	<u>963,676</u>	<u>960,351</u>
6	963,676	967,839
7	101,756	104,194

8 The unexpended General Fund appropriation balance existing on June
9 30, 2015, is hereby reappropriated.

10 The unexpended General Fund appropriation balance existing on June
11 30, 2016, less \$11,030, is hereby reappropriated.

12 Funds appropriated to this program shall be used to support criminal
13 justice information systems projects for state law enforcement agencies
14 and to assist with the sharing of criminal justice information by
15 federal, state, and local agencies.

16 Sec. 116. Laws 2015, LB657, section 245, is amended to read:

17 Sec. 245. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
18 CRIMINAL JUSTICE

19 Program No. 220 - Community Corrections Division

	FY2015-16	FY2016-17
20		
21	<u>302,140</u>	<u>195,954</u>
22	<u>411,472</u>	<u>513,134</u>
23	<u>713,612</u>	<u>709,088</u>
24	302,140	308,285
25	411,472	413,134
26	713,612	721,419
27	205,006	209,917

28 The unexpended General Fund appropriation balance less \$554,100
29 existing on June 30, 2015, is hereby reappropriated.

30 The unexpended General Fund appropriation balance existing on June

1 30, 2016, less \$113,713, is hereby reappropriated.

2 Sec. 117. Laws 2015, LB657, section 246, is amended to read:

3 Sec. 246. AGENCY NO. 81 – COMMISSION FOR THE BLIND AND VISUALLY
4 IMPAIRED

5 Program No. 357 - Blind and Visually Impaired

	FY2015-16	FY2016-17
6		
7 <u>GENERAL FUND</u>	<u>1,130,545</u>	<u>1,102,586</u>
8 GENERAL FUND	1,130,545	1,148,527
9 CASH FUND	98,746	98,746
10 FEDERAL FUND est.	4,470,672	4,656,072
11 <u>PROGRAM TOTAL</u>	<u>5,699,963</u>	<u>5,857,404</u>
12 PROGRAM TOTAL	5,699,963	5,903,345
13 SALARY LIMIT	2,321,801	2,454,536

14 There is included in the appropriation to this program for FY2015-16
15 \$176,890 General Funds, \$10,000 Cash Funds, and \$989,593 Federal Funds
16 estimate for state aid, which shall only be used for such purpose. There
17 is included in the appropriation to this program for FY2016-17 \$169,814
18 ~~\$176,890~~ General Funds, \$10,000 Cash Funds, and \$989,593 Federal Funds
19 estimate for state aid, which shall only be used for such purpose.

20 There is included in the appropriation to this program for FY2015-16
21 \$128,250 General Funds and for FY2016-17 \$128,250 General Funds for
22 services for the older blind, which shall only be used for such purpose.
23 It is the intent of the Legislature that services for the older blind be
24 coordinated and integrated to the extent possible with services provided
25 to the aged by other state agencies.

26 Sec. 118. Laws 2015, LB657, section 247, is amended to read:

27 Sec. 247. AGENCY NO. 82 – COMMISSION FOR THE DEAF AND HARD OF
28 HEARING

29 Program No. 578 - Hearing Impaired

	FY2015-16	FY2016-17
30		
31 <u>GENERAL FUND</u>	<u>1,011,990</u>	<u>976,237</u>

1	GENERAL FUND	1,011,990	1,016,914
2	CASH FUND	16,600	16,600
3	<u>PROGRAM TOTAL</u>	<u>1,028,590</u>	<u>992,837</u>
4	PROGRAM TOTAL	1,028,590	1,033,514
5	SALARY LIMIT	580,834	594,169

6 Of the unexpended General Fund appropriation balance existing on
7 June 30, 2015, \$100,000 is hereby reappropriated.

8 The unexpended General Fund appropriation balance existing on June
9 30, 2016, less \$77,754, is hereby reappropriated.

10 Sec. 119. Laws 2015, LB657, section 249, is amended to read:

11 Sec. 249. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENTAL QUALITY

12 Program No. 513 - Environmental Quality

13		FY2015-16	FY2016-17
14	<u>GENERAL FUND</u>	<u>5,835,796</u>	<u>4,994,064</u>
15	GENERAL FUND	5,835,796	6,063,609
16	CASH FUND	31,675,190	33,423,794
17	FEDERAL FUND est.	16,614,795	16,614,944
18	<u>PROGRAM TOTAL</u>	<u>54,125,781</u>	<u>55,032,802</u>
19	PROGRAM TOTAL	54,125,781	56,102,347
20	SALARY LIMIT	12,363,321	12,659,496

21 The unexpended General Fund appropriation balance, less aid,
22 existing on June 30, 2015, is hereby reappropriated. Expenditure of
23 reappropriated funds shall be limited to the payment of accumulated
24 vacation and sick leave benefits to retiring employees.

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

28 No. 513 - Administration

29 No. 586 - Water Quality

30 No. 587 - Land Quality

31 No. 588 - Air Quality

1 There is included in the appropriation to this program for FY2015-16
 2 \$2,141,196 General Funds, \$15,000,245 Cash Funds, and \$265,000 Federal
 3 Funds estimate for state aid, which shall only be used for such purpose.
 4 There is included in the appropriation to this program for FY2016-17
 5 \$1,228,548 ~~\$2,141,196~~ General Funds, \$16,145,601 Cash Funds, and \$265,000
 6 Federal Funds estimate for state aid, which shall only be used for such
 7 purpose.

8 The unexpended General Fund appropriation balance existing on June
 9 30, 2016, less \$273,317, is hereby reappropriated.

10 Sec. 120. Laws 2015, LB657, section 256, is amended to read:

11 Sec. 256. AGENCY NO. 87 – NEBRASKA ACCOUNTABILITY AND DISCLOSURE
 12 COMMISSION

13 Program No. 94 - Nebraska Political Accountability

	FY2015-16	FY2016-17
14		
15	<u>484,947</u>	<u>477,329</u>
16	484,947	497,268
17	233,266	238,871
18	<u>718,213</u>	<u>716,200</u>
19	718,213	736,139
20	453,690	464,560

21 The unexpended General Fund appropriation balance existing on June
 22 30, 2015, is hereby reappropriated. The unexpended Cash Fund
 23 appropriation balance existing on June 30, 2015, is hereby
 24 reappropriated.

25 The unexpended General Fund appropriation balance existing on June
 26 30, 2016, less \$119,377, is hereby reappropriated.

27 Sec. 121. Laws 2015, LB657, section 260, is amended to read:

28 Sec. 260. AGENCY NO. 93 – TAX EQUALIZATION AND REVIEW COMMISSION

29 Program No. 115 - Operations

	FY2015-16	FY2016-17
30		
31	<u>816,079</u>	<u>803,865</u>

1	GENERAL FUND	816,079	837,359
2	CASH FUND	70,000	70,000
3	<u>PROGRAM TOTAL</u>	<u>886,079</u>	<u>873,865</u>
4	PROGRAM TOTAL	886,079	907,359
5	SALARY LIMIT	583,000	596,742

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$40,451, is hereby reappropriated.

8 Sec. 122. Laws 2015, LB659, section 7, is amended to read:

9 Sec. 7. AGENCY NO. 5 – SUPREME COURT

10 Program No. 5 - Retired Judges' Salaries

11		FY2015-16	FY2016-17
12	GENERAL FUND	72,436	72,436
13	PROGRAM TOTAL	72,436	72,436
14	SALARY LIMIT	69,832	69,832

15 The unexpended General Fund appropriation balance existing on June
16 30, 2015, is hereby reappropriated.

17 The unexpended General Fund appropriation balance existing on June
18 30, 2016, less \$219,117, is hereby reappropriated.

19 The budget division of the Department of Administrative Services
20 shall administratively transfer General Fund appropriations or Salary
21 Limits or both among Programs 3, 4, 5, 6, and 7 within Agency 5, upon
22 written certification by the State Court Administrator that the Nebraska
23 Supreme Court has determined that such transfer is necessary for the
24 efficient functioning of statewide court operations and the proper
25 administration of justice.

26 Sec. 123. Laws 2015, LB659, section 15, is amended to read:

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

28 Program No. 12 - Salary - State Treasurer

29		FY2015-16	FY2016-17
30	<u>GENERAL FUND</u>	<u>122,825</u>	<u>109,084</u>

1	<u>PROGRAM TOTAL</u>	<u>122,825</u>	<u>109,084</u>
2	GENERAL FUND	122,825	124,084
3	<u>PROGRAM TOTAL</u>	<u>122,825</u>	<u>124,084</u>
4	SALARY LIMIT	85,000	85,000

5 The unexpended General Fund appropriation balance existing on June
6 30, 2016, is not reappropriated.

7 Sec. 124. Laws 2015, LB659, section 17, is amended to read:

8 Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE

9 Program No. 320 - Board of Parole Salaries

10		FY2015-16	FY2016-17
11	<u>GENERAL FUND</u>	<u>549,103</u>	<u>553,293</u>
12	<u>PROGRAM TOTAL</u>	<u>549,103</u>	<u>553,293</u>
13	GENERAL FUND	549,103	563,083
14	PROGRAM TOTAL	549,103	563,083
15	SALARY LIMIT	408,559	418,349

16 The unexpended General Fund appropriation balance existing on June
17 30, 2016, is not reappropriated.

18 Sec. 125. Laws 2015, LB660, section 35, is amended to read:

19 Sec. 35. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

20 Program No. 901 - State Capitol Improvements

21		FY2015-16	FY2016-17	FUTURE
22	<u>GENERAL FUND</u>	<u>500,000</u>	<u>480,000</u>	<u>4,000,000</u>
23	<u>PROGRAM TOTAL</u>	<u>500,000</u>	<u>480,000</u>	<u>4,000,000</u>
24	GENERAL FUND	500,000	500,000	4,000,000
25	PROGRAM TOTAL	500,000	500,000	4,000,000

26 There is included in the appropriation to this program for FY2015-16
27 \$165,000 from the General Fund and for FY2016-17 \$165,000 from the
28 General Fund for conservation and restoration of Capitol space occupied
29 by the Legislature.

30 The unexpended General Fund appropriation balance existing on June

1 30, 2016, less \$80,000, is hereby reappropriated.

2 Sec. 126. Laws 2015, LB660, section 40, is amended to read:

3 Sec. 40. There is hereby appropriated, unless otherwise specified,
4 for FY2015-16 and for FY2016-17 from undisbursed balances existing on
5 June 30, 2015, and on June 30, 2016, respectively, to each agency for
6 each program from the respective funds for capital construction as
7 follows:

8 (1) Agency No. 25 – Department of Health and Human Services

9 Program Nos. 904 less \$1,000,000 of the June 30, 2015, Nebraska
10 Capital Construction Fund balance, 912, 919, 923, and 930. The
11 undisbursed General Fund appropriation balance existing in Program No.
12 942 on June 30, 2015, is hereby reappropriated for FY2015-16. The
13 undisbursed General Fund appropriation balance existing in Program No.
14 942 on June 30, 2016, is not reappropriated ~~and 942.~~

15 (2) Agency No. 27 – Department of Roads

16 Program No. 901, except that the unobligated biennium appropriation
17 balance shall lapse once all projects funded in that biennium are
18 completed, postponed to a future biennium, or indefinitely postponed.

19 (3) Agency No. 28 – Department of Veterans' Affairs

20 Program No. 937 - Alliance State Veterans' Cemetery.

21 (4) Agency No. 31 – Military Department

22 Program Nos. 905, 906, 910, 925, and 927.

23 (5) Agency No. 33 – Game and Parks Commission

24 Program Nos. 900, 901, 902, 919, 924, 955, 960 less \$2,500 of the
25 June 30, 2015, federal fund balance, 967 less \$451,945.31 of the June 30,
26 2015, cash fund balance and less \$233,014.98 of the June 30, 2015,
27 federal fund balance, 969 less \$14,093.38 of the June 30, 2015, cash fund
28 balance, 970, 971, 972, 973, 975, 976, 977, 979, 981, and 987.

29 (6) Agency No. 46 – Department of Correctional Services

30 Program Nos. 913, less \$319,810 of the June 30, 2016, General Fund
31 balance, 914, 920, and 921.

1 (7) Agency No. 47 – Nebraska Educational Telecommunications
2 Commission

3 Program Nos. 922, 925, 926, 927, and 928.

4 (8) Agency No. 50 – Board of Trustees of the Nebraska State Colleges
5 Program Nos. 901, 903, 909, 912, 919, 920, 921, 933, 935, 952, 955,
6 993, and 997, and any additional construction programs administratively
7 created relating to the Board of Trustees of the Nebraska State Colleges
8 and its campuses which are funded through cash funds, federal funds,
9 revolving funds, or private gifts or donations.

10 (9) Agency No. 51 – University of Nebraska

11 Program Nos. 901, 902, 903, 904, 906, 907, 909, 910, 914, 915, 917,
12 918, 919, 920, 921, 924, 925, 928, 930, 932, 934, 937, 939, 941, 942,
13 943, 944, 945, 946, 947, 948, 949, 950, 951, 953, 954, 957, 958, 962,
14 963, 964, 966, 968, 970, 971, 973, 975, 976, 977, 978, 981, 984, 985,
15 990, 991, 993, 994, 995, 997, and 998, and any additional construction
16 programs administratively created relating to the University of Nebraska-
17 Lincoln, the University of Nebraska at Omaha, the University of Nebraska
18 Medical Center, the University of Nebraska at Kearney, the Nebraska
19 College of Technical Agriculture at Curtis, and the University of
20 Nebraska Central Administration which are funded through cash funds,
21 federal funds, revolving funds, or private gifts or donations.

22 (10) Agency No. 54 – Nebraska State Historical Society

23 Program No. 957, less \$5,383 of the June 30, 2016, General Fund
24 balance.

25 (11) Agency No. 65 – Department of Administrative Services

26 Program Nos. 901, 904, 917, 922, ~~935~~, and 980. The unexpended
27 Nebraska Capital Construction Fund appropriation balance for Program 982
28 - State Capitol Elevators existing on June 30, 2015, is hereby
29 reappropriated to Agency No. 65 for Program No. 917 - Capitol Courtyard
30 Fountains Installation for FY2015-16.

31 The unexpended General Fund appropriation balance in Program 935

1 existing on June 30, 2015, is hereby reappropriated. The unexpended
2 General Fund appropriation balance in Program 935 existing on June 30,
3 2016, is not reappropriated.

4 Appropriations to program numbers pertaining to funding for the
5 Deferred Building Renewal Act are hereby reappropriated.

6 Sec. 127. Laws 2016, LB956, section 7, is amended to read:

7 Sec. 7. AGENCY NO. 5 – SUPREME COURT

8 Program No. 437 - Juvenile Justice

	FY2015-16	FY2016-17
9		
10 <u>GENERAL FUND</u>	<u>-0-</u>	<u>68,614,389</u>
11 GENERAL FUND	-0-	71,462,905
12 CASH FUND est.	-0-	25,000
13 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>68,639,389</u>
14 PROGRAM TOTAL	-0-	71,487,905
15 SALARY LIMIT	-0-	13,153,313

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

18 Sec. 128. Laws 2016, LB956, section 10, is amended to read:

19 Sec. 10. AGENCY NO. 11 – ATTORNEY GENERAL

20 Program No. 496 - Interstate Water Litigation

	FY2015-16	FY2016-17
21		
22 <u>GENERAL FUND</u>	<u>307,900</u>	<u>884,640</u>
23 <u>PROGRAM TOTAL</u>	<u>307,900</u>	<u>884,640</u>
24 GENERAL FUND	307,900	921,500
25 PROGRAM TOTAL	307,900	921,500
26 SALARY LIMIT	-0-	-0-

27 The unexpended General Fund appropriation balance existing on June
28 30, 2016, less \$249,050, is hereby reappropriated.

29 Sec. 129. Laws 2016, LB956, section 39, is amended to read:

30 Sec. 39. AGENCY NO. 16 – DEPARTMENT OF REVENUE

31 Program No. 108 - Homestead Exemption

1		FY2015-16	FY2016-17
2	<u>GENERAL FUND</u>	<u>71,600,000</u>	<u>74,750,000</u>
3	<u>PROGRAM TOTAL</u>	<u>71,600,000</u>	<u>74,750,000</u>
4	GENERAL FUND	71,600,000	72,515,000
5	PROGRAM TOTAL	71,600,000	72,515,000

6 There is included in the appropriation to this program for FY2015-16
 7 \$71,600,000 General Funds for state aid, which shall only be used for
 8 such purpose. There is included in the appropriation to this program for
 9 FY2016-17 ~~\$74,750,000~~ ~~\$72,515,000~~ General Funds for state aid, which
 10 shall only be used for such purpose.

11 Sec. 130. Laws 2016, LB956, section 41, is amended to read:

12 Sec. 41. AGENCY NO. 5 – SUPREME COURT

13 Program No. 52 - Operations

14		FY2015-16	FY2016-17
15	<u>GENERAL FUND</u>	<u>32,616,292</u>	<u>32,369,635</u>
16	GENERAL FUND	32,616,292	33,751,147
17	CASH FUND est.	2,641,780	2,669,709
18	FEDERAL FUND est.	481,108	483,622
19	<u>PROGRAM TOTAL</u>	<u>35,739,180</u>	<u>35,522,966</u>
20	PROGRAM TOTAL	35,739,180	36,904,478
21	SALARY LIMIT	23,345,923	23,926,634

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

- 25 No. 34 - Court Administration
- 26 No. 40 - State Law Library
- 27 No. 396 - County Court System
- 28 No. 399 - District Court Reporters
- 29 No. 405 - Court of Appeals

30 The unexpended General Fund appropriation balance less aid existing
 31 on June 30, 2015, is hereby reappropriated.

1 The unexpended General Fund appropriation balance existing on June
2 30, 2016, less \$1,125,612, is hereby reappropriated.

3 The budget division of the Department of Administrative Services
4 shall administratively transfer General Fund appropriations or Salary
5 Limits or both among Programs 52, 67, 420, 435, and 437, within Agency 5,
6 upon written certification by the State Court Administrator that the
7 Supreme Court has determined that such transfer is necessary for the
8 efficient functioning of statewide court operations and the proper
9 administration of justice.

10 There is included in the appropriation to this program for FY2015-16
11 \$270,000 Cash Funds for dispute resolution state aid, which shall only be
12 used for such purpose. There is included in the appropriation to this
13 program for FY2016-17 \$270,000 Cash Funds for dispute resolution state
14 aid, which shall only be used for such purpose.

15 There is included in the appropriation to this program for FY2015-16
16 \$550,000 Cash Funds for parenting plan mediation for indigent and lower-
17 income persons involved in Parenting Act cases, as state aid, which shall
18 only be used for such purpose. There is included in the appropriation to
19 this program for FY2016-17 \$550,000 Cash Funds for parenting plan
20 mediation for indigent and lower-income persons involved in Parenting Act
21 cases, as state aid, which shall only be used for such purpose.

22 There is included in the appropriation to this program for FY2015-16
23 \$300,000 General Funds for court appointed special advocate state aid,
24 which shall only be used for such purpose. There is included in the
25 appropriation to this program for FY2016-17 \$300,000 General Funds for
26 court appointed special advocate state aid, which shall only be used for
27 such purpose.

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

30 Sec. 131. Laws 2016, LB956, section 42, is amended to read:

31 Sec. 42. AGENCY NO. 5 – SUPREME COURT

1 Program No. 435 - Probation Community Corrections

2		FY2015-16	FY2016-17
3	<u>GENERAL FUND</u>	<u>74,758,737</u>	<u>11,740,998</u>
4	GENERAL FUND	74,758,737	12,626,882
5	CASH FUND est.	7,258,708	6,625,708
6	<u>PROGRAM TOTAL</u>	<u>82,017,445</u>	<u>18,366,706</u>
7	PROGRAM TOTAL	82,017,445	19,252,590
8	SALARY LIMIT	15,446,258	4,947,686

9 The unexpended General Fund appropriation balance existing on June
10 30, 2015, is hereby reappropriated.

11 The unexpended General Fund appropriation balance existing on June
12 30, 2016, less \$183,836, is hereby reappropriated.

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

15 Sec. 132. Laws 2016, LB956, section 44, is amended to read:

16 Sec. 44. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

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

18		FY2015-16	FY2016-17
19	<u>GENERAL FUND</u>	<u>16,430,022</u>	<u>15,762,670</u>
20	GENERAL FUND	16,430,022	16,419,448
21	CASH FUND	1,512,044	1,523,964
22	FEDERAL FUND est.	24,018,965	23,412,744
23	<u>REVOLVING FUND</u>	<u>204,728</u>	<u>264,728</u>
24	<u>PROGRAM TOTAL</u>	<u>42,165,759</u>	<u>40,964,106</u>
25	REVOLVING FUND	204,728	204,728
26	PROGRAM TOTAL	42,165,759	41,560,884
27	SALARY LIMIT	16,504,454	14,337,555

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

- 1 No. 25 - Commissioner's Office
- 2 No. 403 - Assessment/Report Card
- 3 No. 440 - Human Resources
- 4 No. 441 - Teaching and Learning
- 5 No. 442 - Diversity Populations: Equity and Instructional Issues
- 6 No. 443 - Network Education and Technology Services
- 7 No. 444 - Office of Early Childhood
- 8 No. 445 - Data, Research, Evaluation, and Information Technology
- 9 No. 446 - Adult Program Services
- 10 No. 447 - School Improvement/Accreditation
- 11 No. 448 - Diversity Populations: Special Education
- 12 No. 449 - Federal Programs
- 13 No. 450 - Select Department-wide Costs
- 14 No. 451 - Finance and Organization Services

15 The unexpended General Fund appropriation balance existing on June
16 30, 2015, is hereby reappropriated in the amount of \$2,927,000 for the
17 state assessment and reporting system. The unexpended General Fund
18 appropriation balance existing on June 30, 2015, is hereby reappropriated
19 in the amount of \$912,000 to implement the Step Up to Quality Child Care
20 Act. The unexpended General Fund appropriation balance existing on June
21 30, 2015, is hereby reappropriated in the amount of \$785,000 for
22 activities related to the implementation of Laws 2014, LB438. The
23 unexpended General Fund appropriation balance existing on June 30, 2015,
24 is hereby reappropriated in the amount of \$266,832 for retirement
25 payouts.

26 The unexpended General Fund appropriation balance existing on June
27 30, 2016, less \$3,659,171, is hereby reappropriated.

28 There is included in the appropriation to this program for FY2015-16
29 \$4,751,600 General Funds and \$2,750,000 Federal Funds estimate for
30 statewide assessment and reporting, which shall only be used for such
31 purpose. There is included in the appropriation to this program for

1 FY2016-17 \$4,751,600 General Funds and \$2,750,000 Federal Funds estimate
2 for statewide assessment and reporting, which shall only be used for such
3 purpose.

4 There is included in the appropriation to this program for FY2015-16
5 \$500,000 General Funds for an IT academy project, which shall only be
6 used for such purpose. There is included in the appropriation to this
7 program for FY2016-17 \$500,000 General Funds for an IT academy project,
8 which shall only be used for such purpose.

9 There is included in the appropriation to this program for FY2015-16
10 \$75,000 General Funds for the review of poverty and limited English
11 proficiency plans, including at least \$25,000 General Funds for
12 performance auditing. There is included in the appropriation to this
13 program for FY2016-17 \$75,000 General Funds for the review of poverty and
14 limited English proficiency plans, including at least \$25,000 General
15 Funds for performance auditing.

16 There is included in the appropriation to this program for FY2015-16
17 \$95,000 General Funds for a position for the Early Childhood Education
18 Grant Program. There is included in the appropriation to this program for
19 FY2016-17 \$95,000 General Funds for a position for the Early Childhood
20 Education Grant Program. It is the intent of the Legislature to provide
21 funding for the position for only two years, in FY2015-16 and FY2016-17.

22 There is included in the appropriation to this program for FY2016-17
23 \$10,000 General Funds for the Educational Opportunity for Military
24 Children Program.

25 There is included in the appropriation to this program for FY2015-16
26 \$250,000 General Funds as a one-time appropriation for the adult
27 education program to implement job-driven training and education
28 components of the federal Workforce Innovation and Opportunity Act,
29 including, but not limited to, college and career readiness initiatives
30 and curriculum alignment, support of partnerships with American Job
31 Centers, staff development, instructional capacity, outreach, and

1 technology.

2 Sec. 133. Laws 2016, LB956, section 45, is amended to read:

3 Sec. 45. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

4 Program No. 158 - Education Aid

	FY2015-16	FY2016-17
5		
6 <u>GENERAL FUND</u>	<u>1,189,807,538</u>	<u>1,202,130,098</u>
7 <u>CASH FUND</u>	<u>3,240,938</u>	<u>3,740,938</u>
8 GENERAL FUND	1,189,807,538	1,203,433,823
9 CASH FUND	3,240,938	3,240,938
10 FEDERAL FUND est.	310,889,138	310,889,138
11 <u>PROGRAM TOTAL</u>	<u>1,503,937,614</u>	<u>1,516,760,174</u>
12 PROGRAM TOTAL	1,503,937,614	1,517,563,899

13 There is included in the appropriation to this program for FY2015-16
 14 \$1,189,807,538 General Funds, \$3,240,938 Cash Funds, and \$310,889,138
 15 Federal Funds estimate for state aid, which shall only be used for such
 16 purpose. There is included in the appropriation to this program for
 17 FY2016-17 \$1,202,130,098 ~~\$1,203,433,823~~ General Funds, \$3,740,938
 18 ~~\$3,240,938~~ Cash Funds, and \$310,889,138 Federal Funds estimate for state
 19 aid, which shall only be used for such purpose.

20 Of the unexpended General Fund appropriation in this program on June
 21 30, 2015, up to \$1,800,000 General Funds appropriated in FY2014-15 to
 22 provide grants for early childhood education projects is hereby
 23 reappropriated. The State Department of Education shall certify to the
 24 budget administrator of the budget division of the Department of
 25 Administrative Services an accounting of the actual expenditures for
 26 early childhood education grants.

27 There is included in the amount shown for FY2015-16 \$946,539,662
 28 General Funds which are hereby appropriated to the Tax Equity and
 29 Educational Opportunities Fund, which fund is hereby appropriated to
 30 provide state aid to public school districts pursuant to the Tax Equity
 31 and Educational Opportunities Support Act. There is included in the

1 amount shown for FY2016-17 \$952,469,742 ~~\$952,153,581~~ General Funds which
2 are hereby appropriated to the Tax Equity and Educational Opportunities
3 Fund, which fund is hereby appropriated to provide state aid to public
4 school districts pursuant to the Tax Equity and Educational Opportunities
5 Support Act.

6 There is included in the amount shown for this program \$219,112,160
7 General Funds provided as state aid for FY2015-16 for special education
8 reimbursement. There is included in the amount shown for this program
9 \$222,063,117 General Funds provided as state aid for FY2016-17 for
10 special education reimbursement.

11 There is included in the amount shown for this program \$465,500
12 General Funds provided as state aid for FY2015-16 and \$446,880 ~~\$465,500~~
13 General Funds provided as state aid for FY2016-17 to carry out the
14 provisions of subsection (2) of section 79-734.

15 There is included in the amount shown for this program \$10,488,509
16 General Funds provided as state aid for FY2015-16 and \$10,068,968
17 ~~\$10,488,509~~ General Funds provided as state aid for FY2016-17 for core
18 services for educational service units.

19 There is included in the amount shown for this program \$3,272,887
20 General Funds provided as state aid for FY2015-16 and \$3,141,972
21 ~~\$3,272,887~~ General Funds provided as state aid for FY2016-17 for
22 technology infrastructure for educational service units.

23 There is included in the amount shown for this program \$290,365
24 General Funds provided as state aid for FY2015-16 and \$278,750 ~~\$290,365~~
25 General Funds provided as state aid for FY2016-17 for distance education
26 aid to educational service units.

27 There is included in the amount shown for this program \$542,595
28 General Funds provided as state aid for FY2015-16 and \$538,600 ~~\$561,042~~
29 General Funds provided as state aid for FY2016-17 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 FY2015-16 and ~~\$376,351~~ ~~\$392,032~~
2 General Funds provided as state aid for FY2016-17 for the school lunch
3 program.

4 There is included in the amount shown for this program \$130,000
5 General Funds provided as state aid for FY2015-16 and ~~\$124,800~~ ~~\$130,000~~
6 General Funds provided as state aid for FY2016-17 for the Summer Food
7 Service Program.

8 There is included in the amount shown for this program \$214,664
9 General Funds provided as state aid for FY2015-16 and ~~\$206,077~~ ~~\$214,664~~
10 General Funds provided as state aid for FY2016-17 for adult basic
11 education programs.

12 There is included in the amount shown for this program \$750,000
13 General Funds provided as state aid for FY2015-16 and ~~\$720,000~~ ~~\$750,000~~
14 General Funds provided as state aid for FY2016-17 for aid to institutions
15 offering high school equivalency programs.

16 There is included in the amount shown for this program \$1,820,164
17 General Funds provided as state aid for FY2015-16 and ~~\$3,619,357~~
18 ~~\$3,770,164~~ General Funds provided as state aid for FY2016-17 for early
19 childhood education projects.

20 There is included in the amount shown for this program \$4,000,000
21 General Funds provided as state aid for FY2015-16 and ~~\$4,800,000~~
22 ~~\$5,000,000~~ General Funds provided as state aid for FY2016-17 for the
23 Early Childhood Education Grant Program for at-risk children from birth
24 to age three. It is the intent of the Legislature that a maximum of five
25 percent of General Funds appropriated each fiscal year for the Early
26 Childhood Education Grant Program for at-risk children from birth to age
27 three may be used for evaluation and technical assistance.

28 There is included in the amount shown for this program \$100,000
29 General Funds provided as state aid for FY2015-16 and ~~\$96,000~~ ~~\$100,000~~
30 General Funds provided as state aid for FY2016-17 for scholarships for
31 early childhood education providers.

1 There is included in the amount shown for this program \$69,000
2 General Funds provided as state aid for FY2015-16 and ~~\$66,240~~ ~~\$69,000~~
3 General Funds provided as state aid for FY2016-17 for incentive bonuses
4 for providers of child care and early childhood education programs.

5 There is included in the amount shown for this program \$400,000
6 General Funds provided as state aid for FY2015-16 and ~~\$384,000~~ ~~\$400,000~~
7 General Funds provided as state aid for FY2016-17 for the Nurturing
8 Healthy Behaviors program.

9 There is included in the amount shown for this program \$500,000
10 General Funds provided as state aid for FY2015-16 and ~~\$480,000~~ ~~\$500,000~~
11 General Funds provided as state aid for FY2016-17 for learning community
12 aid.

13 There is included in the amount shown for this program ~~\$2,342,962~~ \$2,249,244
14 ~~\$2,342,962~~ General Funds provided as state aid for FY2016-17 for programs
15 for learners with high ability.

16 There is included in the amount shown for this program \$470,000
17 General Funds provided as state aid for FY2015-16 and ~~\$470,000~~ ~~General~~
18 ~~Funds provided as state aid for FY2016-17~~ for the Master Teacher Program
19 Act.

20 There is included in the amount shown for this program \$250,000
21 General Funds provided as one-time state aid for FY2015-16 for expanded
22 learning opportunity programs.

23 On or before October 1, 2015, the Department of Health and Human
24 Services and the State Department of Education shall jointly certify to
25 the budget administrator of the budget division of the Department of
26 Administrative Services the amount of federal medicaid funds paid to
27 school districts pursuant to the Early Intervention Act for special
28 education services for children age five years and older. The General
29 Fund appropriation to the State Department of Education, Program 158, for
30 state special education aid shall be decreased by an amount equal to the
31 amount that would have been reimbursed with state General Funds to the

1 school districts through the special education reimbursement process for
 2 special education services for children age five years and older that was
 3 paid to school districts or approved cooperatives with federal medicaid
 4 funds. There is hereby appropriated from the General Fund an amount equal
 5 to the amount certified to the budget administrator for FY2015-16 to the
 6 Department of Health and Human Services to aid in carrying out the
 7 provisions of Laws 1991, LB 701. The budget administrator shall
 8 distribute the amount appropriated between budget programs according to
 9 percentages certified by the Department of Health and Human Services.

10 Sec. 134. Laws 2016, LB956, section 46, is amended to read:

11 Sec. 46. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

12 Program No. 38 - Behavioral Health Aid

	FY2015-16	FY2016-17
14 GENERAL FUND	69,421,172	73,844,769
15 CASH FUND	13,499,660	13,699,660
16 FEDERAL FUND est.	10,504,971	10,504,971
17 PROGRAM TOTAL	93,425,803	98,049,400

18 The unexpended General Fund appropriation balance existing on June
 19 30, 2015, is hereby reappropriated in the amount of \$2,500,000 for
 20 allocation to the behavioral health regions. The unexpended General Fund
 21 appropriation balance existing on June 30, 2015, is hereby reappropriated
 22 in the amount of \$-0- as a contingency for the payment of a maintenance-
 23 of-effort penalty. The unexpended General Fund appropriation balance
 24 existing on June 30, 2015, is hereby reappropriated in the amount of
 25 \$500,000 for allocation to the behavioral health regions for one-time
 26 costs for projects, programs, or activities.

27 The unexpended General Fund appropriation balance existing on June
 28 30, 2016, less \$2,321,229, is hereby reappropriated.

29 There is included in the appropriation to this program for FY2015-16
 30 \$69,421,172 General Funds, \$13,499,660 Cash Funds, and \$10,504,971
 31 Federal Funds estimate for state aid, which shall only be used for such

1 purpose. There is included in the appropriation to this program for
2 FY2016-17 \$73,844,769 General Funds, \$13,699,660 Cash Funds, and
3 \$10,504,971 Federal Funds estimate for state aid, which shall only be
4 used for such purpose.

5 There is included in the amount shown as General Fund aid in this
6 program \$2,081,958 General Funds for FY2015-16 and \$4,205,555 General
7 Funds for FY2016-17 for a two and twenty-five hundredths percent increase
8 in rates paid to providers of behavioral health services, which funds
9 shall only be used for such purpose.

10 There is included in the amount shown as Cash Fund aid in this
11 program \$6,500,000 Cash Funds for FY2015-16 and \$6,500,000 Cash Funds for
12 FY2016-17 from the Nebraska Health Care Cash Fund to be used for
13 community-based mental health and substance abuse services, including
14 intermediate-level residential mental health services. It is the intent
15 of the Legislature that these funds shall be distributed to each of the
16 six behavioral health regions based upon a formula determined by the
17 Department of Health and Human Services.

18 There is included in the amount shown as Cash Fund aid in this
19 program \$2,599,660 Cash Funds for FY2015-16 and \$2,599,660 Cash Funds for
20 FY2016-17 from the Nebraska Health Care Cash Fund to be used for rates
21 paid to providers of mental health and substance abuse services.

22 There is included in the amount shown as Cash Fund aid in this
23 program \$1,500,000 Cash Funds for FY2015-16 and \$1,500,000 Cash Funds for
24 FY2016-17 from the Nebraska Health Care Cash Fund to be used for the cost
25 of maintenance and treatment of persons in emergency protective custody
26 under the Nebraska Mental Health Commitment Act.

27 There is included in the amount shown as Cash Fund aid in this
28 program a one-time appropriation of \$100,000 Cash Funds for FY2016-17
29 from the Nebraska Health Care Cash Fund to be used for housing services
30 for persons with substance abuse disorders. It is the intent of the
31 Legislature that the funds be used for persons recovering from substance

1 abuse disorders in the following manner: To support evidence-based
2 practices that conform to nationally recognized standards for residential
3 treatment; to increase access to residential treatment in areas of the
4 state with demonstrable need; and to support the administrative need of
5 providing housing services.

6 Sec. 135. Laws 2016, LB956, section 47, is amended to read:

7 Sec. 47. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

8 Program No. 344 - Children's Health Insurance

	FY2015-16	FY2016-17
9		
10 <u>GENERAL FUND</u>	<u>7,908,257</u>	<u>4,910,878</u>
11 GENERAL FUND	7,908,257	6,310,878
12 CASH FUND	7,085,700	7,085,700
13 FEDERAL FUND est.	90,759,051	100,748,509
14 <u>PROGRAM TOTAL</u>	<u>105,753,008</u>	<u>112,745,087</u>
15 PROGRAM TOTAL	105,753,008	114,145,087

16 The unexpended General Fund appropriation balance, less \$11,146,819,
17 and the unexpended Federal Fund estimate appropriation balance existing
18 on June 30, 2015, are hereby reappropriated.

19 The unexpended General Fund appropriation balance existing on June
20 30, 2016, less \$1,577,163, is hereby reappropriated.

21 There is included in the appropriation to this program for FY2015-16
22 \$7,908,257 General Funds, \$7,085,700 Cash Funds, and \$90,759,051 Federal
23 Funds estimate for state aid, which shall only be used for such purpose.
24 There is included in the appropriation to this program for FY2016-17
25 \$4,910,878 ~~\$6,310,878~~ General Funds, \$7,085,700 Cash Funds, and
26 \$100,748,509 Federal Funds estimate for state aid, which shall only be
27 used for such purpose.

28 There is included in the appropriation to this program for FY2015-16
29 \$6,835,700 Cash Funds for state aid from the Nebraska Health Care Cash
30 Fund. There is included in the appropriation to this program for
31 FY2016-17 \$6,835,700 Cash Funds for state aid from the Nebraska Health

1 Care Cash Fund.

2 There is included in the appropriation to this program for FY2015-16
3 up to \$250,000 Cash Funds and for FY2016-17 up to \$250,000 Cash Funds for
4 state aid from the Health and Human Services Cash Fund for the state
5 match for utilization of the unused administrative cap as allowed under
6 the Children's Health Insurance Program for payments to the Nebraska
7 Regional Poison Center funded through the University of Nebraska Medical
8 Center. The match is from Cash Funds transferred from the University of
9 Nebraska Medical Center.

10 It is the intent of the Legislature that phased-down state
11 contributions to the federal government as defined and required by the
12 federal Medicare Prescription Drug, Improvement, and Modernization Act of
13 2003 may be made from appropriations to this program.

14 Sec. 136. Laws 2016, LB956, section 48, is amended to read:

15 Sec. 48. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

16 Program No. 347 - Public Assistance

	FY2015-16	FY2016-17
17		
18	<u>111,190,697</u>	<u>97,231,900</u>
19	111,190,697	107,231,900
20	3,560,000	3,560,000
21	103,180,481	103,125,004
22	<u>217,931,178</u>	<u>203,916,904</u>
23	217,931,178	213,916,904

24 Of the unexpended General Fund appropriation balance existing on
25 June 30, 2015, \$3,900,000 is hereby reappropriated to Agency 25, Program
26 354 - Child Welfare Aid.

27 The unexpended General Fund appropriation balance existing on June
28 30, 2016, less \$8,500,070, is hereby reappropriated.

29 There is included in the appropriation to this program for FY2015-16
30 \$111,190,697 General Funds, \$3,560,000 Cash Funds, and \$103,180,481
31 Federal Funds estimate for state aid, which shall only be used for such

1 purpose. There is included in the appropriation to this program for
2 FY2016-17 \$97,231,900 ~~\$107,231,900~~ General Funds, \$3,560,000 Cash Funds,
3 and \$103,125,004 Federal Funds estimate for state aid, which shall only
4 be used for such purpose.

5 There is included in the appropriation to this program for FY2015-16
6 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid
7 to aid in carrying out the Nebraska Lifespan Respite Services Program and
8 to provide payment to caregivers to purchase services under the respite
9 subsidy program. There is included in the appropriation to this program
10 for FY2016-17 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund
11 for state aid to aid in carrying out the Nebraska Lifespan Respite
12 Services Program and to provide payment to caregivers to purchase
13 services under the respite subsidy program.

14 On or before June 30, 2016, the chief executive officer of the
15 Department of Health and Human Services shall certify to the budget
16 administrator of the budget division of the Department of Administrative
17 Services an amount not to exceed ten million dollars of the FY2015-16
18 appropriation to be transferred from Program 347 - Public Assistance in
19 the Department of Health and Human Services to Program 354 - Child
20 Welfare in the Department of Health and Human Services. The budget
21 administrator of the budget division of the Department of Administrative
22 Services shall administratively transfer during FY2015-16 the certified
23 amount provided by the chief executive officer of the Department of
24 Health and Human Services. The chief executive officer of the Department
25 of Health and Human Services shall report the certified transfer amount
26 to the chairperson of the Appropriations Committee of the Legislature and
27 the Legislative Fiscal Analyst at the same time it is certified to the
28 budget administrator of the budget division of the Department of
29 Administrative Services.

30 Sec. 137. Laws 2016, LB956, section 49, is amended to read:

31 Sec. 49. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

1 Program No. 348 - Medical Assistance

2	FY2015-16	FY2016-17
3 <u>GENERAL FUND</u>	<u>798,415,607</u>	<u>835,419,522</u>
4 GENERAL FUND	798,415,607	849,417,179
5 CASH FUND	46,851,581	46,851,581
6 <u>FEDERAL FUND est.</u>	<u>1,183,936,671</u>	<u>1,221,397,549</u>
7 <u>PROGRAM TOTAL</u>	<u>2,029,203,859</u>	<u>2,103,668,652</u>
8 FEDERAL FUND est.	1,183,936,671	1,217,906,490
9 PROGRAM TOTAL	2,029,203,859	2,114,175,250

10 The remainder of the unexpended General Fund appropriation balance
11 existing on June 30, 2015, less \$84,774,997, is hereby reappropriated to
12 this program.

13 The unexpended Cash Fund and Federal Fund estimate appropriation
14 balances as of June 30, 2015, are hereby reappropriated.

15 The unexpended General Fund appropriation balance existing on June
16 30, 2016, less \$12,929,145, is hereby reappropriated.

17 There is included in the appropriation to this program for FY2015-16
18 \$798,415,607 General Funds, \$46,851,581 Cash Funds, and \$1,183,936,671
19 Federal Funds estimate for state aid, which shall only be used for such
20 purpose. There is included in the appropriation to this program for
21 FY2016-17 \$835,419,522 ~~\$849,417,179~~ General Funds, \$46,851,581 Cash
22 Funds, and \$1,221,397,549 ~~\$1,217,906,490~~ Federal Funds estimate for state
23 aid, which shall only be used for such purpose.

24 There is included in the appropriation to this program for FY2015-16
25 \$4,765,896 Cash Funds for state aid for the continuation of the
26 behavioral health provider rate increase and behavioral health provider
27 rate increase for managed care, inpatient services, and residential
28 treatment services provided with funds from the Nebraska Health Care Cash
29 Fund. There is included in the appropriation to this program for
30 FY2016-17 \$4,765,896 Cash Funds for state aid for the continuation of the
31 behavioral health provider rate increase and behavioral health provider

1 rate increase for managed care, inpatient services, and residential
2 treatment services provided with funds from the Nebraska Health Care Cash
3 Fund.

4 There is included in the appropriation to this program for FY2015-16
5 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for a state
6 plan amendment covering tobacco-use cessation in compliance with Title
7 XIX of the federal Social Security Act. There is included in the
8 appropriation to this program for FY2016-17 \$450,000 Cash Funds from the
9 Nebraska Health Care Cash Fund for a state plan amendment covering
10 tobacco-use cessation in compliance with Title XIX of the federal Social
11 Security Act. The smoking cessation funding for FY2015-16 and FY2016-17
12 is for the costs of tobacco-use cessation counseling and tobacco-use
13 cessation pharmaceuticals approved by the federal Food and Drug
14 Administration for such purpose.

15 There is included in the appropriation to this program for FY2015-16
16 \$6,122,656.17 Cash Funds from funds transferred from the University of
17 Nebraska Medical Center and an estimated \$6,550,370.83 Federal Funds for
18 supplemental payments to Nebraska Medicine. The payments are allowed
19 pending the approval of the medicaid state plan amendment by the Centers
20 for Medicare and Medicaid.

21 It is the intent of the Legislature that phased-down state
22 contributions to the federal government as defined and required by the
23 federal Medicare Prescription Drug, Improvement, and Modernization Act of
24 2003 may be made from appropriations to this program.

25 Sec. 138. Laws 2016, LB956, section 51, is amended to read:

26 Sec. 51. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

27 Program No. 421 - Beatrice State Developmental Center

	FY2015-16	FY2016-17
28		
29	<u>25,615,666</u>	<u>17,702,247</u>
30	25,615,666	26,202,247
31	2,711,482	2,711,482

1	<u>FEDERAL FUND est.</u>	<u>21,226,175</u>	<u>26,758,189</u>
2	<u>PROGRAM TOTAL</u>	<u>49,553,323</u>	<u>47,171,918</u>
3	FEDERAL FUND est.	21,226,175	21,758,189
4	PROGRAM TOTAL	49,553,323	50,671,918
5	SALARY LIMIT	26,523,164	27,084,113

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$2,426,614, is hereby reappropriated.

8 The chief executive officer of the Department of Health and Human
9 Services shall certify to the budget administrator of the budget division
10 of the Department of Administrative Services the FY2015-16 and FY2016-17
11 unexpended appropriation balances for the Beatrice State Developmental
12 Center, Program 421, which are available to transition and maintain
13 persons transferred from the Beatrice State Developmental Center to
14 community-based developmental disability or other services. The budget
15 administrator of the budget division of the Department of Administrative
16 Services shall administratively transfer during FY2015-16 and FY2016-17
17 available unexpended appropriation balances as certified by the chief
18 executive officer of the Department of Health and Human Services from the
19 Beatrice State Developmental Center, Program 421, to Developmental
20 Disability Aid, Program 424, and Medical Assistance, Program 348.

21 Sec. 139. Laws 2016, LB956, section 52, is amended to read:

22 Sec. 52. AGENCY NO. 33 – GAME AND PARKS COMMISSION

23 Program No. 337 - Administration

24		FY2015-16	FY2016-17
25	<u>GENERAL FUND</u>	<u>805,109</u>	<u>785,824</u>
26	GENERAL FUND	805,109	818,567
27	CASH FUND	4,281,840	4,382,101
28	<u>PROGRAM TOTAL</u>	<u>5,086,949</u>	<u>5,167,925</u>
29	PROGRAM TOTAL	5,086,949	5,200,668
30	SALARY LIMIT	2,630,681	2,697,101

31 The unexpended General Fund appropriation balance existing on June

1 30, 2016, less \$31,741, is hereby reappropriated.

2 Sec. 140. Laws 2016, LB956, section 53, is amended to read:

3 Sec. 53. AGENCY NO. 33 – GAME AND PARKS COMMISSION

4 Program No. 338 - Niobrara Council

	FY2015-16	FY2016-17
5		
6	<u>42,011</u>	<u>40,331</u>
7	42,011	42,011
8	34,000	1,000
9	125,000	125,000
10	<u>201,011</u>	<u>166,331</u>
11	201,011	168,011

12 There is included in the appropriation to this program for FY2015-16
 13 \$42,011 General Funds, \$34,000 Cash Funds, and \$125,000 Federal Funds
 14 estimate for state aid, which shall only be used for such purpose. There
 15 is included in the appropriation to this program for FY2016-17 \$40,331
 16 ~~\$42,011~~ General Funds, \$1,000 Cash Funds, and \$125,000 Federal Funds
 17 estimate for state aid, which shall only be used for such purpose.

18 Sec. 141. Laws 2016, LB956, section 54, is amended to read:

19 Sec. 54. AGENCY NO. 33 – GAME AND PARKS COMMISSION

20 Program No. 549 - Parks - Administration and Operation

	FY2015-16	FY2016-17
21		
22	<u>7,043,991</u>	<u>6,852,060</u>
23	7,043,991	7,137,563
24	18,614,903	18,889,027
25	50,000	50,000
26	<u>25,708,894</u>	<u>25,791,087</u>
27	25,708,894	26,076,590
28	11,255,091	11,516,138

29 There is included in the Cash Fund appropriation to this program
 30 \$1,000,000 for FY2015-16 and \$1,000,000 for FY2016-17 for equipment

1 replacement, to include such items as picnic tables, fire grates and
2 grills, cabin furnishings, mowers, tractors, and trucks, which shall only
3 be used for such purpose.

4 The unexpended General Fund appropriation balance existing on June
5 30, 2016, less \$6,136, is hereby reappropriated.

6 Sec. 142. Laws 2016, LB956, section 55, is amended to read:

7 Sec. 55. AGENCY NO. 33 – GAME AND PARKS COMMISSION

8 Program No. 550 - Planning and Trails Coordination

	FY2015-16	FY2016-17
9		
10 <u>GENERAL FUND</u>	<u>446,162</u>	<u>434,557</u>
11 GENERAL FUND	446,162	452,664
12 CASH FUND	1,063,336	1,086,395
13 FEDERAL FUND est.	105,491	105,491
14 <u>PROGRAM TOTAL</u>	<u>1,614,989</u>	<u>1,626,443</u>
15 PROGRAM TOTAL	1,614,989	1,644,550
16 SALARY LIMIT	873,247	892,682

17 It is the intent of the Legislature that the amount expended for the
18 development and maintenance of boundary fences along the Cowboy Trail be
19 limited to \$64,000 Cash Funds during each fiscal year.

20 The unexpended General Fund appropriation balance existing on June
21 30, 2016, less \$43,049, is hereby reappropriated.

22 Sec. 143. Laws 2016, LB956, section 56, is amended to read:

23 Sec. 56. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY

24 EDUCATION

25 Program No. 691 - Access College Early Scholarship Program

	FY2015-16	FY2016-17
26		
27 <u>GENERAL FUND</u>	<u>735,000</u>	<u>945,600</u>
28 <u>PROGRAM TOTAL</u>	<u>735,000</u>	<u>945,600</u>
29 GENERAL FUND	735,000	985,000
30 PROGRAM TOTAL	735,000	985,000

31 There are no personal services included in the appropriations in

1 this section.

2 The unexpended General Fund appropriation balance existing on June
3 30, 2016, less \$18,412, is hereby reappropriated.

4 There is included in the appropriation to this program for FY2015-16
5 \$735,000 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 FY2016-17 ~~\$945,600~~ ~~\$985,000~~ General Funds for state aid, which shall only
8 be used for such purpose.

9 Sec. 144. Laws 2016, LB956, section 61, is amended to read:

10 Sec. 61. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL

11 Program No. 326 - Promotion and Development of the Arts

	FY2015-16	FY2016-17
12 <u>GENERAL FUND</u>	<u>600,001</u>	<u>593,678</u>
14 GENERAL FUND	600,001	618,415
15 CASH FUND	60,000	60,000
16 FEDERAL FUND est.	193,242	193,247
17 <u>PROGRAM TOTAL</u>	<u>853,243</u>	<u>846,925</u>
18 PROGRAM TOTAL	853,243	871,662
19 SALARY LIMIT	508,944	521,789

20 The unexpended General Fund appropriation balance existing on June
21 30, 2016, less \$45,079, is hereby reappropriated.

22 Sec. 145. Laws 2016, LB956, section 62, is amended to read:

23 Sec. 62. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

24 Program No. 603 - Industrial Recruitment

	FY2015-16	FY2016-17
26 <u>GENERAL FUND</u>	<u>11,836,200</u>	<u>11,434,993</u>
27 GENERAL FUND	11,836,200	11,911,451
28 CASH FUND	18,889,296	14,896,205
29 FEDERAL FUND est.	493,358	496,971
30 <u>PROGRAM TOTAL</u>	<u>31,218,854</u>	<u>26,828,169</u>

1	PROGRAM TOTAL	31,218,854	27,304,627
2	SALARY LIMIT	2,721,988	2,780,033

3 The unexpended General Fund appropriation balance existing on June
4 30, 2016, less \$6,794,254, is hereby reappropriated.

5 There is hereby reappropriated an amount certified by the Department
6 of Economic Development to the budget administrator of the budget
7 division of the Department of Administrative Services of the unexpended
8 General Fund and Cash Fund appropriation balances existing on June 30,
9 2015, that are allocated in budget subprograms 17, 18, 43, and 44 of
10 Program 603. Reappropriated funds shall be allocated to the same budget
11 subprogram.

12 There is included in the appropriation to this program for FY2015-16
13 \$6,860,000 General Funds, \$18,397,194 Cash Funds, and \$249,341 Federal
14 Funds estimate for state aid, which shall only be used for such purpose.
15 There is included in the appropriation to this program for FY2016-17
16 ~~\$6,585,600~~ ~~\$6,860,000~~ General Funds, \$14,397,194 Cash Funds, and \$249,341
17 Federal Funds estimate for state aid, which shall only be used for such
18 purpose.

19 There is included in the appropriation to this program for FY2015-16
20 \$250,000 General Funds for the Nebraska Developing Youth Talent
21 Initiative, which shall only be used for such purpose. There is included
22 in the appropriation to this program for FY2016-17 \$250,000 General Funds
23 for the Nebraska Developing Youth Talent Initiative, which shall only be
24 used for such purpose. The department shall establish a separate budget
25 subprogram to account for the expenditure of funds appropriated for the
26 Nebraska Developing Youth Talent Initiative. It is the intent of the
27 Legislature that the Department of Economic Development shall select up
28 to two industry partners or industry consortiums each fiscal year from
29 the manufacturing and information technology sectors to participate in
30 the initiative, which shall be in collaboration with public schools. The
31 initiative shall be designed to reach students beginning in the seventh

1 and eighth grades. At least one industry partner selected to participate
 2 in the initiative shall be from a county that has a population of less
 3 than one hundred thousand inhabitants. An initial evaluation report
 4 regarding the results of the initiative shall be provided to the
 5 Legislature electronically and to the Governor upon completion of the
 6 first year of the initiative, not later than September 15, 2016. A final
 7 evaluation report detailing the outcomes of the initiative shall be
 8 provided to the Legislature electronically and to the Governor upon
 9 completion of the initiative, not later than September 15, 2017. The
 10 department shall include in the final evaluation report its
 11 recommendation regarding the future funding of the initiative.

12 Sec. 146. Laws 2016, LB956, section 63, is amended to read:

13 Sec. 63. AGENCY NO. 83 – AID TO COMMUNITY COLLEGES

14 Program No. 151 - Aid to Community Colleges

	FY2015-16	FY2016-17
15		
16	<u>98,891,562</u>	<u>96,795,176</u>
17	<u>98,891,562</u>	<u>96,795,176</u>
18	98,891,562	100,828,308
19	98,891,562	100,828,308

20 There is included in the appropriation to this program for FY2015-16
 21 \$98,891,562 General Funds for state aid, which shall only be used for
 22 such purpose. There is included in the appropriation to this program for
 23 FY2016-17 ~~\$100,828,308~~ \$96,795,176 General Funds for state aid, which
 24 shall only be used for such purpose.

25 Sec. 147. Laws 2016, LB956, section 65, is amended to read:

26 Sec. 65. AGENCY NO. 91 – NEBRASKA TOURISM COMMISSION

27 Program No. 618 - Tourism Promotion

	FY2015-16	FY2016-17
28		
29	<u>250,000</u>	<u>240,000</u>
30	250,000	250,000
31	6,035,290	5,762,007

1	<u>PROGRAM TOTAL</u>	<u>6,285,290</u>	<u>6,002,007</u>
2	PROGRAM TOTAL	6,285,290	6,012,007
3	SALARY LIMIT	872,058	890,943

4 The unexpended state aid General Fund appropriation balance existing
5 on June 30, 2015, is hereby reappropriated.

6 The unexpended General Fund appropriation balance existing on June
7 30, 2016, less \$17,452, is hereby reappropriated.

8 There is included in the appropriation to this program for FY2015-16
9 \$250,000 General Funds, plus any reappropriated amounts, and \$150,000
10 Cash Funds for state aid, which shall only be used for such purpose.
11 There is included in the appropriation to this program for FY2016-17
12 ~~\$250,000~~ \$240,000 General Funds, plus any reappropriated amounts, and
13 \$602,600 Cash Funds for state aid, which shall only be used for such
14 purpose.

15 It is the intent of the Legislature that the Nebraska Tourism
16 Commission establish criteria for the evaluation and ranking of potential
17 large-scale tourism projects that would have a significant economic
18 impact on a local, regional, and statewide basis. The criteria shall take
19 into consideration how projects may be prioritized to maximize geographic
20 diversity, methods to evaluate the natural, cultural, and historical
21 value of projects, and how to best assess the potential of projects to
22 attract visitors from outside the state. The commission shall
23 electronically submit a report to the Appropriations Committee of the
24 Legislature not later than December 31, 2016, summarizing the development
25 of the criteria and how the criteria would best be applied and utilized
26 by the commission.

27 Sec. 148. Laws 2016, LB956, section 66, is amended to read:

28 Sec. 66. FUND LAPSES AND TRANSFERS.

29 The State Treasurer shall make the transfers specified in this
30 section between funds, in the amounts indicated. Unless otherwise noted,
31 transfers for FY2015-16 shall occur on July 1, 2015, or as soon

1 thereafter as administratively possible, and transfers for FY2016-17
2 shall occur on July 1, 2016, or as soon thereafter as administratively
3 possible. All agencies with administrative responsibilities for these
4 funds shall assist the State Treasurer as needed in implementing the
5 transfers.

6 (1) Transfers for FY2015-16 shall include:

7 (a) From the General Fund to the Nebraska State Patrol Cash Fund:
8 \$115,000 less the unexpended balance existing on June 30, 2015, in (i)
9 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash
10 Fund, (iii) any special checking account or accounts used by the Nebraska
11 State Patrol, and (iv) the possession of agency personnel involved in
12 investigations, when the unexpended balances resulted from General Fund
13 transfers to the Nebraska State Patrol Cash Fund or from General Fund
14 appropriations. Any transfers made shall be subject to a final
15 reconciliation of available investigation cash fund balances as of June
16 30, 2015, by the Nebraska State Patrol.

17 It is the intent of the Legislature that the Nebraska State Patrol
18 have available a total of \$115,000 from the General Fund for FY2015-16 to
19 be used in making drug purchases, for enforcing Nebraska laws relating to
20 felonies, for enforcing the Nebraska liquor laws, and for payment of
21 investigative expenses;

22 (b) From the Tobacco Products Administration Cash Fund to the
23 General Fund: \$13,000,000 on or before June 15, 2016, on such date as
24 directed by the budget administrator of the budget division of the
25 Department of Administrative Services;

26 (c) From the Charitable Gaming Operations Fund to the General Fund:
27 \$2,000,000 on or before June 15, 2016, on such date as directed by the
28 budget administrator of the budget division of the Department of
29 Administrative Services;

30 (d) From the Severance Tax Administration Cash Fund to the General
31 Fund: \$150,000 on or before June 15, 2016, on such date as directed by

1 the budget administrator of the budget division of the Department of
2 Administrative Services;

3 (e) From the Securities Act Cash Fund to the General Fund:
4 \$12,000,000 on or before September 30, 2015, \$12,000,000 on or before
5 March 31, 2016, and \$6,000,000 on or before June 30, 2016, on such dates
6 as directed by the budget administrator of the budget division of the
7 Department of Administrative Services;

8 (f) From the Health and Human Services Cash Fund to the University
9 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases
10 Cash Fund: \$500,000, pursuant to section 81-638;

11 (g) From the Department of Insurance Cash Fund to the General Fund:
12 \$3,125,000 on or before September 30, 2015, \$3,125,000 on or before March
13 31, 2016, and \$2,000,000 on or before June 30, 2016, on such dates as
14 directed by the budget administrator of the budget division of the
15 Department of Administrative Services;

16 (h) From the Roads Operations Cash Fund to the Carrier Enforcement
17 Cash Fund: \$7,823,910, less the unexpended balance existing on June 30,
18 2015, in the Carrier Enforcement Cash Fund. Transfers shall be made in
19 four equal quarterly amounts on or before July 15, October 15, January
20 15, and April 15;

21 (i) From the Petroleum Release Remedial Action Cash Fund to the
22 Underground Storage Tank Fund: \$50,000 on or before July 5, 2015;

23 (j) From the State Building Revolving Fund to the Capitol Security
24 Revolving Fund: \$642,437. Transfers shall be made in four equal quarterly
25 amounts on or before July 15, October 15, January 15, and April 15.

26 Transfers shall be made to pay non-General-Fund costs associated
27 with the operation of the state capitol security division of the Nebraska
28 State Patrol;

29 (k) From the Highway Trust Fund to the Motor Fuel Tax Enforcement
30 and Collection Cash Fund: \$1,400,000. Transfers shall be made in twelve
31 equal monthly amounts;

1 (l) From the Highway Trust Fund to the Motor Carrier Division Cash
2 Fund: Up to a maximum of \$300,000. Transfers shall be made as required by
3 the Department of Motor Vehicles to operate the Division of Motor Carrier
4 Services;

5 (m) From the Civic and Community Center Financing Fund to the
6 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2015, or as
7 soon thereafter as administratively possible, as provided for in sections
8 13-2704 and 77-5601;

9 (n) From the Highway Trust Fund to the License Plate Cash Fund:
10 \$9,050,000. Transfers shall be made as required by the Department of
11 Motor Vehicles to meet the expenditures of plate and sticker production;

12 (o) From the Flexible Spending Trust Fund to the Health and Life
13 Benefit Administration Cash Fund: \$140,000, except that if the total
14 available unobligated balance of forfeitures in the Flexible Spending
15 Trust Fund as of June 30, 2015, is less than \$140,000, then the State
16 Treasurer shall transfer the difference, not to exceed \$140,000, from the
17 State Employees Insurance Fund. Transfers shall be made to pay the costs
18 associated with the administration of the Flexible Spending Account
19 program;

20 (p) From the State Employees Insurance Fund to the Health and Life
21 Benefit Administration Cash Fund: \$973,433, less the June 30, 2015,
22 unobligated Health and Life Benefit Administration Cash Fund balance;

23 (q) From the Severance Tax Fund to the Municipal Rate Negotiations
24 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

25 (r) From the Severance Tax Fund to the State Energy Office Cash
26 Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in
27 twelve equal monthly amounts;

28 (s) From the General Fund to the Victim's Compensation Fund:
29 \$50,000;

30 (t) From the Ignition Interlock Cash Fund to the General Fund:
31 \$200,000 on or before June 15, 2016, on such date as directed by the

1 budget administrator of the budget division of the Department of
2 Administrative Services;

3 (u) From the Waste Reduction and Recycling Incentive Fund to the
4 General Fund: \$1,000,000 on or before June 15, 2016, on such date as
5 directed by the budget administrator of the budget division of the
6 Department of Administrative Services; and

7 (v) From the General Fund to the Nebraska Capital Construction Fund:
8 \$800,000.

9 (2) Transfers for FY2016-17 shall include:

10 (a) From the General Fund to the Nebraska State Patrol Cash Fund:
11 \$115,000 less the unexpended balance existing on June 30, 2016, in (i)
12 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash
13 Fund, (iii) any special checking account or accounts used by the Nebraska
14 State Patrol, and (iv) the possession of agency personnel involved in
15 investigations, when the unexpended balances resulted from General Fund
16 transfers to the Nebraska State Patrol Cash Fund or from General Fund
17 appropriations. Any transfers made shall be subject to a final
18 reconciliation of available investigation cash fund balances as of June
19 30, 2016, by the Nebraska State Patrol.

20 It is the intent of the Legislature that the Nebraska State Patrol
21 have available a total of \$115,000 from the General Fund for FY2016-17 to
22 be used in making drug purchases, for enforcing Nebraska laws relating to
23 felonies, for enforcing the Nebraska liquor laws, and for payment of
24 investigative expenses;

25 (b) From the Tobacco Products Administration Cash Fund to the
26 General Fund: ~~\$11,000,000~~ ~~\$10,000,000~~ on or before June 15, 2017, on such
27 date as directed by the budget administrator of the budget division of
28 the Department of Administrative Services;

29 (c) From the Severance Tax Administration Cash Fund to the General
30 Fund: ~~\$100,000~~ ~~\$150,000~~ on or before June 15, 2017, on such date as
31 directed by the budget administrator of the budget division of the

1 Department of Administrative Services;

2 (d) From the Securities Act Cash Fund to the General Fund:
3 \$15,000,000 on or before September 30, 2016, and \$15,000,000 on or before
4 March 31, 2017, on such dates as directed by the budget administrator of
5 the budget division of the Department of Administrative Services;

6 (e) From the Health and Human Services Cash Fund to the University
7 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases
8 Cash Fund: \$500,000, pursuant to section 81-638;

9 (f) From the Department of Insurance Cash Fund to the General Fund:
10 \$4,125,000 on or before September 30, 2016, and \$4,125,000 on or before
11 March 31, 2017, on such dates as directed by the budget administrator of
12 the budget division of the Department of Administrative Services;

13 (g) From the Roads Operations Cash Fund to the Carrier Enforcement
14 Cash Fund: \$8,064,775. Transfers shall be made in four equal quarterly
15 amounts on or before July 15, October 15, January 15, and April 15;

16 (h) From the Petroleum Release Remedial Action Cash Fund to the
17 Underground Storage Tank Fund: \$50,000 on or before July 5, 2016;

18 (i) From the State Building Revolving Fund to the Capitol Security
19 Revolving Fund: \$666,530. Transfers shall be made in four equal quarterly
20 amounts on or before July 15, October 15, January 15, and April 15.

21 Transfers shall be made to pay non-General-Fund costs associated
22 with the operation of the state capitol security division of the Nebraska
23 State Patrol;

24 (j) From the Highway Trust Fund to the Motor Fuel Tax Enforcement
25 and Collection Cash Fund: \$1,200,000. Transfers shall be made in twelve
26 equal monthly amounts;

27 (k) From the Highway Trust Fund to the Motor Carrier Division Cash
28 Fund: Up to a maximum of \$1,200,000. Transfers shall be made as required
29 by the Department of Motor Vehicles to operate the Division of Motor
30 Carrier Services;

31 (l) From the Civic and Community Center Financing Fund to the

1 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2016, or as
2 soon thereafter as administratively possible, as provided for in sections
3 13-2704 and 77-5601;

4 (m) From the Highway Trust Fund to the License Plate Cash Fund: Up
5 to a maximum of \$5,200,000. Transfers shall be made as required by the
6 Department of Motor Vehicles to meet the expenditures of plate and
7 sticker production;

8 (n) From the Flexible Spending Trust Fund to the Health and Life
9 Benefit Administration Cash Fund: \$140,000, except that if the total
10 available unobligated balance of forfeitures in the Flexible Spending
11 Trust Fund as of June 30, 2016, is less than \$140,000, then the State
12 Treasurer shall transfer the difference, not to exceed \$140,000, from the
13 State Employees Insurance Fund. Transfers shall be made to pay the costs
14 associated with the administration of the Flexible Spending Account
15 program;

16 (o) From the State Employees Insurance Fund to the Health and Life
17 Benefit Administration Cash Fund: \$959,762;

18 (p) From the Severance Tax Fund to the Municipal Rate Negotiations
19 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

20 (q) From the Severance Tax Fund to the State Energy Office Cash
21 Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in
22 twelve equal monthly amounts;

23 (r) From the General Fund to the Victim's Compensation Fund:
24 \$50,000; ~~and~~

25 (s) From the Department of Motor Vehicles Ignition Interlock Cash
26 Fund to the General Fund: ~~\$450,000~~ \$200,000 on or before June 15, 2017,
27 on such date as directed by the budget administrator of the budget
28 division of the Department of Administrative Services; -

29 (t) From the Treasury Management Cash Fund to the General Fund:
30 \$150,000 on or before June 30, 2017, on such date as directed by the
31 budget administrator of the budget division of the Department of

1 Administrative Services;

2 (u) From the Life Insurance Demutualization Trust Fund to the
3 General Fund: \$400,000 on or before June 30, 2017, on such date as
4 directed by the budget administrator of the budget division of the
5 Department of Administrative Services;

6 (v) From the State Athletic Commissioner's Cash Fund to the General
7 Fund: \$200,000 on or before June 30, 2017, on such date as directed by
8 the budget administrator of the budget division of the Department of
9 Administrative Services;

10 (w) From the Charitable Gaming Operations Fund to the General Fund:
11 \$2,000,000 on or before June 30, 2017, on such date as directed by the
12 budget administrator of the budget division of the Department of
13 Administrative Services;

14 (x) From the Energy Conservation Improvement Fund to the General
15 Fund: The remaining balance on or before June 30, 2017, on such date as
16 directed by the budget administrator of the budget division of the
17 Department of Administrative Services;

18 (y) From the Marijuana and Controlled Substances Tax Administration
19 Cash Fund to the General Fund: \$25,000 on or before June 30, 2017, on
20 such date as directed by the budget administrator of the budget division
21 of the Department of Administrative Services;

22 (z) From the Department of Motor Vehicles Cash Fund to the General
23 Fund: \$1,000,000 on or before June 30, 2017, on such date as directed by
24 the budget administrator of the budget division of the Department of
25 Administrative Services;

26 (aa) From the Nebraska Motor Vehicle Industry Licensing Fund to the
27 General Fund: \$500,000 on or before June 30, 2017, on such date as
28 directed by the budget administrator of the budget division of the
29 Department of Administrative Services;

30 (bb) From the Waste Reduction and Recycling Incentive Fund to the
31 General Fund: \$500,000 on or before June 30, 2017, on such date as

1 directed by the budget administrator of the budget division of the
2 Department of Administrative Services;

3 (cc) From the Nebraska Litter Reduction and Recycling Fund to the
4 General Fund: \$500,000 on or before June 30, 2017, on such date as
5 directed by the budget administrator of the budget division of the
6 Department of Administrative Services;

7 (dd) From the Petroleum Release Remedial Action Cash Fund to the
8 General Fund: \$700,000 on or before June 30, 2017, on such date as
9 directed by the budget administrator of the budget division of the
10 Department of Administrative Services;

11 (ee) From the State Real Estate Commission's Fund to the General
12 Fund: \$200,000 on or before June 30, 2017, on such date as directed by
13 the budget administrator of the budget division of the Department of
14 Administrative Services;

15 (ff) From the State Building Renewal Assessment Fund to the General
16 Fund: \$344,000 on or before June 30, 2017, on such date as directed by
17 the budget administrator of the budget division of the Department of
18 Administrative Services; and

19 (gg) From the Building Renewal Allocation Fund to the General Fund:
20 \$364,000 on or before June 30, 2017, on such date as directed by the
21 budget administrator of the budget division of the Department of
22 Administrative Services.

23 Sec. 149. Laws 2016, LB956, section 67, is amended to read:

24 Sec. 67. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS

25 Program No. 10 - Salary - Auditor of Public Accounts

	FY2015-16	FY2016-17
27 <u>GENERAL FUND</u>	<u>99,069</u>	<u>99,135</u>
28 <u>PROGRAM TOTAL</u>	<u>99,069</u>	<u>99,135</u>
29 GENERAL FUND	99,069	121,135
30 PROGRAM TOTAL	99,069	121,135
31 SALARY LIMIT	85,000	85,000

1 The unexpended General Fund appropriation balance existing on June
2 30, 2016, is not reappropriated.

3 Sec. 150. Laws 2016, LB1038A, section 1, is amended to read:

4 Section 1. There is hereby appropriated (1) ~~\$690,000~~ ~~\$1,000,000~~ from
5 the General Fund for FY2016-17 and (2) \$1,000,000 from the General Fund
6 for FY2017-18 to the Department of Agriculture, for Program 78, to aid in
7 carrying out the provisions of Legislative Bill 1038, One Hundred Fourth
8 Legislature, Second Session, 2016.

9 There is included in the appropriation to this program for FY2016-17
10 ~~\$675,000~~ ~~\$975,000~~ General Funds for state aid, which shall only be used
11 for such purpose. There is included in the appropriation to this program
12 for FY2017-18 \$975,000 General Funds for state aid, which shall only be
13 used for such purpose.

14 Sec. 151. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

26 (2) Total expenditures for permanent and temporary salaries and per
27 diems shall be limited to the amount shown except when federal funds in
28 excess of the amount shown are available and approved by the Governor.
29 Expenditures for permanent and temporary salaries and per diems from such
30 grants shall be in addition to the limitation on permanent and temporary
31 salaries and per diems otherwise shown in this act. No agency shall

1 request any state funds for continuation or replacement of any such
2 personnel or activities in future budget requests. To the extent
3 feasible, requests for increases in the limitation on permanent and
4 temporary salaries and per diems shall be addressed to the Appropriations
5 Committee of the Legislature when the Legislature is in session.

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

10 (4) The limitation on expenditures for permanent and temporary
11 salaries and per diems for FY2016-17 as enumerated in this act shall be
12 the basis for continuation funding for each fiscal year of the succeeding
13 biennium.

14 (5) The limitation on expenditures for permanent and temporary
15 salaries and per diems for FY2015-16 shall be increased by certified
16 encumbrance amounts from FY2014-15 for permanent and temporary salaries
17 and per diems. The limitation on expenditures for permanent and temporary
18 salaries and per diems for FY2016-17 shall be increased by certified
19 encumbrance amounts from FY2015-16 for permanent and temporary salaries
20 and per diems. Encumbered amounts shall be calculated in accordance with
21 section 81-138.01.

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

26 Sec. 152. Original sections Laws 2015, LB259A, section 2; Laws
27 2015, LB469A, section 1; Laws 2015, LB605A, section 8; Laws 2015, LB657,
28 sections 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26, 27, 28, 29, 32,
29 34, 38, 39, 44, 51, 53, 54, 55, 56, 58, 67, 68, 71, 80, 83, 84, 85, 90,
30 94, 95, 97, 99, 100, 101, 107, 108, 112, 113, 114, 119, 126, 127, 129,
31 131, 133, 134, 136, 137, 138, 139, 140, 145, 150, 152, 153, 154, 155,

1 163, 166, 167, 169, 171, 174, 175, 178, 179, 188, 191, 192, 194, 195,
2 202, 204, 211, 213, 216, 218, 219, 221, 223, 224, 226, 232, 233, 234,
3 235, 236, 237, 238, 239, 240, 241, 242, 244, 245, 246, 247, 249, 256, and
4 260; Laws 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections
5 35 and 40; Laws 2016, LB956, sections 7, 10, 39, 41, 42, 44, 45, 46, 47,
6 48, 49, 51, 52, 53, 54, 55, 56, 61, 62, 63, 65, 66, and 67; and Laws
7 2016, LB1038A, section 1, are repealed.

8 Sec. 153. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 219

Introduced by Nebraska Retirement Systems Committee: Kolterman, 24,
Chairperson; Bolz, 29; Groene, 42; Kolowski, 31; Lindstrom,
18; Stinner, 48.

Read first time January 10, 2017

Committee: Nebraska Retirement Systems

- 1 A BILL FOR AN ACT relating to retirement; to amend sections 24-701,
- 2 84-1301, and 84-1319, Reissue Revised Statutes of Nebraska, and
- 3 sections 23-2301, 23-2317, 79-902, and 81-2014, Revised Statutes
- 4 Cumulative Supplement, 2016; to redefine terms; to change provisions
- 5 relating to authorized benefit elections; to change provisions
- 6 relating to actuarial assumptions; to repeal the original sections;
- 7 and to declare an emergency.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-2301, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 23-2301 For purposes of the County Employees Retirement Act, unless
4 the context otherwise requires:

5 (1)(a) (1) Actuarial equivalent means the equality in value of the
6 aggregate amounts expected to be received under different forms of an
7 annuity payment.

8 (b) For a member hired prior to January 1, 2018, the The mortality
9 assumption used for purposes of converting the member cash balance
10 account shall be the 1994 Group Annuity Mortality Table using a unisex
11 rate that is fifty percent male and fifty percent female. For purposes of
12 converting the member cash balance account attributable to contributions
13 made prior to January 1, 1984, that were transferred pursuant to the act,
14 the 1994 Group Annuity Mortality Table for males shall be used. ÷

15 (c) For a member hired on or after January 1, 2018, or rehired on or
16 after January 1, 2018, after termination of employment and being paid a
17 retirement benefit or taking a refund of contributions, the mortality
18 assumption used for purposes of converting the member cash balance
19 account shall be a mortality table using a unisex rate that is fifty
20 percent male and fifty percent female that is recommended by the actuary
21 and approved by the board following an actuarial experience study, a
22 benefit adequacy study, or a plan valuation;

23 (2) Annuity means equal monthly payments provided by the retirement
24 system to a member or beneficiary under forms determined by the board
25 beginning the first day of the month after an annuity election is
26 received in the office of the Nebraska Public Employees Retirement
27 Systems or the first day of the month after the employee's termination of
28 employment, whichever is later. The last payment shall be at the end of
29 the calendar month in which the member dies or in accordance with the
30 payment option chosen by the member;

31 (3) Annuity start date means the date upon which a member's annuity

1 is first effective and shall be the first day of the month following the
2 member's termination or following the date the application is received by
3 the board, whichever is later;

4 (4) Cash balance benefit means a member's retirement benefit that is
5 equal to an amount based on annual employee contribution credits plus
6 interest credits and, if vested, employer contribution credits plus
7 interest credits and dividend amounts credited in accordance with
8 subdivision (4)(c) of section 23-2317;

9 (5)(a) Compensation means gross wages or salaries payable to the
10 member for personal services performed during the plan year. Compensation
11 does not include insurance premiums converted into cash payments,
12 reimbursement for expenses incurred, fringe benefits, per diems, or
13 bonuses for services not actually rendered, including, but not limited
14 to, early retirement inducements, cash awards, and severance pay, except
15 for retroactive salary payments paid pursuant to court order,
16 arbitration, or litigation and grievance settlements. Compensation
17 includes overtime pay, member retirement contributions, and amounts
18 contributed by the member to plans under sections 125, 403(b), and 457 of
19 the Internal Revenue Code or any other section of the code which defers
20 or excludes such amounts from income.

21 (b) Compensation in excess of the limitations set forth in section
22 401(a)(17) of the Internal Revenue Code shall be disregarded. For an
23 employee who was a member of the retirement system before the first plan
24 year beginning after December 31, 1995, the limitation on compensation
25 shall not be less than the amount which was allowed to be taken into
26 account under the retirement system as in effect on July 1, 1993;

27 (6) Date of adoption of the retirement system by each county means
28 the first day of the month next following the date of approval of the
29 retirement system by the county board or January 1, 1987, whichever is
30 earlier;

31 (7) Date of disability means the date on which a member is

1 determined by the board to be disabled;

2 (8) Defined contribution benefit means a member's retirement benefit
3 from a money purchase plan in which member benefits equal annual
4 contributions and earnings pursuant to section 23-2309 and, if vested,
5 employer contributions and earnings pursuant to section 23-2310;

6 (9) Disability means an inability to engage in a substantially
7 gainful activity by reason of any medically determinable physical or
8 mental impairment which can be expected to result in death or be of a
9 long and indefinite duration;

10 (10) Employee means all persons or officers who are employed by a
11 county of the State of Nebraska on a permanent basis, persons or officers
12 employed by or serving in a municipal county formed by at least one
13 county participating in the retirement system, persons employed as
14 provided in section 2-1608, all elected officers of a county, and such
15 other persons or officers as are classified from time to time as
16 permanent employees by the county board of the county by which they are
17 employed, except that employee does not include judges, employees or
18 officers of any county having a population in excess of two hundred fifty
19 thousand inhabitants as determined by the most recent federal decennial
20 census, or, except as provided in section 23-2306, persons making
21 contributions to the School Employees Retirement System of the State of
22 Nebraska;

23 (11) Employee contribution credit means an amount equal to the
24 member contribution amount required by section 23-2307;

25 (12) Employer contribution credit means an amount equal to the
26 employer contribution amount required by section 23-2308;

27 (13) Final account value means the value of a member's account on
28 the date the account is either distributed to the member or used to
29 purchase an annuity from the plan, which date shall occur as soon as
30 administratively practicable after receipt of a valid application for
31 benefits, but no sooner than forty-five days after the member's

1 termination;

2 (14) Five-year break in service means a period of five consecutive
3 one-year breaks in service;

4 (15) Full-time employee means an employee who is employed to work
5 one-half or more of the regularly scheduled hours during each pay period;

6 (16) Future service means service following the date of adoption of
7 the retirement system;

8 (17) Guaranteed investment contract means an investment contract or
9 account offering a return of principal invested plus interest at a
10 specified rate. For investments made after July 19, 1996, guaranteed
11 investment contract does not include direct obligations of the United
12 States or its instrumentalities, bonds, participation certificates or
13 other obligations of the Federal National Mortgage Association, the
14 Federal Home Loan Mortgage Corporation, or the Government National
15 Mortgage Association, or collateralized mortgage obligations and other
16 derivative securities. This subdivision shall not be construed to require
17 the liquidation of investment contracts or accounts entered into prior to
18 July 19, 1996;

19 (18) Interest credit rate means the greater of (a) five percent or
20 (b) the applicable federal mid-term rate, as published by the Internal
21 Revenue Service as of the first day of the calendar quarter for which
22 interest credits are credited, plus one and one-half percent, such rate
23 to be compounded annually;

24 (19) Interest credits means the amounts credited to the employee
25 cash balance account and the employer cash balance account at the end of
26 each day. Such interest credit for each account shall be determined by
27 applying the daily portion of the interest credit rate to the account
28 balance at the end of the previous day. Such interest credits shall
29 continue to be credited to the employee cash balance account and the
30 employer cash balance account after a member ceases to be an employee,
31 except that no such credit shall be made with respect to the employee

1 cash balance account and the employer cash balance account for any day
2 beginning on or after the member's date of final account value. If
3 benefits payable to the member's surviving spouse or beneficiary are
4 delayed after the member's death, interest credits shall continue to be
5 credited to the employee cash balance account and the employer cash
6 balance account until such surviving spouse or beneficiary commences
7 receipt of a distribution from the plan;

8 (20) Member cash balance account means an account equal to the sum
9 of the employee cash balance account and, if vested, the employer cash
10 balance account and dividend amounts credited in accordance with
11 subdivision (4)(c) of section 23-2317;

12 (21) One-year break in service means a plan year during which the
13 member has not completed more than five hundred hours of service;

14 (22) Participation means qualifying for and making the required
15 deposits to the retirement system during the course of a plan year;

16 (23) Part-time employee means an employee who is employed to work
17 less than one-half of the regularly scheduled hours during each pay
18 period;

19 (24) Plan year means the twelve-month period beginning on January 1
20 and ending on December 31;

21 (25) Prior service means service prior to the date of adoption of
22 the retirement system;

23 (26) Regular interest means the rate of interest earned each
24 calendar year as determined by the retirement board in conformity with
25 actual and expected earnings on the investments through December 31,
26 1985;

27 (27) Required contribution means the deduction to be made from the
28 compensation of employees as provided in the act;

29 (28) Retirement means qualifying for and accepting the retirement
30 benefit granted under the act after terminating employment;

31 (29) Retirement application means the form approved and provided by

1 the retirement system for acceptance of a member's request for either
2 regular or disability retirement;

3 (30) Retirement board or board means the Public Employees Retirement
4 Board;

5 (31) Retirement date means (a) the first day of the month following
6 the date upon which a member's request for retirement is received on a
7 retirement application if the member is eligible for retirement and has
8 terminated employment or (b) the first day of the month following
9 termination of employment if the member is eligible for retirement and
10 has filed an application but has not yet terminated employment;

11 (32) Retirement system means the Retirement System for Nebraska
12 Counties;

13 (33) Service means the actual total length of employment as an
14 employee and is not deemed to be interrupted by (a) temporary or seasonal
15 suspension of service that does not terminate the employee's employment,
16 (b) leave of absence authorized by the employer for a period not
17 exceeding twelve months, (c) leave of absence because of disability, or
18 (d) military service, when properly authorized by the retirement board.
19 Service does not include any period of disability for which disability
20 retirement benefits are received under section 23-2315;

21 (34) Surviving spouse means (a) the spouse married to the member on
22 the date of the member's death or (b) the spouse or former spouse of the
23 member if survivorship rights are provided under a qualified domestic
24 relations order filed with the board pursuant to the Spousal Pension
25 Rights Act. The spouse or former spouse shall supersede the spouse
26 married to the member on the date of the member's death as provided under
27 a qualified domestic relations order. If the benefits payable to the
28 spouse or former spouse under a qualified domestic relations order are
29 less than the value of benefits entitled to the surviving spouse, the
30 spouse married to the member on the date of the member's death shall be
31 the surviving spouse for the balance of the benefits;

1 (35) Termination of employment occurs on the date on which a county
2 which is a member of the retirement system determines that its employer-
3 employee relationship with an employee is dissolved. The county shall
4 notify the board of the date on which such a termination has occurred.
5 Termination of employment does not occur if an employee whose employer-
6 employee relationship with a county is dissolved enters into an employer-
7 employee relationship with the same or another county which participates
8 in the Retirement System for Nebraska Counties and there are less than
9 one hundred twenty days between the date when the employee's employer-
10 employee relationship ceased with the county and the date when the
11 employer-employee relationship commenced with the same or another county
12 which qualifies the employee for participation in the plan. It is the
13 responsibility of the employer that is involved in the termination of
14 employment to notify the board of such change in employment and provide
15 the board with such information as the board deems necessary. If the
16 board determines that termination of employment has not occurred and a
17 retirement benefit has been paid to a member of the retirement system
18 pursuant to section 23-2319, the board shall require the member who has
19 received such benefit to repay the benefit to the retirement system; and
20 (36) Vesting credit means credit for years, or a fraction of a year,
21 of participation in another Nebraska governmental plan for purposes of
22 determining vesting of the employer account.

23 Sec. 2. Section 23-2317, Revised Statutes Cumulative Supplement,
24 2016, is amended to read:

25 23-2317 (1) The future service retirement benefit shall be an
26 annuity, payable monthly with the first payment made no earlier than the
27 annuity start date, which shall be the actuarial equivalent of the
28 retirement value as specified in section 23-2316 based on factors
29 determined by the board, except that gender shall not be a factor when
30 determining the amount of such payments pursuant to subsection (2) of
31 this section.

1 Except as provided in section 42-1107, at any time before the
2 annuity start date, the retiring employee may choose to receive his or
3 her annuity either in the form of an annuity as provided under subsection
4 (4) of this section or any optional form that is determined by the board.

5 Except as provided in section 42-1107, in lieu of the future service
6 retirement annuity, a retiring employee may receive a benefit not to
7 exceed the amount in his or her employer and employee accounts as of the
8 date of final account value payable in a lump sum and, if the employee
9 chooses not to receive the entire amount in such accounts, an annuity
10 equal to the actuarial equivalent of the remainder of the retirement
11 value, and the employee may choose any form of such annuity as provided
12 for by the board.

13 In any case, the amount of the monthly payment shall be such that
14 the annuity chosen shall be the actuarial equivalent of the retirement
15 value as specified in section 23-2316 except as provided in this section.

16 The board shall provide to any county employee who is eligible for
17 retirement, prior to his or her selecting any of the retirement options
18 provided by this section, information on the federal and state income tax
19 consequences of the various annuity or retirement benefit options.

20 (2) Except as provided in subsection (4) of this section, the
21 monthly income payable to a member retiring on or after January 1, 1984,
22 shall be as follows:

23 He or she shall receive at retirement the amount which may be
24 purchased by the accumulated contributions based on annuity rates in
25 effect on the annuity start date which do not utilize gender as a factor,
26 except that such amounts shall not be less than the retirement income
27 which can be provided by the sum of the amounts derived pursuant to
28 subdivisions (a) and (b) of this subsection as follows:

29 (a) The income provided by the accumulated contributions made prior
30 to January 1, 1984, based on male annuity purchase rates in effect on the
31 date of purchase; and

1 (b) The income provided by the accumulated contributions made on and
2 after January 1, 1984, based on the annuity purchase rates in effect on
3 the date of purchase which do not use gender as a factor.

4 (3) Any amount, in excess of contributions, which may be required in
5 order to purchase the retirement income specified in subsection (2) of
6 this section shall be withdrawn from the County Equal Retirement Benefit
7 Fund.

8 (4)(a) The normal form of payment shall be a single life annuity
9 with five-year certain, which is an annuity payable monthly during the
10 remainder of the member's life with the provision that, in the event of
11 his or her death before sixty monthly payments have been made, the
12 monthly payments will be continued to his or her estate or to the
13 beneficiary he or she has designated until sixty monthly payments have
14 been made in total. Such annuity shall be equal to the actuarial
15 equivalent of the member cash balance account or the sum of the employee
16 and employer accounts, whichever is applicable, as of the date of final
17 account value. As a part of the annuity, the normal form of payment may
18 include a two and one-half percent cost-of-living adjustment purchased by
19 the member, if the member elects such a payment option.

20 Except as provided in section 42-1107, a member may elect a lump-sum
21 distribution of his or her member cash balance account as of the date of
22 final account value upon termination of service or retirement.

23 For a member employed and participating in the retirement system
24 prior to January 1, 2003, who has elected to participate in the cash
25 balance benefit pursuant to section 23-2308.01, or for a member employed
26 and participating in the retirement system beginning on and after January
27 1, 2003, the balance of his or her member cash balance account as of the
28 date of final account value shall be converted to an annuity using an
29 annuity interest rate that is recommended by the actuary and approved by
30 the board following an actuarial experience study, a benefit adequacy
31 study, or a plan valuation used in the actuarial valuation as recommended

1 ~~by the actuary and approved by the board.~~

2 For an employee who is a member prior to January 1, 2003, who has
3 elected not to participate in the cash balance benefit pursuant to
4 section 23-2308.01, and who, at the time of retirement, chooses the
5 annuity option rather than the lump-sum option, his or her employee and
6 employer accounts as of the date of final account value shall be
7 converted to an annuity using an annuity interest rate that is equal to
8 ~~the lesser of (i) the Pension Benefit Guaranty Corporation initial~~
9 ~~interest rate for valuing annuities for terminating plans as of the~~
10 ~~beginning of the year during which payment begins plus three-fourths of~~
11 ~~one percent or (ii) the interest rate used in the actuarial valuation as~~
12 ~~recommended by the actuary and approved by the board.~~

13 (b) For the calendar year beginning January 1, 2003, and each
14 calendar year thereafter, the actuary for the board shall perform an
15 actuarial valuation of the system using the entry age actuarial cost
16 method. Under this method, the actuarially required funding rate is equal
17 to the normal cost rate plus the contribution rate necessary to amortize
18 the unfunded actuarial accrued liability on a level-payment basis. The
19 normal cost under this method shall be determined for each individual
20 member on a level percentage of salary basis. The normal cost amount is
21 then summed for all members. The initial unfunded actual accrued
22 liability as of January 1, 2003, if any, shall be amortized over a
23 twenty-five-year period. During each subsequent actuarial valuation,
24 changes in the unfunded actuarial accrued liability due to changes in
25 benefits, actuarial assumptions, the asset valuation method, or actuarial
26 gains or losses shall be measured and amortized over a twenty-five-year
27 period beginning on the valuation date of such change. If the unfunded
28 actuarial accrued liability under the entry age actuarial cost method is
29 zero or less than zero on an actuarial valuation date, then all prior
30 unfunded actuarial accrued liabilities shall be considered fully funded
31 and the unfunded actuarial accrued liability shall be reinitialized and

1 amortized over a twenty-five-year period as of the actuarial valuation
2 date. If the actuarially required contribution rate exceeds the rate of
3 all contributions required pursuant to the County Employees Retirement
4 Act, there shall be a supplemental appropriation sufficient to pay for
5 the difference between the actuarially required contribution rate and the
6 rate of all contributions required pursuant to the act.

7 (c) If the unfunded accrued actuarial liability under the entry age
8 actuarial cost method is less than zero on an actuarial valuation date,
9 and on the basis of all data in the possession of the retirement board,
10 including such mortality and other tables as are recommended by the
11 actuary engaged by the retirement board and adopted by the retirement
12 board, the retirement board may elect to pay a dividend to all members
13 participating in the cash balance option in an amount that would not
14 increase the actuarial contribution rate above ninety percent of the
15 actual contribution rate. Dividends shall be credited to the employee
16 cash balance account and the employer cash balance account based on the
17 account balances on the actuarial valuation date. In the event a dividend
18 is granted and paid after the actuarial valuation date, interest for the
19 period from the actuarial valuation date until the dividend is actually
20 paid shall be paid on the dividend amount. The interest rate shall be the
21 interest credit rate earned on regular contributions.

22 (5) At the option of the retiring member, any lump sum or annuity
23 provided under this section or section 23-2334 may be deferred to
24 commence at any time, except that no benefit shall be deferred later than
25 April 1 of the year following the year in which the employee has both
26 attained at least seventy and one-half years of age and has terminated
27 his or her employment with the county. Such election by the retiring
28 member may be made at any time prior to the commencement of the lump-sum
29 or annuity payments.

30 (6) A participant or beneficiary who would have been required to
31 receive required minimum distributions for 2009 but for the enactment of

1 section 401(a)(9)(H) of the Internal Revenue Code, and who would have
2 satisfied that requirement by receiving distributions that are either
3 equal to the 2009 required minimum distributions or one or more payments
4 in a series of substantially equal distributions, including the 2009
5 required minimum distribution, made at least annually and expected to
6 last for the life or life expectancy of the participant, the joint lives
7 or joint life expectancy of the participant and the participant's
8 designated beneficiary, or for a period of at least ten years, shall
9 receive those distributions for 2009 unless the participant or
10 beneficiary chooses not to receive such distributions. Participants and
11 beneficiaries shall be given the opportunity to elect to stop receiving
12 the distributions described in this subsection.

13 Sec. 3. Section 24-701, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 24-701 For purposes of the Judges Retirement Act, unless the context
16 otherwise requires:

17 (1)(a) ~~(1)~~ Actuarial equivalence means the equality in value of the
18 aggregate amounts expected to be received under different forms of
19 payment.

20 (b) For a judge hired prior to July 1, 2017, the The determinations
21 are to be based on the 1994 Group Annuity Mortality Table reflecting sex-
22 distinct factors blended using seventy-five percent of the male table and
23 twenty-five percent of the female table. An annuity interest rate of
24 eight percent per annum shall be reflected in making these
25 determinations. ÷

26 (c) For a judge hired on or after July 1, 2017, or rehired on or
27 after July 1, 2017, after termination of employment and being paid a
28 retirement benefit or taking a refund of contributions, the
29 determinations shall be based on a mortality table using seventy-five
30 percent of the male table and twenty-five percent of the female table and
31 an annuity rate specified by the board. Both the mortality table and the

1 annuity rate shall be recommended by the actuary and approved by the
2 board following an actuarial experience study, a benefit adequacy study,
3 or a plan valuation;

4 (2) Beneficiary means a person so designated by a judge in the last
5 designation of beneficiary on file with the board or, if no designated
6 person survives or if no designation is on file, the estate of such
7 judge;

8 (3) Board means the Public Employees Retirement Board;

9 (4)(a) Compensation means the statutory salary of a judge or the
10 salary being received by such judge pursuant to law. Compensation does
11 not include compensation for unused sick leave or unused vacation leave
12 converted to cash payments, insurance premiums converted into cash
13 payments, reimbursement for expenses incurred, fringe benefits, per
14 diems, or bonuses for services not actually rendered, including, but not
15 limited to, early retirement inducements, cash awards, and severance pay,
16 except for retroactive salary payments paid pursuant to court order,
17 arbitration, or litigation and grievance settlements. Compensation
18 includes overtime pay, member retirement contributions, and amounts
19 contributed by the member to plans under sections 125 and 457 of the
20 Internal Revenue Code as defined in section 49-801.01 or any other
21 section of the code which defers or excludes such amounts from income.

22 (b) Compensation in excess of the limitations set forth in section
23 401(a)(17) of the Internal Revenue Code as defined in section 49-801.01
24 shall be disregarded. For an employee who was a member of the retirement
25 system before the first plan year beginning after December 31, 1995, the
26 limitation on compensation shall not be less than the amount which was
27 allowed to be taken into account under the retirement system as in effect
28 on July 1, 1993;

29 (5) Creditable service means the total number of years served as a
30 judge, including prior service, military service, and current service,
31 computed to the nearest one-twelfth year. For current service prior to

1 the time that the member has contributed the required percentage of
2 salary until the maximum benefit as limited by section 24-710 has been
3 earned, creditable service does not include current service for which
4 member contributions are not made or are withdrawn and not repaid;

5 (6) Current benefit means the initial benefit increased by all
6 adjustments made pursuant to the Judges Retirement Act;

7 (7)(a) Current service means the period of service (i) any judge of
8 the Supreme Court or judge of the district court serves in such capacity
9 from and after January 3, 1957, (ii)(A) any judge of the Nebraska
10 Workmen's Compensation Court served in such capacity from and after
11 September 20, 1957, and prior to July 17, 1986, and (B) any judge of the
12 Nebraska Workers' Compensation Court serves in such capacity on and after
13 July 17, 1986, (iii) any county judge serves in such capacity from and
14 after January 5, 1961, (iv) any judge of a separate juvenile court serves
15 in such capacity, (v) any judge of the municipal court served in such
16 capacity subsequent to October 23, 1967, and prior to July 1, 1985, (vi)
17 any judge of the county court or associate county judge serves in such
18 capacity subsequent to January 4, 1973, (vii) any clerk magistrate, who
19 was an associate county judge and a member of the fund at the time of
20 appointment as a clerk magistrate, serves in such capacity from and after
21 July 1, 1986, and (viii) any judge of the Court of Appeals serves in such
22 capacity on or after September 6, 1991.

23 (b) Current service shall not be deemed to be interrupted by (i)
24 temporary or seasonal suspension of service that does not terminate the
25 employee's employment, (ii) leave of absence authorized by the employer
26 for a period not exceeding twelve months, (iii) leave of absence because
27 of disability, or (iv) military service, when properly authorized by the
28 board. Current service does not include any period of disability for
29 which disability retirement benefits are received under section 24-709;

30 (8) Final average compensation for a judge who becomes a member
31 prior to July 1, 2015, means the average monthly compensation for the

1 three twelve-month periods of service as a judge in which compensation
2 was the greatest or, in the event of a judge serving less than three
3 twelve-month periods, the average monthly compensation for such judge's
4 period of service. Final average compensation for a judge who becomes a
5 member on and after July 1, 2015, means the average monthly compensation
6 for the five twelve-month periods of service as a judge in which
7 compensation was the greatest or, in the event of a judge serving less
8 than five twelve-month periods, the average monthly compensation for such
9 judge's period of service;

10 (9) Fund means the Nebraska Retirement Fund for Judges;

11 (10) Future member means a judge who first served as a judge on or
12 after December 25, 1969, or means a judge who first served as a judge
13 prior to December 25, 1969, who elects to become a future member on or
14 before June 30, 1970, as provided in subsection (8) of section 24-703 or
15 section 24-710.01;

16 (11) Initial benefit means the retirement benefit calculated at the
17 time of retirement;

18 (12) Judge means and includes (a) all duly elected or appointed
19 Chief Justices or judges of the Supreme Court and judges of the district
20 courts of Nebraska who serve in such capacity on and after January 3,
21 1957, (b)(i) all duly appointed judges of the Nebraska Workmen's
22 Compensation Court who served in such capacity on and after September 20,
23 1957, and prior to July 17, 1986, and (ii) judges of the Nebraska
24 Workers' Compensation Court who serve in such capacity on and after July
25 17, 1986, (c) judges of separate juvenile courts, (d) judges of the
26 county courts of the respective counties who serve in such capacity on
27 and after January 5, 1961, (e) judges of the county court and clerk
28 magistrates who were associate county judges and members of the fund at
29 the time of their appointment as clerk magistrates, (f) judges of
30 municipal courts established by Chapter 26, article 1, who served in such
31 capacity on and after October 23, 1967, and prior to July 1, 1985, and

1 (g) judges of the Court of Appeals;

2 (13) Member means a judge eligible to participate in the retirement
3 system established under the Judges Retirement Act;

4 (14) Military service means active service of (a) any judge of the
5 Supreme Court or judge of the district court in any of the armed forces
6 of the United States during a war or national emergency prior or
7 subsequent to September 18, 1955, if such service commenced while such
8 judge was holding the office of judge, (b) any judge of the Nebraska
9 Workmen's Compensation Court or the Nebraska Workers' Compensation Court
10 in any of the armed forces of the United States during a war or national
11 emergency prior or subsequent to September 20, 1957, if such service
12 commenced while such judge was holding the office of judge, (c) any judge
13 of the municipal court in any of the armed forces of the United States
14 during a war or national emergency prior or subsequent to October 23,
15 1967, and prior to July 1, 1985, if such service commenced while such
16 judge was holding the office of judge, (d) any judge of the county court
17 or associate county judge in any of the armed forces of the United States
18 during a war or national emergency prior or subsequent to January 4,
19 1973, if such service commenced while such judge was holding the office
20 of judge, (e) any clerk magistrate, who was an associate county judge and
21 a member of the fund at the time of appointment as a clerk magistrate, in
22 any of the armed forces of the United States during a war or national
23 emergency on or after July 1, 1986, if such service commenced while such
24 clerk magistrate was holding the office of clerk magistrate, and (f) any
25 judge of the Court of Appeals in any of the armed forces of the United
26 States during a war or national emergency on or after September 6, 1991,
27 if such service commenced while such judge was holding the office of
28 judge. The board shall have the power to determine when a national
29 emergency exists or has existed for the purpose of applying this
30 definition and provision;

31 (15) Normal form annuity means a series of equal monthly payments

1 payable at the end of each calendar month during the life of a retired
2 judge as provided in sections 24-707 and 24-710, except as provided in
3 section 42-1107. The first payment shall include all amounts accrued
4 since the effective date of the award of the annuity. The last payment
5 shall be at the end of the calendar month in which such judge dies. If at
6 the time of death the amount of annuity payments such judge has received
7 is less than contributions to the fund made by such judge, plus regular
8 interest, the difference shall be paid to the beneficiary or estate;

9 (16) Normal retirement date means the first day of the month
10 following attainment of age sixty-five;

11 (17) Original member means a judge who first served as a judge prior
12 to December 25, 1969, who does not elect to become a future member
13 pursuant to subsection (8) of section 24-703 or section 24-710.01, and
14 who was retired on or before December 31, 1992;

15 (18) Plan year means the twelve-month period beginning on July 1 and
16 ending on June 30 of the following year;

17 (19) Prior service means all the periods of time any person has
18 served as a (a) judge of the Supreme Court or judge of the district court
19 prior to January 3, 1957, (b) judge of the county court prior to January
20 5, 1961, (c) judge of the Nebraska Workmen's Compensation Court prior to
21 September 20, 1957, (d) judge of the separate juvenile court, or (e)
22 judge of the municipal court prior to October 23, 1967;

23 (20) Regular interest means interest fixed at a rate equal to the
24 daily treasury yield curve for one-year treasury securities, as published
25 by the Secretary of the Treasury of the United States, that applies on
26 July 1 of each year, which may be credited monthly, quarterly,
27 semiannually, or annually as the board may direct;

28 (21) Retirement application means the form approved and provided by
29 the retirement system for acceptance of a member's request for either
30 regular or disability retirement;

31 (22) Retirement date means (a) the first day of the month following

1 the date upon which a member's request for retirement is received on a
2 retirement application if the member is eligible for retirement and has
3 terminated employment or (b) the first day of the month following
4 termination of employment if the member is eligible for retirement and
5 has filed an application but has not yet terminated employment;

6 (23) Retirement system or system means the Nebraska Judges
7 Retirement System as provided in the Judges Retirement Act;

8 (24) Surviving spouse means (a) the spouse married to the member on
9 the date of the member's death or (b) the spouse or former spouse of the
10 member if survivorship rights are provided under a qualified domestic
11 relations order filed with the board pursuant to the Spousal Pension
12 Rights Act. The spouse or former spouse shall supersede the spouse
13 married to the member on the date of the member's death as provided under
14 a qualified domestic relations order. If the benefits payable to the
15 spouse or former spouse under the qualified domestic relations order are
16 less than the value of benefits entitled to the surviving spouse, the
17 spouse married to the member on the date of the member's death shall be
18 the surviving spouse for the balance of the benefits; and

19 (25) Termination of employment occurs on the date on which the State
20 Court Administrator's office determines that the judge's employer-
21 employee relationship with the State of Nebraska is dissolved. The State
22 Court Administrator's office shall notify the board of the date on which
23 such a termination has occurred. Termination of employment does not
24 include ceasing employment as a judge if the judge returns to regular
25 employment as a judge or is employed on a regular basis by another agency
26 of the State of Nebraska and there are less than one hundred twenty days
27 between the date when the judge's employer-employee relationship ceased
28 and the date when the employer-employee relationship recommences. It is
29 the responsibility of the employer that is involved in the termination of
30 employment to notify the board of such change in employment and provide
31 the board with such information as the board deems necessary. If the

1 board determines that termination of employment has not occurred and a
2 retirement benefit has been paid to a member of the retirement system
3 pursuant to section 24-710, the board shall require the member who has
4 received such benefit to repay the benefit to the retirement system.

5 Sec. 4. Section 79-902, Revised Statutes Cumulative Supplement,
6 2016, is amended to read:

7 79-902 For purposes of the School Employees Retirement Act, unless
8 the context otherwise requires:

9 (1) Accumulated contributions means the sum of all amounts deducted
10 from the compensation of a member and credited to his or her individual
11 account in the School Retirement Fund together with regular interest
12 thereon, compounded monthly, quarterly, semiannually, or annually;

13 (2)(a) ~~(2)~~ Actuarial equivalent means the equality in value of the
14 aggregate amounts expected to be received under different forms of
15 payment.

16 (b) For a school employee hired before July 1, 2017, the The
17 determinations shall be based on the 1994 Group Annuity Mortality Table
18 reflecting sex-distinct factors blended using twenty-five percent of the
19 male table and seventy-five percent of the female table. An annuity
20 ~~interest~~ rate of eight percent per annum shall be reflected in making
21 these determinations except when a lump-sum settlement is made to an
22 estate.

23 (c) For a school employee hired on or after July 1, 2017, or rehired
24 on or after July 1, 2017, after termination of employment and being paid
25 a retirement benefit or taking a refund of contributions, the
26 determinations shall be based on a mortality table using twenty-five
27 percent of the male table and seventy-five percent of the female table
28 and an annuity rate specified by the board. Both the mortality table and
29 the annuity rate shall be recommended by the actuary and approved by the
30 retirement board following an actuarial experience study, a benefit
31 adequacy study, or a plan valuation.

1 (d) If the lump-sum settlement is made to an estate, the interest
2 rate will be determined by the Moody's Triple A Bond Index as of the
3 prior June 30, rounded to the next lower quarter percent;

4 (3) Beneficiary means any person in receipt of a school retirement
5 allowance or other benefit provided by the act;

6 (4)(a) Compensation means gross wages or salaries payable to the
7 member for personal services performed during the plan year and includes
8 (i) overtime pay, (ii) member retirement contributions, (iii) retroactive
9 salary payments paid pursuant to court order, arbitration, or litigation
10 and grievance settlements, and (iv) amounts contributed by the member to
11 plans under sections 125, 403(b), and 457 of the Internal Revenue Code as
12 defined in section 49-801.01 or any other section of the code which
13 defers or excludes such amounts from income.

14 (b) Compensation does not include (i) fraudulently obtained amounts
15 as determined by the retirement board, (ii) amounts for unused sick leave
16 or unused vacation leave converted to cash payments, (iii) insurance
17 premiums converted into cash payments, (iv) reimbursement for expenses
18 incurred, (v) fringe benefits, (vi) per diems paid as expenses, (vii)
19 bonuses for services not actually rendered, including, but not limited
20 to, early retirement inducements, cash awards, and severance pay, or
21 (viii) beginning on September 4, 2005, employer contributions made for
22 the purposes of separation payments made at retirement and early
23 retirement inducements as provided for in section 79-514.

24 (c) Compensation in excess of the limitations set forth in section
25 401(a)(17) of the Internal Revenue Code as defined in section 49-801.01
26 shall be disregarded. For an employee who was a member of the retirement
27 system before the first plan year beginning after December 31, 1995, the
28 limitation on compensation shall not be less than the amount which was
29 allowed to be taken into account under the retirement system as in effect
30 on July 1, 1993;

31 (5) County school official means (a) until July 1, 2000, the county

1 superintendent or district superintendent and any person serving in his
2 or her office who is required by law to have a teacher's certificate and
3 (b) on or after July 1, 2000, the county superintendent, county school
4 administrator, or district superintendent and any person serving in his
5 or her office who is required by law to have a teacher's certificate;

6 (6) Creditable service means prior service for which credit is
7 granted under sections 79-926 to 79-929, service credit purchased under
8 sections 79-933.03 to 79-933.06 and 79-933.08, and all service rendered
9 while a contributing member of the retirement system. Creditable service
10 includes working days, sick days, vacation days, holidays, and any other
11 leave days for which the employee is paid regular wages as part of the
12 employee's agreement with the employer. Creditable service does not
13 include lump-sum payments to the employee upon termination or retirement
14 in lieu of accrued benefits for such days, eligibility and vesting
15 credit, nor service years for which member contributions are withdrawn
16 and not repaid. Creditable service also does not include service rendered
17 by a member for which the retirement board determines that the member was
18 paid less in compensation than the minimum wage as provided in the Wage
19 and Hour Act or service which the board determines was rendered with the
20 intent to defraud the retirement system;

21 (7) Current benefit means the initial benefit increased by all
22 adjustments made pursuant to the School Employees Retirement Act;

23 (8) Disability means an inability to engage in a substantially
24 gainful activity by reason of any medically determinable physical or
25 mental impairment which can be expected to result in death or be of a
26 long and indefinite duration;

27 (9) Disability retirement allowance means the annuity paid to a
28 person upon retirement for disability under section 79-952;

29 (10) Disability retirement date means the first day of the month
30 following the date upon which a member's request for disability
31 retirement is received on a retirement application provided by the

1 retirement system if the member has terminated employment in the school
2 system and has complied with sections 79-951 to 79-954 as such sections
3 refer to disability retirement;

4 (11) Eligibility and vesting credit means credit for years, or a
5 fraction of a year, of participation in a Nebraska government plan for
6 purposes of determining eligibility for benefits under the School
7 Employees Retirement Act. Such credit shall not be included as years of
8 creditable service in the benefit calculation;

9 (12) Emeritus member means a person (a) who has entered retirement
10 under the provisions of the act, including those persons who have retired
11 since July 1, 1945, under any other regularly established retirement or
12 pension system as contemplated by section 79-916, (b) who has thereafter
13 been reemployed in any capacity by a public school, a Class V school
14 district, or a school under the control and management of the Board of
15 Trustees of the Nebraska State Colleges, the Board of Regents of the
16 University of Nebraska, or a community college board of governors or has
17 become a state school official or county school official subsequent to
18 such retirement, and (c) who has applied to the board for emeritus
19 membership in the retirement system. The school district or agency shall
20 certify to the retirement board on forms prescribed by the retirement
21 board that the annuitant was reemployed, rendered a service, and was paid
22 by the district or agency for such services;

23 (13) Employer means the State of Nebraska or any subdivision thereof
24 or agency of the state or subdivision authorized by law to hire school
25 employees or to pay their compensation;

26 (14)(a) Final average compensation means:

27 (i) Except as provided in subdivision (ii) of this subdivision:

28 (A) The sum of the member's total compensation during the three
29 twelve-month periods of service as a school employee in which such
30 compensation was the greatest divided by thirty-six; or

31 (B) If a member has such compensation for less than thirty-six

1 months, the sum of the member's total compensation in all months divided
2 by the total number of months of his or her creditable service therefor;
3 and

4 (ii) For an employee who became a member on or after July 1, 2013:

5 (A) The sum of the member's total compensation during the five
6 twelve-month periods of service as a school employee in which such
7 compensation was the greatest divided by sixty; or

8 (B) If a member has such compensation for less than sixty months,
9 the sum of the member's total compensation in all months divided by the
10 total number of months of his or her creditable service therefor.

11 (b) Payments under the Retirement Incentive Plan pursuant to section
12 79-855 and Staff Development Assistance pursuant to section 79-856 shall
13 not be included in the determination of final average compensation;

14 (15) Fiscal year means any year beginning July 1 and ending June 30
15 next following;

16 (16) Initial benefit means the retirement benefit calculated at the
17 time of retirement;

18 (17) Member means any person who has an account in the School
19 Retirement Fund;

20 (18) Participation means qualifying for and making required deposits
21 to the retirement system during the course of a plan year;

22 (19) Plan year means the twelve-month period beginning on July 1 and
23 ending on June 30 of the following year;

24 (20) Prior service means service rendered as a school employee in
25 the public schools of the State of Nebraska prior to July 1, 1945;

26 (21) Public school means any and all schools offering instruction in
27 elementary or high school grades, as defined in section 79-101, which
28 schools are supported by public funds and are wholly under the control
29 and management of the State of Nebraska or any subdivision thereof,
30 including (a) schools or other entities established, maintained, and
31 controlled by the school boards of local school districts, except Class V

1 school districts, (b) any educational service unit, and (c) any other
2 educational institution wholly supported by public funds, except schools
3 under the control and management of the Board of Trustees of the Nebraska
4 State Colleges, the Board of Regents of the University of Nebraska, or
5 the community college boards of governors for any community college
6 areas;

7 (22) Regular employee means an employee hired by a public school or
8 under contract in a regular full-time or part-time position who works a
9 full-time or part-time schedule on an ongoing basis for twenty or more
10 hours per week. An employee hired as described in this subdivision to
11 provide service for less than twenty hours per week but who provides
12 service for an average of twenty hours or more per week in each calendar
13 month of any three calendar months of a plan year shall, beginning with
14 the next full payroll period, commence contributions and shall be deemed
15 a regular employee for all future employment with the same employer;

16 (23) Regular interest means interest fixed at a rate equal to the
17 daily treasury yield curve for one-year treasury securities, as published
18 by the Secretary of the Treasury of the United States, that applies on
19 July 1 of each year, which may be credited monthly, quarterly,
20 semiannually, or annually as the board may direct;

21 (24) Relinquished creditable service means, with respect to a member
22 who has withdrawn his or her accumulated contributions under section
23 79-955, the total amount of creditable service which such member has
24 given up as a result of his or her election not to remain a member of the
25 retirement system;

26 (25) Required deposit means the deduction from a member's
27 compensation as provided for in section 79-958 which shall be deposited
28 in the School Retirement Fund;

29 (26) Retirement means qualifying for and accepting a school or
30 disability retirement allowance granted under the School Employees
31 Retirement Act;

1 (27) Retirement application means the form approved and provided by
2 the retirement system for acceptance of a member's request for either
3 regular or disability retirement;

4 (28) Retirement board or board means the Public Employees Retirement
5 Board;

6 (29) Retirement date means (a) if the member has terminated
7 employment, the first day of the month following the date upon which a
8 member's request for retirement is received on a retirement application
9 provided by the retirement system or (b) if the member has filed a
10 retirement application but has not yet terminated employment, the first
11 day of the month following the date on which the member terminates
12 employment. An application may be filed no more than one hundred twenty
13 days prior to the effective date of the member's initial benefit;

14 (30) Retirement system means the School Employees Retirement System
15 of the State of Nebraska;

16 (31) Savings annuity means payments for life, made in equal monthly
17 payments, derived from the accumulated contributions of a member;

18 (32) School employee means a contributing member who earns service
19 credit pursuant to section 79-927. For purposes of this section,
20 contributing member means the following persons who receive compensation
21 from a public school: (a) Regular employees; (b) regular employees having
22 retired pursuant to the School Employees Retirement Act who subsequently
23 provide compensated service on a regular basis in any capacity; and (c)
24 regular employees hired by a public school on an ongoing basis to assume
25 the duties of other regular employees who are temporarily absent.
26 Substitute employees, temporary employees, and employees who have not
27 attained the age of eighteen years shall not be considered school
28 employees;

29 (33) School year means one fiscal year which includes not less than
30 one thousand instructional hours or, in the case of service in the State
31 of Nebraska prior to July 1, 1945, not less than seventy-five percent of

1 the then legal school year;

2 (34) School retirement allowance means the total of the savings
3 annuity and the service annuity or formula annuity paid a person who has
4 retired under sections 79-931 to 79-935. The monthly payments shall be
5 payable at the end of each calendar month during the life of a retired
6 member. The first payment shall include all amounts accrued since the
7 effective date of the award of annuity. The last payment shall be at the
8 end of the calendar month in which such member dies or in accordance with
9 the payment option chosen by the member;

10 (35) Service means employment as a school employee and shall not be
11 deemed interrupted by (a) termination at the end of the school year of
12 the contract of employment of an employee in a public school if the
13 employee enters into a contract of employment in any public school,
14 except a school in a Class V school district, for the following school
15 year, (b) temporary or seasonal suspension of service that does not
16 terminate the employee's employment, (c) leave of absence authorized by
17 the employer for a period not exceeding twelve months, (d) leave of
18 absence because of disability, or (e) military service when properly
19 authorized by the retirement board. Service does not include any period
20 of disability for which disability retirement benefits are received under
21 sections 79-951 to 79-953;

22 (36) Service annuity means payments for life, made in equal monthly
23 installments, derived from appropriations made by the State of Nebraska
24 to the retirement system;

25 (37) State deposit means the deposit by the state in the retirement
26 system on behalf of any member;

27 (38) State school official means the Commissioner of Education and
28 his or her professional staff who are required by law or by the State
29 Department of Education to hold a certificate as such term is defined in
30 section 79-807;

31 (39) Substitute employee means a person hired by a public school as

1 a temporary employee to assume the duties of regular employees due to a
2 temporary absence of any regular employees. Substitute employee does not
3 mean a person hired as a regular employee on an ongoing basis to assume
4 the duties of other regular employees who are temporarily absent;

5 (40) Surviving spouse means (a) the spouse married to the member on
6 the date of the member's death or (b) the spouse or former spouse of the
7 member if survivorship rights are provided under a qualified domestic
8 relations order filed with the board pursuant to the Spousal Pension
9 Rights Act. The spouse or former spouse shall supersede the spouse
10 married to the member on the date of the member's death as provided under
11 a qualified domestic relations order. If the benefits payable to the
12 spouse or former spouse under a qualified domestic relations order are
13 less than the value of benefits entitled to the surviving spouse, the
14 spouse married to the member on the date of the member's death shall be
15 the surviving spouse for the balance of the benefits;

16 (41) Temporary employee means an employee hired by a public school
17 who is not a regular employee and who is hired to provide service for a
18 limited period of time to accomplish a specific purpose or task. When
19 such specific purpose or task is complete, the employment of such
20 temporary employee shall terminate and in no case shall the temporary
21 employment period exceed one year in duration; and

22 (42) Termination of employment occurs on the date on which the
23 member experiences a bona fide separation from service of employment with
24 the member's employer, the date of which separation is determined by the
25 end of the member's contractual agreement or, if there is no contract or
26 only partial fulfillment of a contract, by the employer. A member shall
27 not be deemed to have terminated employment if the member subsequently
28 provides service to any employer participating in the retirement system
29 provided for in the School Employees Retirement Act within one hundred
30 eighty days after ceasing employment unless such service:

31 (a) Is bona fide unpaid voluntary service or substitute service,

1 provided on an intermittent basis; or

2 (b) Is as provided in subsection (2) of section 79-920.

3 Nothing in this subdivision precludes an employer from adopting a
4 policy which limits or denies employees who have terminated employment
5 from providing voluntary or substitute service within one hundred eighty
6 days after termination.

7 A member shall not be deemed to have terminated employment if the
8 board determines that a claimed termination was not a bona fide
9 separation from service with the employer or that a member was
10 compensated for a full contractual period when the member terminated
11 prior to the end date of the contract.

12 Sec. 5. Section 81-2014, Revised Statutes Cumulative Supplement,
13 2016, is amended to read:

14 81-2014 For purposes of the Nebraska State Patrol Retirement Act:

15 (1)(a) (1) Actuarial equivalent means the equality in value of the
16 aggregate amounts expected to be received under different forms of
17 payment or to be received at an earlier retirement age than the normal
18 retirement age.

19 (b) For an officer hired before July 1, 2017, the The determinations
20 shall be based on the 1994 Group Annuity Mortality Table reflecting sex-
21 distinct factors blended using seventy-five percent of the male table and
22 twenty-five percent of the female table. An annuity interest rate of
23 eight percent per annum shall be reflected in making the determinations
24 until such percent is amended by the Legislature. ÷

25 (c) For an officer hired on or after July 1, 2017, or rehired on or
26 after July 1, 2017, after termination of employment and being paid a
27 retirement benefit or taking a refund of contributions, the
28 determinations shall be based on a mortality table using seventy-five
29 percent of the male table and twenty-five percent of the female table and
30 an annuity rate specified by the board. Both the mortality table and the
31 annuity rate shall be recommended by the actuary and approved by the

1 board following an actuarial experience study, a benefit adequacy study,
2 or a plan valuation;

3 (2) Board means the Public Employees Retirement Board;

4 (3)(a)(i) Compensation means gross wages or salaries payable to the
5 member for personal services performed during the plan year. Compensation
6 does not include insurance premiums converted into cash payments,
7 reimbursement for expenses incurred, fringe benefits, per diems, or
8 bonuses for services not actually rendered, including, but not limited
9 to, early retirement inducements, cash awards, and severance pay, except
10 for retroactive salary payments paid pursuant to court order,
11 arbitration, or litigation and grievance settlements. Compensation
12 includes overtime pay, member retirement contributions, and amounts
13 contributed by the member to plans under sections 125 and 457 of the
14 Internal Revenue Code as defined in section 49-801.01 or any other
15 section of the code which defers or excludes such amounts from income.

16 (ii) For any officer employed on or prior to January 4, 1979,
17 compensation includes compensation for unused sick leave or unused
18 vacation leave converted to cash payments.

19 (iii) For any officer employed after January 4, 1979, and prior to
20 July 1, 2016, compensation does not include compensation for unused sick
21 leave or unused vacation leave converted to cash payments and includes
22 compensation for unused holiday compensatory time and unused compensatory
23 time converted to cash payments.

24 (iv) For any officer employed on or after July 1, 2016, compensation
25 does not include compensation for unused sick leave, unused vacation
26 leave, unused holiday compensatory time, unused compensatory time, or any
27 other type of unused leave, compensatory time, or similar benefits,
28 converted to cash payments.

29 (b) Compensation in excess of the limitations set forth in section
30 401(a)(17) of the Internal Revenue Code as defined in section 49-801.01
31 shall be disregarded. For an employee who was a member of the retirement

1 system before the first plan year beginning after December 31, 1995, the
2 limitation on compensation shall not be less than the amount which was
3 allowed to be taken into account under the retirement system as in effect
4 on July 1, 1993;

5 (4) Creditable service means service granted pursuant to section
6 81-2034 and all service rendered while a contributing member of the
7 retirement system. Creditable service includes working days, sick days,
8 vacation days, holidays, and any other leave days for which the officer
9 is paid regular wages except as specifically provided in the Nebraska
10 State Patrol Retirement Act. Creditable service does not include
11 eligibility and vesting credit nor service years for which member
12 contributions are withdrawn and not repaid;

13 (5) Current benefit means the initial benefit increased by all
14 adjustments made pursuant to the Nebraska State Patrol Retirement Act;

15 (6) DROP means the deferred retirement option plan as provided in
16 section 81-2041;

17 (7) DROP account means an individual DROP participant's defined
18 contribution account under section 414(k) of the Internal Revenue Code;

19 (8) DROP period means the amount of time the member elects to
20 participate in DROP which shall be for a period not to exceed five years
21 from and after the date of the member's DROP election;

22 (9) Eligibility and vesting credit means credit for years, or a
23 fraction of a year, of participation in a Nebraska government plan for
24 purposes of determining eligibility for benefits under the Nebraska State
25 Patrol Retirement Act. Such credit shall be used toward the vesting
26 percentage pursuant to subsection (2) of section 81-2031 but shall not be
27 included as years of service in the benefit calculation;

28 (10) Initial benefit means the retirement benefit calculated at the
29 time of retirement;

30 (11) Officer means an officer provided for in sections 81-2001 to
31 81-2009;

1 (12) Plan year means the twelve-month period beginning on July 1 and
2 ending on June 30 of the following year;

3 (13) Regular interest means interest fixed at a rate equal to the
4 daily treasury yield curve for one-year treasury securities, as published
5 by the Secretary of the Treasury of the United States, that applies on
6 July 1 of each year, which may be credited monthly, quarterly,
7 semiannually, or annually as the board may direct;

8 (14) Retirement application means the form approved and provided by
9 the retirement system for acceptance of a member's request for either
10 regular or disability retirement;

11 (15) Retirement date means (a) the first day of the month following
12 the date upon which a member's request for retirement is received on a
13 retirement application if the member is eligible for retirement and has
14 terminated employment or (b) the first day of the month following
15 termination of employment if the member is eligible for retirement and
16 has filed an application but has not yet terminated employment;

17 (16) Retirement system or system means the Nebraska State Patrol
18 Retirement System as provided in the act;

19 (17) Service means employment as a member of the Nebraska State
20 Patrol and shall not be deemed to be interrupted by (a) temporary or
21 seasonal suspension of service that does not terminate the employee's
22 employment, (b) leave of absence authorized by the employer for a period
23 not exceeding twelve months, (c) leave of absence because of disability,
24 or (d) military service, when properly authorized by the board. Service
25 does not include any period of disability for which disability retirement
26 benefits are received under subsection (1) of section 81-2025;

27 (18) Surviving spouse means (a) the spouse married to the member on
28 the date of the member's death if married for at least one year prior to
29 death or if married on the date of the member's retirement or (b) the
30 spouse or former spouse of the member if survivorship rights are provided
31 under a qualified domestic relations order filed with the board pursuant

1 to the Spousal Pension Rights Act. The spouse or former spouse shall
2 supersede the spouse married to the member on the date of the member's
3 death as provided under a qualified domestic relations order. If the
4 benefits payable to the spouse or former spouse under a qualified
5 domestic relations order are less than the value of benefits entitled to
6 the surviving spouse, the spouse married to the member on the date of the
7 member's death shall be the surviving spouse for the balance of the
8 benefits; and

9 (19) Termination of employment occurs on the date on which the
10 Nebraska State Patrol determines that the officer's employer-employee
11 relationship with the patrol is dissolved. The Nebraska State Patrol
12 shall notify the board of the date on which such a termination has
13 occurred. Termination of employment does not include ceasing employment
14 with the Nebraska State Patrol if the officer returns to regular
15 employment with the Nebraska State Patrol or another agency of the State
16 of Nebraska and there are less than one hundred twenty days between the
17 date when the employee's employer-employee relationship ceased and the
18 date when the employer-employee relationship commenced with the Nebraska
19 State Patrol or another state agency. Termination of employment does not
20 occur upon an officer's participation in DROP pursuant to section
21 81-2041. It is the responsibility of the employer that is involved in the
22 termination of employment to notify the board of such change in
23 employment and provide the board with such information as the board deems
24 necessary. If the board determines that termination of employment has not
25 occurred and a retirement benefit has been paid to a member of the
26 retirement system pursuant to section 81-2026, the board shall require
27 the member who has received such benefit to repay the benefit to the
28 retirement system.

29 Sec. 6. Section 84-1301, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 84-1301 For purposes of the State Employees Retirement Act, unless

1 the context otherwise requires:

2 (1)(a) (1) Actuarial equivalent means the equality in value of the
3 aggregate amounts expected to be received under different forms of an
4 annuity payment.

5 (b) For an employee hired prior to January 1, 2018, the The
6 mortality assumption used for purposes of converting the member cash
7 balance account shall be the 1994 Group Annuity Mortality Table using a
8 unisex rate that is fifty percent male and fifty percent female. For
9 purposes of converting the member cash balance account attributable to
10 contributions made prior to January 1, 1984, that were transferred
11 pursuant to the act, the 1994 Group Annuity Mortality Table for males
12 shall be used. ÷

13 (c) For an employee hired on or after January 1, 2018, or rehired on
14 or after January 1, 2018, after termination of employment and being paid
15 a retirement benefit or taking a refund of contributions, the mortality
16 assumption used for purposes of converting the member cash balance
17 account shall be a mortality table using a unisex rate that is fifty
18 percent male and fifty percent female that is recommended by the actuary
19 and approved by the board following an actuarial experience study, a
20 benefit adequacy study, or a plan valuation;

21 (2) Annuity means equal monthly payments provided by the retirement
22 system to a member or beneficiary under forms determined by the board
23 beginning the first day of the month after an annuity election is
24 received in the office of the Nebraska Public Employees Retirement
25 Systems or the first day of the month after the employee's termination of
26 employment, whichever is later. The last payment shall be at the end of
27 the calendar month in which the member dies or in accordance with the
28 payment option chosen by the member;

29 (3) Annuity start date means the date upon which a member's annuity
30 is first effective and shall be the first day of the month following the
31 member's termination or following the date the application is received by

1 the board, whichever is later;

2 (4) Cash balance benefit means a member's retirement benefit that is
3 equal to an amount based on annual employee contribution credits plus
4 interest credits and, if vested, employer contribution credits plus
5 interest credits and dividend amounts credited in accordance with
6 subdivision (4)(c) of section 84-1319;

7 (5)(a) Compensation means gross wages or salaries payable to the
8 member for personal services performed during the plan year. Compensation
9 does not include insurance premiums converted into cash payments,
10 reimbursement for expenses incurred, fringe benefits, per diems, or
11 bonuses for services not actually rendered, including, but not limited
12 to, early retirement inducements, cash awards, and severance pay, except
13 for retroactive salary payments paid pursuant to court order,
14 arbitration, or litigation and grievance settlements. Compensation
15 includes overtime pay, member retirement contributions, and amounts
16 contributed by the member to plans under sections 125, 403(b), and 457 of
17 the Internal Revenue Code or any other section of the code which defers
18 or excludes such amounts from income.

19 (b) Compensation in excess of the limitations set forth in section
20 401(a)(17) of the Internal Revenue Code shall be disregarded. For an
21 employee who was a member of the retirement system before the first plan
22 year beginning after December 31, 1995, the limitation on compensation
23 shall not be less than the amount which was allowed to be taken into
24 account under the retirement system as in effect on July 1, 1993;

25 (6) Date of disability means the date on which a member is
26 determined to be disabled by the board;

27 (7) Defined contribution benefit means a member's retirement benefit
28 from a money purchase plan in which member benefits equal annual
29 contributions and earnings pursuant to section 84-1310 and, if vested,
30 employer contributions and earnings pursuant to section 84-1311;

31 (8) Disability means an inability to engage in a substantially

1 gainful activity by reason of any medically determinable physical or
2 mental impairment which can be expected to result in death or to be of
3 long-continued and indefinite duration;

4 (9) Employee means any employee of the State Board of Agriculture
5 who is a member of the state retirement system on July 1, 1982, and any
6 person or officer employed by the State of Nebraska whose compensation is
7 paid out of state funds or funds controlled or administered by a state
8 department through any of its executive or administrative officers when
9 acting exclusively in their respective official, executive, or
10 administrative capacities. Employee does not include (a) judges as
11 defined in section 24-701, (b) members of the Nebraska State Patrol,
12 except for those members of the Nebraska State Patrol who elected
13 pursuant to section 60-1304 to remain members of the State Employees
14 Retirement System of the State of Nebraska, (c) employees of the
15 University of Nebraska, (d) employees of the state colleges, (e)
16 employees of community colleges, (f) employees of the Department of Labor
17 employed prior to July 1, 1984, and paid from funds provided pursuant to
18 Title III of the federal Social Security Act or funds from other federal
19 sources, except that if the contributory retirement plan or contract let
20 pursuant to section 48-609 is terminated, such employees shall become
21 employees for purposes of the State Employees Retirement Act on the first
22 day of the first pay period following the termination of such
23 contributory retirement plan or contract, (g) employees of the State
24 Board of Agriculture who are not members of the state retirement system
25 on July 1, 1982, (h) the Nebraska National Guard air and army
26 technicians, (i) persons eligible for membership under the School
27 Employees Retirement System of the State of Nebraska who have not elected
28 to become members of the retirement system pursuant to section 79-920 or
29 been made members of the system pursuant to such section, except that
30 those persons so eligible and who as of September 2, 1973, are
31 contributing to the State Employees Retirement System of the State of

1 Nebraska shall continue as members of such system, or (j) employees of
2 the Coordinating Commission for Postsecondary Education who are eligible
3 for and have elected to become members of a qualified retirement program
4 approved by the commission which is commensurate with retirement programs
5 at the University of Nebraska. Any individual appointed by the Governor
6 may elect not to become a member of the State Employees Retirement System
7 of the State of Nebraska;

8 (10) Employee contribution credit means an amount equal to the
9 member contribution amount required by section 84-1308;

10 (11) Employer contribution credit means an amount equal to the
11 employer contribution amount required by section 84-1309;

12 (12) Final account value means the value of a member's account on
13 the date the account is either distributed to the member or used to
14 purchase an annuity from the plan, which date shall occur as soon as
15 administratively practicable after receipt of a valid application for
16 benefits, but no sooner than forty-five days after the member's
17 termination;

18 (13) Five-year break in service means five consecutive one-year
19 breaks in service;

20 (14) Full-time employee means an employee who is employed to work
21 one-half or more of the regularly scheduled hours during each pay period;

22 (15) Fund means the State Employees Retirement Fund created by
23 section 84-1309;

24 (16) Guaranteed investment contract means an investment contract or
25 account offering a return of principal invested plus interest at a
26 specified rate. For investments made after July 19, 1996, guaranteed
27 investment contract does not include direct obligations of the United
28 States or its instrumentalities, bonds, participation certificates or
29 other obligations of the Federal National Mortgage Association, the
30 Federal Home Loan Mortgage Corporation, or the Government National
31 Mortgage Association, or collateralized mortgage obligations and other

1 derivative securities. This subdivision shall not be construed to require
2 the liquidation of investment contracts or accounts entered into prior to
3 July 19, 1996;

4 (17) Interest credit rate means the greater of (a) five percent or
5 (b) the applicable federal mid-term rate, as published by the Internal
6 Revenue Service as of the first day of the calendar quarter for which
7 interest credits are credited, plus one and one-half percent, such rate
8 to be compounded annually;

9 (18) Interest credits means the amounts credited to the employee
10 cash balance account and the employer cash balance account at the end of
11 each day. Such interest credit for each account shall be determined by
12 applying the daily portion of the interest credit rate to the account
13 balance at the end of the previous day. Such interest credits shall
14 continue to be credited to the employee cash balance account and the
15 employer cash balance account after a member ceases to be an employee,
16 except that no such credit shall be made with respect to the employee
17 cash balance account and the employer cash balance account for any day
18 beginning on or after the member's date of final account value. If
19 benefits payable to the member's surviving spouse or beneficiary are
20 delayed after the member's death, interest credits shall continue to be
21 credited to the employee cash balance account and the employer cash
22 balance account until such surviving spouse or beneficiary commences
23 receipt of a distribution from the plan;

24 (19) Member cash balance account means an account equal to the sum
25 of the employee cash balance account and, if vested, the employer cash
26 balance account and dividend amounts credited in accordance with
27 subdivision (4)(c) of section 84-1319;

28 (20) One-year break in service means a plan year during which the
29 member has not completed more than five hundred hours of service;

30 (21) Participation means qualifying for and making the required
31 deposits to the retirement system during the course of a plan year;

1 (22) Part-time employee means an employee who is employed to work
2 less than one-half of the regularly scheduled hours during each pay
3 period;

4 (23) Plan year means the twelve-month period beginning on January 1
5 and ending on December 31;

6 (24) Prior service means service before January 1, 1964;

7 (25) Regular interest means the rate of interest earned each
8 calendar year commencing January 1, 1975, as determined by the retirement
9 board in conformity with actual and expected earnings on the investments
10 through December 31, 1984;

11 (26) Required contribution means the deduction to be made from the
12 compensation of employees as provided in section 84-1308;

13 (27) Retirement means qualifying for and accepting the retirement
14 benefit granted under the State Employees Retirement Act after
15 terminating employment;

16 (28) Retirement application means the form approved and provided by
17 the retirement system for acceptance of a member's request for either
18 regular or disability retirement;

19 (29) Retirement board or board means the Public Employees Retirement
20 Board;

21 (30) Retirement date means (a) the first day of the month following
22 the date upon which a member's request for retirement is received on a
23 retirement application if the member is eligible for retirement and has
24 terminated employment or (b) the first day of the month following
25 termination of employment if the member is eligible for retirement and
26 has filed an application but has not yet terminated employment;

27 (31) Retirement system means the State Employees Retirement System
28 of the State of Nebraska;

29 (32) Service means the actual total length of employment as an
30 employee and shall not be deemed to be interrupted by (a) temporary or
31 seasonal suspension of service that does not terminate the employee's

1 employment, (b) leave of absence authorized by the employer for a period
2 not exceeding twelve months, (c) leave of absence because of disability,
3 or (d) military service, when properly authorized by the retirement
4 board. Service does not include any period of disability for which
5 disability retirement benefits are received under section 84-1317;

6 (33) State department means any department, bureau, commission, or
7 other division of state government not otherwise specifically defined or
8 exempted in the act, the employees and officers of which are not already
9 covered by a retirement plan;

10 (34) Surviving spouse means (a) the spouse married to the member on
11 the date of the member's death or (b) the spouse or former spouse of the
12 member if survivorship rights are provided under a qualified domestic
13 relations order filed with the board pursuant to the Spousal Pension
14 Rights Act. The spouse or former spouse shall supersede the spouse
15 married to the member on the date of the member's death as provided under
16 a qualified domestic relations order. If the benefits payable to the
17 spouse or former spouse under a qualified domestic relations order are
18 less than the value of benefits entitled to the surviving spouse, the
19 spouse married to the member on the date of the member's death shall be
20 the surviving spouse for the balance of the benefits;

21 (35) Termination of employment occurs on the date on which the
22 agency which employs the member determines that the member's employer-
23 employee relationship with the State of Nebraska is dissolved. The agency
24 which employs the member shall notify the board of the date on which such
25 a termination has occurred. Termination of employment does not occur if
26 an employee whose employer-employee relationship with the State of
27 Nebraska is dissolved enters into an employer-employee relationship with
28 the same or another agency of the State of Nebraska and there are less
29 than one hundred twenty days between the date when the employee's
30 employer-employee relationship ceased with the state and the date when
31 the employer-employee relationship commenced with the same or another

1 agency. It is the responsibility of the employer that is involved in the
2 termination of employment to notify the board of such change in
3 employment and provide the board with such information as the board deems
4 necessary. If the board determines that termination of employment has not
5 occurred and a retirement benefit has been paid to a member of the
6 retirement system pursuant to section 84-1321, the board shall require
7 the member who has received such benefit to repay the benefit to the
8 retirement system; and

9 (36) Vesting credit means credit for years, or a fraction of a year,
10 of participation in another Nebraska governmental plan for purposes of
11 determining vesting of the employer account.

12 Sec. 7. Section 84-1319, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 84-1319 (1) The future service retirement benefit shall be an
15 annuity, payable monthly with the first payment made no earlier than the
16 annuity start date, which shall be the actuarial equivalent of the
17 retirement value as specified in section 84-1318 based on factors
18 determined by the board, except that gender shall not be a factor when
19 determining the amount of such payments except as provided in this
20 section.

21 Except as provided in section 42-1107, at any time before the
22 annuity start date, the retiring employee may choose to receive his or
23 her annuity either in the form of an annuity as provided under subsection
24 (4) of this section or any optional form that is determined acceptable by
25 the board.

26 Except as provided in section 42-1107, in lieu of the future service
27 retirement annuity, a retiring employee may receive a benefit not to
28 exceed the amount in his or her employer and employee accounts as of the
29 date of final account value payable in a lump sum and, if the employee
30 chooses not to receive the entire amount in such accounts, an annuity
31 equal to the actuarial equivalent of the remainder of the retirement

1 value, and the employee may choose any form of such annuity as provided
2 for by the board.

3 In any case, the amount of the monthly payment shall be such that
4 the annuity chosen shall be the actuarial equivalent of the retirement
5 value as specified in section 84-1318 except as provided in this section.

6 The board shall provide to any state employee who is eligible for
7 retirement, prior to his or her selecting any of the retirement options
8 provided by this section, information on the federal and state income tax
9 consequences of the various annuity or retirement benefit options.

10 (2) Except as provided in subsection (4) of this section, the
11 monthly annuity income payable to a member retiring on or after January
12 1, 1984, shall be as follows:

13 He or she shall receive at retirement the amount which may be
14 purchased by the accumulated contributions based on annuity rates in
15 effect on the annuity start date which do not utilize gender as a factor,
16 except that such amounts shall not be less than the retirement income
17 which can be provided by the sum of the amounts derived pursuant to
18 subdivisions (a) and (b) of this subsection as follows:

19 (a) The income provided by the accumulated contributions made prior
20 to January 1, 1984, based on male annuity purchase rates in effect on the
21 date of purchase; and

22 (b) The income provided by the accumulated contributions made on and
23 after January 1, 1984, based on the annuity purchase rates in effect on
24 the date of purchase which do not use gender as a factor.

25 (3) Any amounts, in excess of contributions, which may be required
26 in order to purchase the retirement income specified in subsection (2) of
27 this section shall be withdrawn from the State Equal Retirement Benefit
28 Fund.

29 (4)(a) The normal form of payment shall be a single life annuity
30 with five-year certain, which is an annuity payable monthly during the
31 remainder of the member's life with the provision that, in the event of

1 his or her death before sixty monthly payments have been made, the
2 monthly payments will be continued to his or her estate or to the
3 beneficiary he or she has designated until sixty monthly payments have
4 been made in total. Such annuity shall be equal to the actuarial
5 equivalent of the member cash balance account or the sum of the employee
6 and employer accounts, whichever is applicable, as of the date of final
7 account value. As a part of the annuity, the normal form of payment may
8 include a two and one-half percent cost-of-living adjustment purchased by
9 the member, if the member elects such a payment option.

10 Except as provided in section 42-1107, a member may elect a lump-sum
11 distribution of his or her member cash balance account as of the date of
12 final account value upon termination of service or retirement.

13 For a member employed and participating in the retirement system
14 prior to January 1, 2003, who has elected to participate in the cash
15 balance benefit pursuant to section 84-1309.02, or for a member employed
16 and participating in the retirement system beginning on and after January
17 1, 2003, the balance of his or her member cash balance account as of the
18 date of final account value shall be converted to an annuity using an
19 annuity interest rate that is recommended by the actuary and approved by
20 the board following an actuarial experience study, a benefit adequacy
21 study, or a plan valuation used in the actuarial valuation as recommended
22 by the actuary and approved by the board.

23 For an employee who is a member prior to January 1, 2003, who has
24 elected not to participate in the cash balance benefit pursuant to
25 section 84-1309.02, and who, at the time of retirement, chooses the
26 annuity option rather than the lump-sum option, his or her employee and
27 employer accounts as of the date of final account value shall be
28 converted to an annuity using an annuity interest rate that is equal to
29 the lesser of (i) the Pension Benefit Guaranty Corporation initial
30 interest rate for valuing annuities for terminating plans as of the
31 beginning of the year during which payment begins plus three-fourths of

1 one percent or ~~(ii) the interest rate used in the actuarial valuation as~~
2 ~~recommended by the actuary and approved by the board.~~

3 (b) For the calendar year beginning January 1, 2003, and each
4 calendar year thereafter, the actuary for the board shall perform an
5 actuarial valuation of the system using the entry age actuarial cost
6 method. Under this method, the actuarially required funding rate is equal
7 to the normal cost rate plus the contribution rate necessary to amortize
8 the unfunded actuarial accrued liability on a level-payment basis. The
9 normal cost under this method shall be determined for each individual
10 member on a level percentage of salary basis. The normal cost amount is
11 then summed for all members. The initial unfunded actual accrued
12 liability as of January 1, 2003, if any, shall be amortized over a
13 twenty-five-year period. During each subsequent actuarial valuation,
14 changes in the unfunded actuarial accrued liability due to changes in
15 benefits, actuarial assumptions, the asset valuation method, or actuarial
16 gains or losses shall be measured and amortized over a twenty-five-year
17 period beginning on the valuation date of such change. If the unfunded
18 actuarial accrued liability under the entry age actuarial cost method is
19 zero or less than zero on an actuarial valuation date, then all prior
20 unfunded actuarial accrued liabilities shall be considered fully funded
21 and the unfunded actuarial accrued liability shall be reinitialized and
22 amortized over a twenty-five-year period as of the actuarial valuation
23 date. If the actuarially required contribution rate exceeds the rate of
24 all contributions required pursuant to the State Employees Retirement
25 Act, there shall be a supplemental appropriation sufficient to pay for
26 the difference between the actuarially required contribution rate and the
27 rate of all contributions required pursuant to the act.

28 (c) If the unfunded accrued actuarial liability under the entry age
29 actuarial cost method is less than zero on an actuarial valuation date,
30 and on the basis of all data in the possession of the retirement board,
31 including such mortality and other tables as are recommended by the

1 actuary engaged by the retirement board and adopted by the retirement
2 board, the retirement board may elect to pay a dividend to all members
3 participating in the cash balance option in an amount that would not
4 increase the actuarial contribution rate above ninety percent of the
5 actual contribution rate. Dividends shall be credited to the employee
6 cash balance account and the employer cash balance account based on the
7 account balances on the actuarial valuation date. In the event a dividend
8 is granted and paid after the actuarial valuation date, interest for the
9 period from the actuarial valuation date until the dividend is actually
10 paid shall be paid on the dividend amount. The interest rate shall be the
11 interest credit rate earned on regular contributions.

12 (5) At the option of the retiring member, any lump sum or annuity
13 provided under this section or section 84-1320 may be deferred to
14 commence at any time, except that no benefit shall be deferred later than
15 April 1 of the year following the year in which the employee has both
16 attained at least seventy and one-half years of age and has terminated
17 his or her employment with the state. Such election by the retiring
18 member may be made at any time prior to the commencement of the lump-sum
19 or annuity payments.

20 (6) A participant or beneficiary who would have been required to
21 receive required minimum distributions for 2009 but for the enactment of
22 section 401(a)(9)(H) of the Internal Revenue Code, and who would have
23 satisfied that requirement by receiving distributions that are either
24 equal to the 2009 required minimum distributions or one or more payments
25 in a series of substantially equal distributions, including the 2009
26 required minimum distribution, made at least annually and expected to
27 last for the life or life expectancy of the participant, the joint lives
28 or joint life expectancy of the participant and the participant's
29 designated beneficiary, or for a period of at least ten years, shall
30 receive those distributions for 2009 unless the participant or
31 beneficiary chooses not to receive such distributions. Participants and

1 beneficiaries shall be given the opportunity to elect to stop receiving
2 the distributions described in this subsection.

3 Sec. 8. Original sections 24-701, 84-1301, and 84-1319, Reissue
4 Revised Statutes of Nebraska, and sections 23-2301, 23-2317, 79-902, and
5 81-2014, Revised Statutes Cumulative Supplement, 2016, are repealed.

6 Sec. 9. Since an emergency exists, this act takes effect when
7 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 327

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

Read first time January 12, 2017

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to state intent; to define
- 2 terms; to make appropriations for the expenses of Nebraska State
- 3 Government for the biennium ending June 30, 2019; to transfer funds;
- 4 to provide duties; to provide an operative date; and to declare an
- 5 emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill passed by
3 the One Hundred Fifth Legislature, First or Second Session, which
4 appropriates funds, FY2016-17 means the period July 1, 2016, through June
5 30, 2017; FY2017-18 means the period July 1, 2017, through June 30, 2018;
6 FY2018-19 means the period July 1, 2018, through June 30, 2019; FY2019-20
7 means the period July 1, 2019, through June 30, 2020; and FY2020-21 means
8 the period July 1, 2020, through June 30, 2021.

9 Sec. 2. APPROPRIATION LANGUAGE.

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

14 Sec. 3. REAPPROPRIATION OF BALANCE, FY2017-18 to FY2018-19.

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

19 Sec. 4. CERTIFIED ENCUMBRANCES.

20 All certified encumbrance amounts on June 30, 2017, and June 30,
21 2018, not otherwise reappropriated pursuant to this act, are hereby
22 appropriated for FY2017-18 and FY2018-19, respectively, which amounts
23 shall be in addition to the amounts shown in this act.

24 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

25 The definitions contained in the Nebraska Accounting System Manual,
26 and any amendments thereto, on file with the Clerk of the Legislature are
27 hereby adopted by the Legislature as the definitions for this act, except
28 as provided in sections 8, 121, and 260 of this act.

29 Sec. 6. DRAWING AND PAYING WARRANTS.

30 The Director of Administrative Services shall draw warrants upon the
31 proper fund in the state treasury for an amount not to exceed the

1 appropriations set forth in this act upon presentation of proper
2 documentation. The State Treasurer shall pay the warrants out of the
3 appropriate funds.

4 Sec. 7. BUDGET STATUS REPORTS.

5 All state agencies, boards, and commissions shall promptly establish
6 their detailed Budget Status Reports at the budget subprogram level in
7 the Nebraska Accounting System and adjust them as necessary during each
8 fiscal year to reflect the most current appropriations shown on the
9 Allotment Status Report.

10 Sec. 8. It is the intent of the Legislature that state agencies
11 may, at their discretion, utilize employee furloughs as a short-term
12 means of addressing budgetary shortfalls. Furlough is defined as placing
13 an employee in a temporary, nonduty, nonpay status because of the lack of
14 funds. An intermittent furlough is a furlough action in which the
15 nonduty, nonpay status occurs discontinuously over a period of time
16 rather than consecutively. It is further intended that furloughs shall
17 not adversely affect the employee and employer health insurance premium
18 contributions and service anniversary date, nor shall leave earnings be
19 prorated as a result of the furlough.

20 Sec. 9. AGENCY NO. 3 – LEGISLATIVE COUNCIL

21 Program No. 85 - Legislative Services

	FY2017-18	FY2018-19
22		
23 GENERAL FUND	19,937,341	20,200,784
24 CASH FUND	220,187	220,706
25 FEDERAL FUND est.	39,270	39,270
26 PROGRAM TOTAL	20,196,798	20,460,760
27 SALARY LIMIT	13,850,913	13,980,003

28 There is included in the appropriation to this program for FY2017-18
29 \$15,000 Cash Funds and for FY2018-19 \$15,000 Cash Funds from the Nebraska
30 Health Care Cash Fund for the purpose of ongoing health-related research
31 and public policy development by the Health and Human Services Committee

1 of the Legislature. Such funds may be used for, but shall not be limited
2 to, hiring temporary legal research assistance, consulting and research
3 contracts, reimbursement for necessary and appropriate expenses incurred
4 in connection with such research and policy development, and actual and
5 necessary travel reimbursement for task forces and committees established
6 to conduct health policy work.

7 The unexpended General Fund appropriation balances existing on June
8 30, 2017, for all budget programs in Agency No. 3, are hereby
9 reappropriated.

10 The Department of Administrative Services shall monitor the
11 appropriations and expenditures for this agency for FY2017-18 and
12 FY2018-19 according to the following program classifications:

- 13 No. 123 - Clerk of the Legislature
- 14 No. 126 - Legislative Research
- 15 No. 127 - Revisor of Statutes
- 16 No. 129 - Legislative Audit
- 17 No. 501 - Intergovernmental Cooperation
- 18 No. 504 - Office of Public Counsel
- 19 No. 638 - Fiscal and Program Analysis Office

20 The budget administrator of the budget division of the Department of
21 Administrative Services shall have the authority to transfer
22 appropriations and salary limits among the program classifications listed
23 in this section as directed by the Executive Board of the Legislative
24 Council.

25 Sec. 10. AGENCY NO. 5 – SUPREME COURT

26 Program No. 52 - Operations

	FY2017-18	FY2018-19
27 GENERAL FUND	34,333,311	35,010,026
28 CASH FUND est.	2,735,913	2,751,103
29 FEDERAL FUND est.	486,007	488,488
30 PROGRAM TOTAL	37,555,231	38,249,617

1 SALARY LIMIT 24,942,303 25,243,791

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

- 5 No. 34 - Court Administration
- 6 No. 40 - State Law Library
- 7 No. 396 - County Court System
- 8 No. 399 - District Court Reporters
- 9 No. 405 - Court of Appeals

10 The unexpended General Fund appropriation balance, less aid,
11 existing on June 30, 2017, is hereby reappropriated.

12 The budget division of the Department of Administrative Services
13 shall administratively transfer General Fund appropriations or Salary
14 Limits or both among Programs 52, 67, 420, 435, and 437 within Agency 5,
15 upon written certification by the State Court Administrator that the
16 Supreme Court has determined that such transfer is necessary for the
17 efficient functioning of statewide court operations and the proper
18 administration of justice.

19 There is included in the appropriation to this program for FY2017-18
20 \$270,000 Cash Funds for dispute resolution state aid, which shall only be
21 used for such purpose. There is included in the appropriation to this
22 program for FY2018-19 \$270,000 Cash Funds for dispute resolution state
23 aid, which shall only be used for such purpose.

24 There is included in the appropriation to this program for FY2017-18
25 \$550,000 Cash Funds for parenting plan mediation for indigent and lower-
26 income persons involved in Parenting Act cases, as state aid, which shall
27 only be used for such purpose. There is included in the appropriation to
28 this program for FY2018-19 \$550,000 Cash Funds for parenting plan
29 mediation for indigent and lower-income persons involved in Parenting Act
30 cases, as state aid, which shall only be used for such purpose.

31 There is included in the appropriation to this program for FY2017-18

1 \$300,000 General Funds for court appointed special advocate state aid,
2 which shall only be used for such purpose. There is included in the
3 appropriation to this program for FY2018-19 \$300,000 General Funds for
4 court appointed special advocate state aid, which shall only be used for
5 such purpose.

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

8 Sec. 11. AGENCY NO. 5 – SUPREME COURT

9 Program No. 67 - Probation Services

	FY2017-18	FY2018-19
10 GENERAL FUND	28,507,141	29,346,158
11 CASH FUND est.	1,139,370	1,321,843
12 FEDERAL FUND est.	216,516	218,929
13 PROGRAM TOTAL	29,863,027	30,886,930
14 SALARY LIMIT	21,264,000	21,578,485

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

19 No. 397 - Statewide Probation

20 No. 398 - Intensive Supervision Probation

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

23 The unexpended General Fund appropriation balance existing on June
24 30, 2017, is hereby reappropriated.

25 Sec. 12. AGENCY NO. 5 – SUPREME COURT

26 Program No. 235 - State Probation Contractual Services

	FY2017-18	FY2018-19
27 CASH FUND est.	962,206	964,829
28 PROGRAM TOTAL	962,206	964,829
29 SALARY LIMIT est.	171,091	172,654

31 Cash Fund expenditures from this program shall be restricted to the

1 State Probation Contractual Services Cash Fund.

2 The salary limitations for this program shall not be limited to the
3 amounts shown.

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

6 Sec. 13. AGENCY NO. 5 – SUPREME COURT

7 Program No. 420 - State Specialized Court Operations

	FY2017-18	FY2018-19
9 GENERAL FUND	2,500,897	2,528,828
10 PROGRAM TOTAL	2,500,897	2,528,828
11 SALARY LIMIT	1,389,672	1,402,122

12 The unexpended General Fund appropriation balance existing on June
13 30, 2017, is hereby reappropriated.

14 The supervision and management of the State Specialized Courts shall
15 be under the direct jurisdiction of the Supreme Court and the State Court
16 Administrator.

17 Sec. 14. AGENCY NO. 5 – SUPREME COURT

18 Program No. 435 - Probation Community Corrections

	FY2017-18	FY2018-19
20 GENERAL FUND	20,215,811	22,800,094
21 CASH FUND est.	6,625,708	6,625,708
22 PROGRAM TOTAL	26,841,519	29,425,802
23 SALARY LIMIT	7,239,173	7,343,425

24 The unexpended General Fund appropriation balance existing on June
25 30, 2017, is hereby reappropriated.

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

28 Sec. 15. AGENCY NO. 5 – SUPREME COURT

29 Program No. 437 - Juvenile Justice

	FY2017-18	FY2018-19
31 GENERAL FUND	68,561,669	68,770,742

1	CASH FUND est.	25,000	25,000
2	PROGRAM TOTAL	68,586,669	68,795,742
3	SALARY LIMIT	13,205,400	13,258,004

4 The unexpended General Fund appropriation balance existing on June
5 30, 2017, is hereby reappropriated.

6 Sec. 16. AGENCY NO. 5 – SUPREME COURT

7 Program No. 570 - Court Automation

8		FY2017-18	FY2018-19
9	CASH FUND est.	4,808,163	4,825,930
10	PROGRAM TOTAL	4,808,163	4,825,930
11	SALARY LIMIT	698,722	705,754

12 There is included in the appropriation to this program for FY2017-18
13 a retainer fee of up to \$841,616 Cash Funds and for FY2018-19 a retainer
14 fee of up to \$841,616 Cash Funds which shall be billed and paid in equal
15 monthly installments to the Intergovernmental Data Services Program
16 Revolving Fund for county automation expenses in lieu of standard central
17 processing unit charges, which shall only be used for such purpose. These
18 retainer fee amounts shall not include pass-through charges for leased
19 computers and printers, software maintenance costs, or county data
20 conversion or interface costs. The annual retainer fee for both FY2017-18
21 and FY2018-19 shall be paid prior to the end of each respective fiscal
22 year.

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

25 Sec. 17. AGENCY NO. 7 – GOVERNOR

26 Program No. 18 - Governor's Policy Research Office

27		FY2017-18	FY2018-19
28	GENERAL FUND	678,144	685,947
29	PROGRAM TOTAL	678,144	685,947
30	SALARY LIMIT	551,355	555,111

31 The unexpended General Fund appropriation balance existing on June

1 30, 2017, is hereby reappropriated.

2 Sec. 18. AGENCY NO. 7 – GOVERNOR

3 Program No. 21 - Office of the Governor

	FY2017-18	FY2018-19
4 GENERAL FUND	1,347,511	1,363,797
5 PROGRAM TOTAL	1,347,511	1,363,797
6 SALARY LIMIT	904,118	913,000

8 The unexpended General Fund appropriation balance existing on June
9 30, 2017, is hereby reappropriated.

10 Sec. 19. AGENCY NO. 8 – LIEUTENANT GOVERNOR

11 Program No. 124 - Office of the Lieutenant Governor

	FY2017-18	FY2018-19
12 GENERAL FUND	36,710	36,898
13 PROGRAM TOTAL	36,710	36,898
14 SALARY LIMIT	24,578	24,674

16 The unexpended General Fund appropriation balance existing on June
17 30, 2017, is hereby reappropriated.

18 Sec. 20. AGENCY NO. 9 – SECRETARY OF STATE

19 Program No. 22 - Departmental Administration

	FY2017-18	FY2018-19
20 GENERAL FUND	338,509	335,877
21 CASH FUND	107,135	114,723
22 PROGRAM TOTAL	445,644	450,600
23 SALARY LIMIT	277,905	280,213

25 Sec. 21. AGENCY NO. 9 – SECRETARY OF STATE

26 Program No. 45 - Election Administration

	FY2017-18	FY2018-19
27 GENERAL FUND	1,883,299	1,710,246
28 CASH FUND	41,858	28,490
29 PROGRAM TOTAL	1,925,157	1,738,736

1	SALARY LIMIT	382,944	386,043
2	Sec. 22. AGENCY NO. 9 – SECRETARY OF STATE		
3	Program No. 51 - Enforcement of Standards - Corporations		
4		FY2017-18	FY2018-19
5	CASH FUND	2,251,533	829,278
6	PROGRAM TOTAL	2,251,533	829,278
7	SALARY LIMIT	374,717	377,974
8	Sec. 23. AGENCY NO. 9 – SECRETARY OF STATE		
9	Program No. 53 - Enforcement of Standards - Collection Agencies		
10		FY2017-18	FY2018-19
11	CASH FUND	101,852	102,711
12	PROGRAM TOTAL	101,852	102,711
13	SALARY LIMIT	57,901	58,349
14	Sec. 24. AGENCY NO. 9 – SECRETARY OF STATE		
15	Program No. 86 - Enforcement of Standards - Records Management		
16		FY2017-18	FY2018-19
17	GENERAL FUND	153,961	155,594
18	CASH FUND	3,440,911	3,760,550
19	REVOLVING FUND	926,180	921,137
20	PROGRAM TOTAL	4,521,052	4,837,281
21	SALARY LIMIT	537,953	538,750
22	Sec. 25. AGENCY NO. 9 – SECRETARY OF STATE		
23	Program No. 89 - Uniform Commercial Code Central Filing		
24		FY2017-18	FY2018-19
25	CASH FUND	2,036,026	1,187,613
26	PROGRAM TOTAL	2,036,026	1,187,613
27	SALARY LIMIT	519,254	523,282
28	Sec. 26. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
29	Program No. 506 - State Agency and County Post Audits		
30		FY2017-18	FY2018-19

1	GENERAL FUND	2,433,844	2,467,912
2	PROGRAM TOTAL	2,433,844	2,467,912
3	SALARY LIMIT	1,800,770	1,819,123
4	Sec. 27. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
5	Program No. 525 - Cooperative Audits		
6		FY2017-18	FY2018-19
7	CASH FUND	1,973,717	1,989,618
8	PROGRAM TOTAL	1,973,717	1,989,618
9	SALARY LIMIT	1,527,914	1,535,849
10	Sec. 28. AGENCY NO. 11 – ATTORNEY GENERAL		
11	Program No. 290 - State Settlement Funds		
12		FY2017-18	FY2018-19
13	CASH FUND	1,634,711	1,649,142
14	PROGRAM TOTAL	1,634,711	1,649,142
15	SALARY LIMIT	1,131,040	1,137,960
16	Sec. 29. AGENCY NO. 11 – ATTORNEY GENERAL		
17	Program No. 496 - Interstate Water Litigation		
18	The unexpended General Fund appropriation balance existing on June		
19	30, 2017, is hereby reappropriated.		
20	The salary limit for this program shall be limited to the amount of		
21	the reappropriation.		
22	Sec. 30. AGENCY NO. 11 – ATTORNEY GENERAL		
23	Program No. 507 - Interpretation and Application of Law		
24		FY2017-18	FY2018-19
25	GENERAL FUND	6,078,729	6,155,572
26	CASH FUND	1,097,262	1,105,107
27	FEDERAL FUND est.	1,690,013	1,705,400
28	REVOLVING FUND	1,365,305	1,382,238
29	PROGRAM TOTAL	10,231,309	10,348,317
30	SALARY LIMIT	6,661,519	6,721,028

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

4 No. 270 - Administration

5 No. 271 - Civil Bureau

6 No. 272 - Criminal Bureau

7 No. 273 - Legal Services Bureau

8 No. 274 - Public Protection Bureau

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

11 General Fund expenditures within program classification number 271
12 shall only be coded against budget subprogram 1. Revolving Fund
13 expenditures within program classification number 271 shall only be coded
14 against budget subprogram 4.

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

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

24 There is included in the appropriation to this program for FY2017-18
25 \$80,000 General Funds and for FY2018-19 \$80,000 General Funds, which
26 appropriations shall only be administratively transferred to program
27 classification number 272, and such appropriations shall only be expended
28 from budget subprogram 6 as a separate and distinct budget subprogram and
29 shall not be commingled with any other expenses, and such appropriations
30 shall only be used to provide assistance for legal expenses incurred in
31 prosecuting crimes against children by state and local prosecutors,

1 including, but not limited to, expert witness costs, as determined by the
2 Attorney General.

3 There is included in the appropriation to this program for FY2017-18
4 \$50,000 General Funds and for FY2018-19 \$50,000 General Funds, which
5 appropriations shall only be administratively transferred to program
6 classification number 272, and such appropriations shall only be expended
7 from budget subprogram 7 as a separate and distinct budget subprogram and
8 shall not be commingled with any other expenses, and such appropriations
9 shall only be used to pay for child autopsy expenses, for legal expenses
10 incurred in prosecuting crimes against children by state and local
11 prosecutors, and for legal expenses incurred in prosecuting human
12 trafficking crimes, including, but not limited to, expert witness costs,
13 as determined by the Attorney General.

14 General Fund expenditures within program classification number 273
15 shall only be coded against budget subprogram 1. Revolving Fund
16 expenditures within program classification number 273 shall only be coded
17 against budget subprogram 4.

18 With the exception of water law division appropriations, all other
19 General Fund expenditures for the public protection bureau within program
20 classification number 274 shall only be coded against budget subprogram
21 1. General Fund expenditures for the water law division within program
22 classification number 274 shall only be coded against budget subprogram
23 2. Cash Fund expenditures for motor vehicle fraud enforcement within
24 program classification number 274 shall only be coded against budget
25 subprogram 3.

26 There is included in the appropriation to this program for FY2017-18
27 \$395,807 Cash Funds and for FY2018-19 \$395,807 Cash Funds, which
28 appropriations shall only be administratively transferred to program
29 classification number 274, and such appropriations shall only be expended
30 directly from the Nebraska Health Care Cash Fund from budget subprogram 4
31 for purposes of enforcing the tobacco settlement agreement.

1 The agency budget request submitted by the Attorney General for the
2 2017-2019 biennium for umbrella budget program number 507 shall be
3 prepared and submitted at the detailed account level within the specified
4 budget subprogram structure as required in this section.

5 Sec. 31. AGENCY NO. 12 – STATE TREASURER

6 Program No. 24 - State Disbursement Unit

	FY2017-18	FY2018-19
8 GENERAL FUND	1,131,909	1,140,473
9 CASH FUND	47,500	47,500
10 FEDERAL FUND est.	1,697,414	1,710,225
11 PROGRAM TOTAL	2,876,823	2,898,198
12 SALARY LIMIT	1,257,533	1,268,790

13 Sec. 32. AGENCY NO. 12 – STATE TREASURER

14 Program No. 117 - Mutual Finance Assistance

	FY2017-18	FY2018-19
16 CASH FUND	4,000,000	4,000,000
17 PROGRAM TOTAL	4,000,000	4,000,000

18 There is included in the appropriation to this program for FY2017-18
19 \$4,000,000 Cash Funds for state aid, which shall only be used for such
20 purpose. There is included in the appropriation to this program for
21 FY2018-19 \$4,000,000 Cash Funds for state aid, which shall only be used
22 for such purpose.

23 Sec. 33. AGENCY NO. 12 – STATE TREASURER

24 Program No. 475 - ABLE Savings Program

	FY2017-18	FY2018-19
26 CASH FUND	208,217	209,671
27 PROGRAM TOTAL	208,217	209,671
28 SALARY LIMIT	96,142	97,297

29 Sec. 34. AGENCY NO. 12 – STATE TREASURER

30 Program No. 503 - Treasury Management

1		FY2017-18	FY2018-19
2	CASH FUND	748,463	757,858
3	PROGRAM TOTAL	748,463	757,858
4	SALARY LIMIT	460,733	464,538
5	Sec. 35. AGENCY NO. 12 – STATE TREASURER		
6	Program No. 505 - Educational Savings Unit		
7		FY2017-18	FY2018-19
8	CASH FUND	288,690	290,170
9	PROGRAM TOTAL	288,690	290,170
10	SALARY LIMIT	114,450	115,415
11	Sec. 36. AGENCY NO. 12 – STATE TREASURER		
12	Program No. 512 - Unclaimed Property		
13		FY2017-18	FY2018-19
14	CASH FUND	859,686	871,514
15	PROGRAM TOTAL	859,686	871,514
16	SALARY LIMIT	430,728	435,268
17	Sec. 37. AGENCY NO. 12 – STATE TREASURER		
18	Program No. 659 - Long-Term Care Savings Program		
19		FY2017-18	FY2018-19
20	GENERAL FUND	22,253	-0-
21	PROGRAM TOTAL	22,253	-0-
22	SALARY LIMIT	10,319	-0-
23	Sec. 38. AGENCY NO. 12 – STATE TREASURER		
24	Program No. 663 - Sports Arena Facility Financing Assistance		
25		FY2017-18	FY2018-19
26	CASH FUND est.	2,600,000	2,800,000
27	PROGRAM TOTAL	2,600,000	2,800,000
28	There is included in the appropriation to this program for FY2017-18		
29	\$2,600,000 Cash Funds for state aid, which shall only be used for such		
30	purpose. There is included in the appropriation to this program for		

1 FY2018-19 \$2,800,000 Cash Funds for state aid, which shall only be used
2 for such purpose.

3 Cash Fund expenditures for this program shall not be limited to the
4 amount shown.

5 Sec. 39. AGENCY NO. 12 – STATE TREASURER

6 Program No. 665 - Convention Center Facility Financing Assistance

	FY2017-18	FY2018-19
7 CASH FUND est.	4,300,000	4,500,000
8 PROGRAM TOTAL	4,300,000	4,500,000

10 There is included in the appropriation to this program for FY2017-18
11 \$4,300,000 Cash Funds for state aid, which shall only be used for such
12 purpose. There is included in the appropriation to this program for
13 FY2018-19 \$4,500,000 Cash Funds for state aid, which shall only be used
14 for such purpose.

15 Cash Fund expenditures for this program shall not be limited to the
16 amount shown.

17 Sec. 40. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

18 The limitation on expenditures for permanent and temporary salaries
19 and per diems for the State Department of Education may be exceeded by
20 the amount required to fulfill the state's obligation for salaries in
21 contractual arrangements in which the state has entered into an employee-
22 employer relationship with the person subject to the contract as
23 determined by the social security administration bureau of the Department
24 of Administrative Services.

25 Sec. 41. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

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

	FY2017-18	FY2018-19
27 GENERAL FUND	15,644,104	15,773,259
28 CASH FUND	1,806,535	1,814,351
29 FEDERAL FUND est.	23,548,027	23,697,646
30 REVOLVING FUND	204,728	204,728

1	PROGRAM TOTAL	41,203,394	41,489,984
2	SALARY LIMIT	14,312,761	14,448,754

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

- 6 No. 25 - Commissioner's Office
- 7 No. 403 - Assessment/Report Card
- 8 No. 440 - Human Resources
- 9 No. 441 - Teaching and Learning
- 10 No. 442 - Diversity Populations: Equity and Instructional Issues
- 11 No. 443 - Network Education and Technology Services
- 12 No. 444 - Office of Early Childhood
- 13 No. 445 - Data, Research, Evaluation, and Information Technology
- 14 No. 446 - Adult Program Services
- 15 No. 447 - School Improvement/Accreditation
- 16 No. 448 - Diversity Populations: Special Education
- 17 No. 449 - Federal Programs
- 18 No. 450 - Select Department-wide Costs
- 19 No. 451 - Finance and Organization Services

20 There is included in the appropriation to this program for FY2017-18
21 \$75,000 General Funds for the review of poverty and limited English
22 proficiency plans, including at least \$25,000 General Funds for
23 performance auditing. There is included in the appropriation to this
24 program for FY2018-19 \$75,000 General Funds for the review of poverty and
25 limited English proficiency plans, including at least \$25,000 General
26 Funds for performance auditing.

27 There is included in the appropriation to this program for FY2017-18
28 \$10,000 General Funds and FY2018-19 \$10,000 General Funds for the
29 Educational Opportunity for Military Children Program.

30 Sec. 42. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION
31 Program No. 158 - Education Aid

	FY2017-18	FY2018-19
1		
2 GENERAL FUND	1,241,784,051	1,259,992,053
3 CASH FUND	3,290,938	3,290,938
4 FEDERAL FUND est.	312,630,674	312,630,674
5 PROGRAM TOTAL	1,557,705,663	1,575,913,665

6 There is included in the appropriation to this program for FY2017-18
7 \$1,241,784,051 General Funds, \$3,290,938 Cash Funds, and \$312,630,674
8 Federal Funds estimate for state aid, which shall only be used for such
9 purpose. There is included in the appropriation to this program for
10 FY2018-19 \$1,259,992,053 General Funds, \$3,290,938 Cash Funds, and
11 \$312,630,674 Federal Funds estimate for state aid, which shall only be
12 used for such purpose.

13 There is included in the amount shown for FY2017-18 \$988,472,784
14 General Funds which are hereby appropriated to the Tax Equity and
15 Educational Opportunities Fund, which fund is hereby appropriated to
16 provide state aid to public school districts pursuant to the Tax Equity
17 and Educational Opportunities Support Act. There is included in the
18 amount shown for FY2018-19 \$1,003,299,875 General Funds which are hereby
19 appropriated to the Tax Equity and Educational Opportunities Fund, which
20 fund is hereby appropriated to provide state aid to public school
21 districts pursuant to the Tax Equity and Educational Opportunities
22 Support Act.

23 There is included in the amount shown for this program \$225,394,064
24 General Funds provided as state aid for FY2017-18 for special education
25 reimbursement. There is included in the amount shown for this program
26 \$228,774,975 General Funds provided as state aid for FY2018-19 for
27 special education reimbursement.

28 There is included in the amount shown for this program \$451,535
29 General Funds provided as state aid for FY2017-18 and \$451,535 General
30 Funds provided as state aid for FY2018-19 to carry out the provisions of
31 subsection (2) of section 79-734.

1 There is included in the amount shown for this program \$10,173,854
2 General Funds provided as state aid for FY2017-18 and \$10,173,854 General
3 Funds provided as state aid for FY2018-19 for core services for
4 educational service units.

5 There is included in the amount shown for this program \$3,174,700
6 General Funds provided as state aid for FY2017-18 and \$3,174,700 General
7 Funds provided as state aid for FY2018-19 for technology infrastructure
8 for educational service units.

9 There is included in the amount shown for this program \$281,654
10 General Funds provided as state aid for FY2017-18 and \$281,654 General
11 Funds provided as state aid for FY2018-19 for distance education aid to
12 educational service units.

13 There is included in the amount shown for this program \$561,042
14 General Funds provided as state aid for FY2017-18 and \$561,042 General
15 Funds provided as state aid for FY2018-19 for the school breakfast
16 program.

17 There is included in the amount shown for this program \$392,032
18 General Funds provided as state aid for FY2017-18 and \$392,032 General
19 Funds provided as state aid for FY2018-19 for the school lunch program.

20 There is included in the amount shown for this program \$130,000
21 General Funds provided as state aid for FY2017-18 and \$130,000 General
22 Funds provided as state aid for FY2018-19 for the Summer Food Service
23 Program.

24 There is included in the amount shown for this program \$208,224
25 General Funds provided as state aid for FY2017-18 and \$208,224 General
26 Funds provided as state aid for FY2018-19 for adult basic education
27 programs.

28 There is included in the amount shown for this program \$727,500
29 General Funds provided as state aid for FY2017-18 and \$727,500 General
30 Funds provided as state aid for FY2018-19 for aid to institutions
31 offering high school equivalency programs.

1 There is included in the amount shown for this program \$3,657,059
2 General Funds provided as state aid for FY2017-18 and \$3,657,059 General
3 Funds provided as state aid for FY2018-19 for early childhood education
4 projects.

5 There is included in the amount shown for this program \$4,850,000
6 General Funds provided as state aid for FY2017-18 and \$4,850,000 General
7 Funds provided as state aid for FY2018-19 for the Early Childhood
8 Education Grant Program for at-risk children from birth to age three. It
9 is the intent of the Legislature that a maximum of five percent of
10 General Funds appropriated each fiscal year for the Early Childhood
11 Education Grant Program for at-risk children from birth to age three may
12 be used for evaluation and technical assistance.

13 There is included in the amount shown for this program \$97,000
14 General Funds provided as state aid for FY2017-18 and \$97,000 General
15 Funds provided as state aid for FY2018-19 for scholarships for early
16 childhood education providers.

17 There is included in the amount shown for this program \$66,930
18 General Funds provided as state aid for FY2017-18 and \$66,930 General
19 Funds provided as state aid for FY2018-19 for incentive bonuses for
20 providers of child care and early childhood education programs.

21 There is included in the amount shown for this program \$388,000
22 General Funds provided as state aid for FY2017-18 and \$388,000 General
23 Funds provided as state aid for FY2018-19 for the Nurturing Healthy
24 Behaviors program.

25 There is included in the amount shown for this program \$485,000
26 General Funds provided as state aid for FY2017-18 and \$485,000 General
27 Funds provided as state aid for FY2018-19 for learning community aid.

28 There is included in the amount shown for this program \$2,272,673
29 General Funds provided as state aid for FY2017-18 and \$2,272,673 General
30 Funds provided as state aid for FY2018-19 for programs for learners with
31 high ability.

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

2 Program No. 161 - Education Innovation

3		FY2017-18	FY2018-19
4	CASH FUND	5,091,863	5,093,895
5	PROGRAM TOTAL	5,091,863	5,093,895
6	SALARY LIMIT	130,177	130,812

7 There is included in the appropriation to this program for FY2017-18
8 \$4,858,895 Cash Funds for state aid, which shall only be used for such
9 purpose. There is included in the appropriation to this program for
10 FY2018-19 \$4,858,895 Cash Funds for state aid, which shall only be used
11 for such purpose.

12 Sec. 44. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

13 Program No. 351 - Vocational Rehabilitation

14		FY2017-18	FY2018-19
15	GENERAL FUND	5,018,660	5,072,051
16	CASH FUND	500,000	500,000
17	FEDERAL FUND est.	23,712,758	25,207,732
18	PROGRAM TOTAL	29,231,418	30,779,783
19	SALARY LIMIT	11,696,424	11,805,660

20 There is included in the appropriation to this program for FY2017-18
21 \$7,379,504 Federal Funds estimate for state aid, which shall only be used
22 for such purpose. There is included in the appropriation to this program
23 for FY2018-19 \$8,226,537 Federal Funds estimate for state aid, which
24 shall only be used for such purpose.

25 Sec. 45. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

26 Program No. 352 - Disability Determination

27		FY2017-18	FY2018-19
28	FEDERAL FUND est.	12,448,501	12,536,823
29	PROGRAM TOTAL	12,448,501	12,536,823
30	SALARY LIMIT	4,179,156	4,214,044

1 There is included in the appropriation to this program for FY2017-18
2 \$3,697,373 Federal Funds estimate for state aid, which shall only be used
3 for such purpose. There is included in the appropriation to this program
4 for FY2018-19 \$3,697,373 Federal Funds estimate for state aid, which
5 shall only be used for such purpose.

6 Sec. 46. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

7 Program No. 401 - Services for the Deaf and Hard of Hearing

	FY2017-18	FY2018-19
8		
9 GENERAL FUND	2,053,644	2,053,861
10 CASH FUND	2,965	2,965
11 PROGRAM TOTAL	2,056,609	2,056,826
12 SALARY LIMIT	14,467	14,603

13 Sec. 47. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

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

	FY2017-18	FY2018-19
16		
17 GENERAL FUND	2,028,646	2,028,750
18 PROGRAM TOTAL	2,028,646	2,028,750
19 SALARY LIMIT	14,278	14,337

20 Sec. 48. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

21 Program No. 614 - Professional Practices Commission

	FY2017-18	FY2018-19
22		
23 CASH FUND	138,347	140,060
24 PROGRAM TOTAL	138,347	140,060
25 SALARY LIMIT	76,524	77,279

26 Sec. 49. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

27 Program No. 16 - Expenses, Constitutional Officers

	FY2017-18	FY2018-19
28		
29 GENERAL FUND	83,884	83,884
30 PROGRAM TOTAL	83,884	83,884

1	Sec. 50. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
2	Program No. 19 - Modular Housing Units Program		
3		FY2017-18	FY2018-19
4	CASH FUND	686,089	692,291
5	PROGRAM TOTAL	686,089	692,291
6	SALARY LIMIT	394,666	397,056
7	Sec. 51. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
8	Program No. 54 - Enforcement of Standards - Common Carriers		
9		FY2017-18	FY2018-19
10	GENERAL FUND	1,785,875	1,810,547
11	CASH FUND	42,310	42,872
12	PROGRAM TOTAL	1,828,185	1,853,419
13	SALARY LIMIT	1,097,289	1,107,417
14	Sec. 52. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
15	Program No. 60 - Grain Warehouse Surveillance/Moisture Testing		
16		FY2017-18	FY2018-19
17	CASH FUND	39,467	39,655
18	PROGRAM TOTAL	39,467	39,655
19	SALARY LIMIT	7,587	7,664
20	Sec. 53. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
21	Program No. 64 - Nebraska Telecommunications Relay System Fund		
22		FY2017-18	FY2018-19
23	CASH FUND	779,665	781,447
24	PROGRAM TOTAL	779,665	781,447
25	SALARY LIMIT	65,579	66,226
26	There is included in the appropriation to this program for FY2017-18		
27	\$180,000 Cash Funds for state aid, which shall only be used for such		
28	purpose. There is included in the appropriation to this program for		
29	FY2018-19 \$180,000 Cash Funds for state aid, which shall only be used for		
30	such purpose.		

1 Sec. 54. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
2 Program No. 71 - Nebraska Internet Enhancement Fund

	FY2017-18	FY2018-19
4 CASH FUND	60,067	60,154
5 PROGRAM TOTAL	60,067	60,154
6 SALARY LIMIT	5,468	5,499

7 There is included in the appropriation to this program for FY2017-18
8 \$50,000 Cash Funds for state aid, which shall only be used for such
9 purpose. There is included in the appropriation to this program for
10 FY2018-19 \$50,000 Cash Funds for state aid, which shall only be used for
11 such purpose.

12 Sec. 55. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
13 Program No. 212 - Nebraska Competitive Telephone Marketplace Fund

	FY2017-18	FY2018-19
15 CASH FUND	15,000	15,000
16 PROGRAM TOTAL	15,000	15,000

17 Sec. 56. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
18 Program No. 583 - Enhanced Wireless 911 Fund

	FY2017-18	FY2018-19
20 CASH FUND	13,685,835	13,690,919
21 PROGRAM TOTAL	13,685,835	13,690,919
22 SALARY LIMIT	826,694	829,012

23 There is included in the appropriation to this program for FY2017-18
24 \$11,000,000 Cash Funds for state aid, which shall only be used for such
25 purpose. There is included in the appropriation to this program for
26 FY2018-19 \$11,000,000 Cash Funds for state aid, which shall only be used
27 for such purpose.

28 Sec. 57. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
29 Program No. 686 - Nebraska Telecommunications Universal Service Fund

	FY2017-18	FY2018-19
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1	CASH FUND	63,112,512	63,122,429
2	PROGRAM TOTAL	63,112,512	63,122,429
3	SALARY LIMIT	470,091	474,159

4 There is included in the appropriation to this program for FY2017-18
5 \$62,250,000 Cash Funds for state aid, which shall only be used for such
6 purpose. There is included in the appropriation to this program for
7 FY2018-19 \$62,250,000 Cash Funds for state aid, which shall only be used
8 for such purpose.

9 Sec. 58. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

10 Program No. 790 - Natural Gas Regulation

11		FY2017-18	FY2018-19
12	CASH FUND	1,207,486	1,212,376
13	PROGRAM TOTAL	1,207,486	1,212,376
14	SALARY LIMIT	278,353	281,195

15 There is included in the appropriation to this program for FY2017-18
16 \$185,000 Cash Funds for state aid, which shall only be used for such
17 purpose. Cash Fund expenditures for state aid for FY2017-18 shall not be
18 limited to the amount shown. There is included in the appropriation to
19 this program for FY2018-19 \$185,000 Cash Funds for state aid, which shall
20 only be used for such purpose. Cash Fund expenditures for state aid for
21 FY2018-19 shall not be limited to the amount shown.

22 Sec. 59. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

23 Program No. 792 - Major Oil Pipeline Siting

24		FY2017-18	FY2018-19
25	CASH FUND	6,704,186	6,704,186
26	PROGRAM TOTAL	6,704,186	6,704,186
27	SALARY LIMIT	142,043	142,043

28 Sec. 60. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE

29 Program No. 358 - Board of Parole

30		FY2017-18	FY2018-19
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1	GENERAL FUND	6,490,873	6,800,871
2	CASH FUND	455,873	553,373
3	PROGRAM TOTAL	6,946,746	7,354,244
4	SALARY LIMIT	3,338,766	3,352,321

5 The unexpended General Fund appropriation balance existing on June
6 30, 2017, is hereby reappropriated.

7 Sec. 61. AGENCY NO. 16 – DEPARTMENT OF REVENUE

8 Program No. 102 - Revenue Administration

9		FY2017-18	FY2018-19
10	GENERAL FUND	25,209,921	25,231,080
11	CASH FUND	1,955,330	1,981,914
12	PROGRAM TOTAL	27,165,251	27,212,994
13	SALARY LIMIT		

14 There is included in the appropriation to this program for FY2017-18
15 \$316,482 Cash Funds for staff necessary to audit and enforce provisions
16 of the tobacco Master Settlement Agreement from the Nebraska Health Care
17 Cash Fund. There is included in the appropriation to this program for
18 FY2018-19 \$316,482 Cash Funds for staff necessary to audit and enforce
19 provisions of the tobacco Master Settlement Agreement from the Nebraska
20 Health Care Cash Fund.

21 Sec. 62. AGENCY NO. 16 – DEPARTMENT OF REVENUE

22 Program No. 108 - Homestead Exemption

23		FY2017-18	FY2018-19
24	GENERAL FUND	78,200,000	81,005,500
25	PROGRAM TOTAL	78,200,000	81,005,500

26 There is included in the appropriation to this program for FY2017-18
27 \$78,200,000 General Funds for state aid, which shall only be used for
28 such purpose. There is included in the appropriation to this program for
29 FY2018-19 \$81,005,500 General Funds for state aid, which shall only be
30 used for such purpose.

1 Sec. 63. AGENCY NO. 16 – DEPARTMENT OF REVENUE

2 Program No. 109 - Personal Property Tax Exemption

	FY2017-18	FY2018-19
4 GENERAL FUND	15,200,000	16,200,000
5 PROGRAM TOTAL	15,200,000	16,200,000

6 There is included in the appropriation to this program for FY2017-18
7 \$15,200,000 General Funds for state aid, which shall only be used for
8 such purpose. There is included in the appropriation to this program for
9 FY2018-19 \$16,200,000 General Funds for state aid, which shall only be
10 used for such purpose.

11 Sec. 64. AGENCY NO. 16 – DEPARTMENT OF REVENUE

12 Program No. 111 - Motor Fuels

	FY2017-18	FY2018-19
14 CASH FUND	1,595,588	1,617,661
15 PROGRAM TOTAL	1,595,588	1,617,661
16 SALARY LIMIT	1,100,411	1,109,875

17 Sec. 65. AGENCY NO. 16 – DEPARTMENT OF REVENUE

18 Program No. 112 - Property Assessment

	FY2017-18	FY2018-19
20 GENERAL FUND	1,754,051	1,979,771
21 CASH FUND	827,155	635,031
22 PROGRAM TOTAL	2,581,206	2,614,802
23 SALARY LIMIT	1,624,474	1,639,254

24 Sec. 66. AGENCY NO. 16 – DEPARTMENT OF REVENUE

25 Program No. 132 - Property Tax Credit Program

	FY2017-18	FY2018-19
27 CASH FUND	224,000,000	224,000,000
28 PROGRAM TOTAL	224,000,000	224,000,000

29 There is included in the appropriation to this program for FY2017-18
30 \$224,000,000 Cash Funds for state aid, which shall only be used for such

1 purpose. There is included in the appropriation to this program for
2 FY2018-19 \$224,000,000 Cash Funds for state aid, which shall only be used
3 for such purpose.

4 Sec. 67. AGENCY NO. 16 – DEPARTMENT OF REVENUE

5 Program No. 160 - Lottery Administration

	FY2017-18	FY2018-19
6 CASH FUND est.	20,731,976	20,755,840
7 PROGRAM TOTAL	20,731,976	20,755,840
8 SALARY LIMIT	1,402,188	1,414,639

9
10 Cash Fund expenditures shall not be limited to the amount shown. It
11 is the intent of the Legislature that all expenses of the lottery, both
12 external and internal, be recorded in the appropriate Cash Fund unless
13 specifically required by statute to be recorded elsewhere.

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

15 Program No. 164 - Gamblers Assistance Program

	FY2017-18	FY2018-19
16 CASH FUND	1,882,326	1,784,139
17 PROGRAM TOTAL	1,882,326	1,784,139
18 SALARY LIMIT	109,035	109,915

19
20 There is included in the appropriation to this program for FY2017-18
21 \$1,200,000 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 FY2018-19 \$1,150,000 Cash Funds for state aid, which shall only be used
24 for such purpose.

25 There is included in the amount shown in this program \$250,000 Cash
26 Funds for FY2017-18 and \$250,000 Cash Funds for FY2018-19 from the
27 Nebraska Health Care Cash Fund to be used for compulsive gamblers
28 assistance programs.

29 Sec. 69. AGENCY NO. 16 – DEPARTMENT OF REVENUE

30 Program No. 165 - Charitable Gaming

	FY2017-18	FY2018-19
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1	CASH FUND	1,825,003	1,848,215
2	PROGRAM TOTAL	1,825,003	1,848,215
3	SALARY LIMIT	1,099,155	1,108,498

4 Sec. 70. AGENCY NO. 17 – DEPARTMENT OF AERONAUTICS

5 Total expenditures by the Department of Aeronautics for permanent
6 and temporary salaries and per diems shall not exceed \$1,313,541 for
7 FY2017-18. Total expenditures by the Department of Aeronautics for
8 permanent and temporary salaries and per diems shall not exceed
9 \$1,308,071 for FY2018-19.

10 Sec. 71. AGENCY NO. 17 – DEPARTMENT OF AERONAUTICS

11 Program No. 26 - Administration and Services

12		FY2017-18	FY2018-19
13	CASH FUND est.	2,773,954	2,477,584
14	PROGRAM TOTAL	2,773,954	2,477,584

15 Cash Fund expenditures shall not be limited to the amount shown.

16 Sec. 72. AGENCY NO. 17 – DEPARTMENT OF AERONAUTICS

17 Program No. 301 - Public Airports

18		FY2017-18	FY2018-19
19	CASH FUND est.	30,670,300	25,132,300
20	PROGRAM TOTAL	30,670,300	25,132,300

21 Cash Fund expenditures shall not be limited to the amount shown.

22 There is included in the appropriation to this program for FY2017-18
23 \$30,670,300 Cash Funds estimate for state aid, which shall only be used
24 for such purpose. There is included in the appropriation to this program
25 for FY2018-19 \$25,132,300 Cash Funds estimate for state aid, which shall
26 only be used for such purpose.

27 Sec. 73. AGENCY NO. 17 – DEPARTMENT OF AERONAUTICS

28 Program No. 596 - State-Owned Aircraft

29		FY2017-18	FY2018-19
30	CASH FUND est.	431,150	414,152

1	PROGRAM TOTAL	431,150	414,152
2	Cash Fund expenditures shall not be limited to the amount shown.		
3	Sec. 74. AGENCY NO. 18 – DEPARTMENT OF AGRICULTURE		
4	Program No. 78 - Department of Agriculture		
5		FY2017-18	FY2018-19
6	GENERAL FUND	6,623,838	6,705,833
7	CASH FUND	7,737,477	7,807,535
8	FEDERAL FUND est.	4,246,076	4,276,001
9	REVOLVING FUND	642,670	649,797
10	PROGRAM TOTAL	19,250,061	19,439,166
11	SALARY LIMIT	8,348,515	8,429,797
12	The Department of Administrative Services shall monitor the		
13	appropriations and expenditures for this program according to the		
14	following program classifications:		
15	No. 27 - Shared Services		
16	No. 57 - Food Safety and Consumer Protection		
17	No. 63 - Animal and Plant Health Protection		
18	No. 564 - Ag Promotion and Development		
19	There is included in the appropriation to this program for FY2017-18		
20	\$487,500 General Funds and \$420,000 Federal Funds estimate for state aid,		
21	which shall only be used for such purpose. There is included in the		
22	appropriation to this program for FY2018-19 \$487,500 General Funds and		
23	\$420,000 Federal Funds estimate for state aid, which shall only be used		
24	for such purpose.		
25	Sec. 75. AGENCY NO. 19 – DEPARTMENT OF BANKING AND FINANCE		
26	Program No. 65 - Enforcement of Standards - Financial Institutions		
27		FY2017-18	FY2018-19
28	CASH FUND	5,813,852	5,732,863
29	PROGRAM TOTAL	5,813,852	5,732,863
30	SALARY LIMIT	3,666,750	3,700,199

1 Sec. 76. AGENCY NO. 19 – DEPARTMENT OF BANKING AND FINANCE

2 Program No. 66 - Enforcement of Standards - Securities

	FY2017-18	FY2018-19
4 CASH FUND	1,663,754	1,641,565
5 PROGRAM TOTAL	1,663,754	1,641,565
6 SALARY LIMIT	997,979	1,006,459

7 Sec. 77. AGENCY NO. 21 – STATE FIRE MARSHAL

8 Program No. 193 - Public Protection

	FY2017-18	FY2018-19
10 GENERAL FUND	3,237,658	3,284,125
11 CASH FUND	1,827,990	1,846,034
12 FEDERAL FUND est.	439,327	445,190
13 PROGRAM TOTAL	5,504,975	5,575,349
14 SALARY LIMIT	3,299,256	3,327,210

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

- 18 No. 225 - General Operations
- 19 No. 226 - Pipeline Safety
- 20 No. 227 - Underground Storage Tanks
- 21 No. 229 - Cigarette Ignition Propensity Testing

22 There is included in the appropriation to this program for FY2017-18
23 \$55,000 Federal Funds estimate for state aid, which shall only be used
24 for such purpose. There is included in the appropriation to this program
25 for FY2018-19 \$55,000 Federal Funds estimate for state aid, which shall
26 only be used for such purpose. If federal restrictions prevent using
27 these Federal Funds for state aid, the State Fire Marshal may reallocate
28 available funds in the Underground Storage Tank Fund to provide state aid
29 payments to the affected political subdivisions.

30 There is included in the appropriation to this program for FY2017-18
31 \$20,000 Cash Funds for fireworks testing, which shall only be used for

1 such purpose. There is included in the appropriation to this program for
2 FY2018-19 \$20,000 Cash Funds for fireworks testing, which shall only be
3 used for such purpose.

4 Sec. 78. AGENCY NO. 21 – STATE FIRE MARSHAL

5 Program No. 340 - Training Division

	FY2017-18	FY2018-19
6 GENERAL FUND	902,808	914,556
7 CASH FUND	22,004	22,004
8 PROGRAM TOTAL	924,812	936,560
9 SALARY LIMIT	501,517	506,695

11 Sec. 79. AGENCY NO. 21 – STATE FIRE MARSHAL

12 Program No. 845 - Nebraska Public Safety Communication System

	FY2017-18	FY2018-19
13 GENERAL FUND	136,669	113,198
14 CASH FUND	79,981	71,734
15 PROGRAM TOTAL	216,650	184,932

16 Sec. 80. AGENCY NO. 22 – DEPARTMENT OF INSURANCE

17 Program No. 68 - Medical Professional Liability

	FY2017-18	FY2018-19
18 CASH FUND	118,338	120,355
19 PROGRAM TOTAL	118,338	120,355
20 SALARY LIMIT	55,780	56,147

21 Sec. 81. AGENCY NO. 22 – DEPARTMENT OF INSURANCE

22 Program No. 69 - Enforcement of Standards - Insurance

	FY2017-18	FY2018-19
23 CASH FUND	11,951,380	12,078,679
24 FEDERAL FUND est.	2,107,889	2,154,566
25 PROGRAM TOTAL	14,059,269	14,233,245
26 SALARY LIMIT	7,813,517	7,875,091

27 There is included in the appropriation to this program for FY2017-18

1 \$647,880 Federal Funds estimate for state aid, which shall only be used
2 for this purpose. There is included in the appropriation to this program
3 for FY2018-19 \$664,722 Federal Funds estimate for state aid, which shall
4 only be used for this purpose.

5 Sec. 82. AGENCY NO. 22 – DEPARTMENT OF INSURANCE
6 Program No. 556 - Liquidation of Insurance Companies

	FY2017-18	FY2018-19
8 CASH FUND	5,000	5,000
9 PROGRAM TOTAL	5,000	5,000

10 Sec. 83. AGENCY NO. 23 – DEPARTMENT OF LABOR
11 Program No. 31 - Division of Employment

	FY2017-18	FY2018-19
13 CASH FUND	2,815,837	2,817,823
14 FEDERAL FUND est.	46,505,842	46,763,673
15 PROGRAM TOTAL	49,321,679	49,581,496
16 SALARY LIMIT	17,116,342	17,238,378

17 There is included in the appropriation to this program for FY2017-18
18 \$1,600,000 Cash Funds for state aid, which shall only be used for such
19 purpose. There is included in the appropriation to this program for
20 FY2018-19 \$1,600,000 Cash Funds for state aid, which shall only be used
21 for such purpose.

22 There is included in the appropriation to this program for FY2017-18
23 \$7,904,743 Federal Funds estimate for state aid, which shall only be used
24 for such purpose. There is included in the appropriation to this program
25 for FY2018-19 \$7,904,743 Federal Funds estimate for state aid, which
26 shall only be used for such purpose.

27 The unexpended balance of the \$3,116,126 in Federal Funds
28 appropriated in FY2009-10 under section 903(g) of the federal Social
29 Security Act, as amended, existing on June 30, 2017, is hereby
30 reappropriated.

31 The appropriation set forth in this section includes an additional

1 appropriation out of the funds made available to the state under section
 2 903 (d) and 903 (f) of the federal Social Security Act, as amended, of
 3 \$7,000,000 in FY2017-18 and \$7,000,000 in FY2018-19, or so much thereof
 4 as may be necessary, to be used, for the administration of the Employment
 5 Security Law and public employment offices, including the administration
 6 of one-stop career centers to the extent authorized under the federal
 7 Social Security Act and the Wagner-Peyser Act and the rules and
 8 regulations adopted pursuant thereto. The expenditure or other
 9 disposition of section 903 (d) and (f) money appropriated in this section
 10 shall be accounted for in accordance with standards established by the
 11 United States Secretary of Labor. Except as provided in this section, all
 12 provisions of subsection (2) of section 48-621 except subdivision (2)(a)
 13 (i) shall apply to this appropriation.

14 There is included in the appropriation to this program for FY2017-18
 15 \$7,000,000 Federal Funds for the replacement of an unemployment insurance
 16 tax and benefit system. There is included in the appropriation to this
 17 program for FY2018-19 \$7,000,000 Federal Funds for the replacement of an
 18 unemployment insurance tax and benefit system.

19 Sec. 84. AGENCY NO. 23 – DEPARTMENT OF LABOR

20 Program No. 194 - Division for Protection of People and Property

	FY2017-18	FY2018-19
21 GENERAL FUND	675,597	681,370
22 CASH FUND	1,814,532	1,763,035
23 FEDERAL FUND est.	687,924	693,727
24 PROGRAM TOTAL	3,178,053	3,138,132
25 SALARY LIMIT	1,633,874	1,647,962

27 Sec. 85. AGENCY NO. 24 – DEPARTMENT OF MOTOR VEHICLES

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

	FY2017-18	FY2018-19
30 CASH FUND	36,482,959	32,646,458

1	FEDERAL FUND est.	203,457	205,669
2	PROGRAM TOTAL	36,686,416	32,852,127
3	SALARY LIMIT	9,553,506	9,866,551

4 There is included in the appropriation to this program for FY2017-18
5 \$46,000 Cash Funds for state aid, which shall only be used for such
6 purpose. There is included in the appropriation to this program for
7 FY2018-19 \$48,000 Cash Funds for state aid, which shall only be used for
8 such purpose.

9 Sec. 86. AGENCY NO. 24 – DEPARTMENT OF MOTOR VEHICLES

10 Program No. 90 - Motor Vehicle License Plates

11		FY2017-18	FY2018-19
12	CASH FUND est.	3,091,555	2,319,967
13	PROGRAM TOTAL	3,091,555	2,319,967

14 Cash Fund expenditures shall not be limited to the amounts shown.

15 Sec. 87. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

16 Program No. 30 - Tobacco Prevention and Control

17		FY2017-18	FY2018-19
18	CASH FUND	2,570,000	2,570,000
19	FEDERAL FUND est.	9,000	9,000
20	PROGRAM TOTAL	2,579,000	2,579,000

21 There is included in the appropriation to this program for FY2017-18
22 \$2,570,000 Cash Funds for tobacco use prevention and control from the
23 Nebraska Health Care Cash Fund. There is included in the appropriation to
24 this program for FY2018-19 \$2,570,000 Cash Funds for tobacco use
25 prevention and control from the Nebraska Health Care Cash Fund.

26 Sec. 88. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

27 Program No. 33 - Administration

28		FY2017-18	FY2018-19
29	GENERAL FUND	139,691,506	142,940,705
30	CASH FUND	26,429,607	26,564,326

1	FEDERAL FUND est.	320,938,267	308,834,895
2	PROGRAM TOTAL	487,059,380	478,339,926
3	SALARY LIMIT	154,918,282	155,966,737

4 (1) The Department of Administrative Services shall monitor the
5 appropriations and expenditures for this program according to the
6 following program classifications:

- 7 No. 261 - General Operations
- 8 No. 262 - Public Health Administration
- 9 No. 263 - Medicaid and Long-Term Care Administration
- 10 No. 264 - Children and Family Services Administration
- 11 No. 265 - Protection and Safety
- 12 No. 266 - Economic and Family Support
- 13 No. 267 - Developmental Disabilities Service Coordination
- 14 No. 268 - Behavioral Health Administration
- 15 No. 269 - Developmental Disabilities Administration

16 (2) There is included in the appropriation to this program for
17 FY2017-18 \$13,688 Cash Funds for regulatory support for out-of-hospital
18 emergency care providers licensing from the Nebraska Health Care Cash
19 Fund. There is included in the appropriation to this program for
20 FY2018-19 \$13,688 Cash Funds for regulatory support for out-of-hospital
21 emergency care providers licensing from the Nebraska Health Care Cash
22 Fund.

23 (3) There is included in the appropriation to this program for
24 FY2017-18 \$26,000 Cash Funds from the Nebraska Health Care Cash Fund to
25 continue the Parkinson's Disease Registry. There is included in the
26 appropriation to this program for FY2018-19 \$26,000 Cash Funds from the
27 Nebraska Health Care Cash Fund to continue the Parkinson's Disease
28 Registry.

29 (4) There is included in the appropriation to this program \$404,643
30 Cash Funds for FY2017-18 and \$404,643 Cash Funds for FY2018-19 from the
31 Nebraska Health Care Cash Fund for respite services in each of the

1 service areas designated by the Department of Health and Human Services
2 and for administrative costs, including personnel costs, associated with
3 the Nebraska Lifespan Respite Services Program.

4 (5) There is included in the appropriation to this program for
5 FY2017-18 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for
6 costs of smoking cessation covered by medicaid. There is included in the
7 appropriation to this program for FY2018-19 \$6,000 Cash Funds from the
8 Nebraska Health Care Cash Fund for costs of smoking cessation covered by
9 medicaid.

10 (6) It is the intent of the Legislature that the Department of
11 Health and Human Services shall provide quarterly status reports
12 electronically on the replacement of the Medicaid Medical Information
13 System (MMIS).

14 (7) There is included in the appropriation to this program for
15 FY2017-18 \$1,000,000 General Funds for the electronic records initiative,
16 to be used only for that purpose. There is included in the appropriation
17 to this program for FY2018-19 \$1,000,000 General Funds for the electronic
18 records initiative, to be used only for this purpose.

19 (8) There is included in the appropriation to this program for
20 FY2017-18 \$220,000 Cash Funds to operate a satellite office of minority
21 health in the second and third congressional districts to coordinate and
22 administer state policy relating to minority health from the Nebraska
23 Health Care Cash Fund. There is included in the appropriation to this
24 program for FY2018-19 \$220,000 Cash Funds to operate a satellite office
25 of minority health in the second and third congressional districts to
26 coordinate and administer state policy relating to minority health from
27 the Nebraska Health Care Cash Fund.

28 (9) There is included in the appropriation to this program for
29 FY2017-18 \$100,000 Cash Funds for staff and operating expenses for public
30 health from the Nebraska Health Care Cash Fund. There is included in the
31 appropriation to this program for FY2018-19 \$100,000 Cash Funds for staff

1 and operating expenses for public health from the Nebraska Health Care
2 Cash Fund.

3 Sec. 89. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

4 Program No. 38 - Behavioral Health Aid

	FY2017-18	FY2018-19
5		
6 GENERAL FUND	72,243,240	72,243,240
7 CASH FUND	13,699,660	13,699,660
8 FEDERAL FUND est.	10,504,971	10,504,971
9 PROGRAM TOTAL	96,447,871	96,447,871

10 There is included in the appropriation to this program for FY2017-18
11 \$72,243,240 General Funds, \$13,699,660 Cash Funds, and \$10,504,971
12 Federal Funds estimate for state aid, which shall only be used for such
13 purpose. There is included in the appropriation to this program for
14 FY2018-19 \$72,243,240 General Funds, \$13,699,660 Cash Funds, and
15 \$10,504,971 Federal Funds estimate for state aid, which shall only be
16 used for such purpose.

17 There is included in the amount shown as Cash Fund aid in this
18 program \$6,500,000 Cash Funds for FY2017-18 and \$6,500,000 Cash Funds for
19 FY2018-19 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 \$2,599,660 Cash Funds for FY2017-18 and \$2,599,660 Cash Funds for
27 FY2018-19 from the Nebraska Health Care Cash Fund to be used for rates
28 paid to providers of mental health and substance abuse services.

29 There is included in the amount shown as Cash Fund aid in this
30 program \$1,500,000 Cash Funds for FY2017-18 and \$1,500,000 Cash Funds for
31 FY2018-19 from the Nebraska Health Care Cash Fund to be used for the cost

1 of maintenance and treatment of persons in emergency protective custody
2 under the Nebraska Mental Health Commitment Act.

3 Sec. 90. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

4 Program No. 175 - Rural Health Provider Incentive Program

	FY2017-18	FY2018-19
5		
6 GENERAL FUND	708,286	708,286
7 CASH FUND	2,056,815	2,056,815
8 PROGRAM TOTAL	2,765,101	2,765,101

9 There is included in the appropriation to this program for FY2017-18
10 \$708,286 General Funds and \$2,056,815 Cash Funds for state aid, which
11 shall only be used for such purpose. There is included in the
12 appropriation to this program for FY2018-19 \$708,286 General Funds and
13 \$2,056,815 Cash Funds for state aid, which shall only be used for such
14 purpose.

15 Sec. 91. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

16 Program No. 176 - Nursing Incentives

	FY2017-18	FY2018-19
17		
18 CASH FUND	20,000	20,000
19 PROGRAM TOTAL	20,000	20,000

20 There is included in the appropriation to this program for FY2017-18
21 \$20,000 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 FY2018-19 \$20,000 Cash Funds for state aid, which shall only be used for
24 such purpose.

25 Sec. 92. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

26 Program No. 178 - Professional Licensure

	FY2017-18	FY2018-19
27		
28 GENERAL FUND	104,912	104,912
29 CASH FUND	7,093,757	7,147,184
30 PROGRAM TOTAL	7,198,669	7,252,096

1	SALARY LIMIT	3,050,063	3,072,644
2	Sec. 93. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES		
3	Program No. 250 - Juvenile Services Operations		
4		FY2017-18	FY2018-19
5	GENERAL FUND	22,268,497	22,548,619
6	CASH FUND	1,103,118	1,121,417
7	FEDERAL FUND est.	714,218	715,693
8	PROGRAM TOTAL	24,085,833	24,385,729
9	SALARY LIMIT	13,593,380	13,718,207

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

- 13 No. 315 - Office of Juvenile Services
- 14 No. 345 - Juvenile Community-Based Services
- 15 No. 371 - Youth Rehabilitation and Treatment Center-Geneva
- 16 No. 374 - Youth Rehabilitation and Treatment Center-Kearney

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

23	Sec. 94. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES		
24	Program No. 347 - Public Assistance		
25		FY2017-18	FY2018-19
26	GENERAL FUND	103,861,348	103,861,348
27	CASH FUND	3,560,000	3,560,000
28	FEDERAL FUND est.	108,525,004	108,525,004
29	PROGRAM TOTAL	215,946,352	215,946,352

30 There is included in the appropriation to this program for FY2017-18

1 \$103,861,348 General Funds, \$3,560,000 Cash Funds, and \$108,525,004
 2 Federal Funds estimate for state aid, which shall only be used for such
 3 purpose. There is included in the appropriation to this program for
 4 FY2018-19 \$103,861,348 General Funds, \$3,560,000 Cash Funds, and
 5 \$108,525,004 Federal Funds estimate for state aid, which shall only be
 6 used for such purpose.

7 There is included in the amount shown as aid for this program for
 8 FY2017-18 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund to
 9 aid in carrying out the Nebraska Lifespan Respite Services Program and to
 10 provide payment to caregivers to purchase services under the respite
 11 subsidy program. There is included in the amount shown as aid for this
 12 program for FY2018-19 \$810,000 Cash Funds from the Nebraska Health Care
 13 Cash Fund to aid in carrying out the Nebraska Lifespan Respite Services
 14 Program and to provide payment to caregivers to purchase services under
 15 the respite subsidy program.

16 Sec. 95. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
 17 Program No. 348 - Medical Assistance

	FY2017-18	FY2018-19
18 GENERAL FUND	842,251,055	857,674,201
19 CASH FUND	53,937,281	53,937,281
20 FEDERAL FUND est.	1,225,126,458	1,257,344,999
21 PROGRAM TOTAL	2,121,314,794	2,168,956,481

22 The Department of Administrative Services shall monitor the
 23 appropriations and expenditures for this program according to the
 24 following program classifications:
 25

- 26 No. 344 - Children's Health Insurance
- 27 No. 348 - Medical Assistance

28 There is included in the appropriation to this program for FY2017-18
 29 \$842,251,055 General Funds, \$53,937,281 Cash Funds, and \$1,225,126,458
 30 Federal Funds estimate for state aid, which shall only be used for such
 31 purpose. There is included in the appropriation to this program for

1 FY2018-19 \$857,674,201 General Funds, \$53,937,281 Cash Funds, and
2 \$1,257,344,999 Federal Funds estimate for state aid, which shall only be
3 used for such purpose.

4 There is included in the amount shown as aid for this program for
5 FY2017-18 \$6,835,700 Cash Funds from the Nebraska Health Care Cash Fund.
6 There is included in the amount shown as aid for this program for
7 FY2018-19 \$6,835,700 Cash Funds from the Nebraska Health Care Cash Fund.

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

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

26 There is included in the amount shown as aid for this program for
27 FY2017-18 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for
28 a state plan amendment covering tobacco-use cessation in compliance with
29 Title XIX of the federal Social Security Act. There is included in the
30 amount shown as aid for this program for FY2018-19 \$450,000 Cash Funds
31 from the Nebraska Health Care Cash Fund for a state plan amendment

1 covering tobacco-use cessation in compliance with Title XIX of the
2 federal Social Security Act. The smoking cessation funding for FY2017-18
3 and FY2018-19 is for the costs of tobacco-use cessation counseling and
4 tobacco-use cessation pharmaceuticals approved by the federal Food and
5 Drug Administration for such purpose.

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

10 Sec. 96. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
11 Program No. 350 - Child Abuse Prevention

	FY2017-18	FY2018-19
12 CASH FUND	400,000	400,000
13 PROGRAM TOTAL	400,000	400,000

14 There is included in the appropriation to this program for FY2017-18
15 \$398,000 Cash Funds for state aid, which shall only be used for such
16 purpose. There is included in the appropriation to this program for
17 FY2018-19 \$398,000 Cash Funds for state aid, which shall only be used for
18 such purpose.

19 Sec. 97. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
20 Program No. 354 - Child Welfare Aid

	FY2017-18	FY2018-19
21 GENERAL FUND	151,330,687	151,330,687
22 CASH FUND	2,734,444	2,734,444
23 FEDERAL FUND est.	30,952,073	30,952,073
24 PROGRAM TOTAL	185,017,204	185,017,204

25 There is included in the appropriation to this program for FY2017-18
26 \$151,330,687 General Funds, \$2,734,444 Cash Funds, and \$30,952,073
27 Federal Funds estimate for state aid, which shall only be used for such
28 purpose. There is included in the appropriation to this program for
29 FY2018-19 \$151,330,687 General Funds, \$2,734,444 Cash Funds, and
30

1 \$30,952,073 Federal Funds estimate for state aid, which shall only be
2 used for such purpose.

3 There is included in the amount shown as aid for this program for
4 FY2017-18 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund
5 for the continuation of the behavioral health provider rate increase.
6 There is included in the amount shown as aid for this program for
7 FY2018-19 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund
8 for the continuation of the behavioral health provider rate increase.

9 Sec. 98. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
10 Program No. 359 - Bridge to Independence

	FY2017-18	FY2018-19
11 GENERAL FUND	1,785,286	1,788,534
12 FEDERAL FUND est.	1,943,776	1,956,843
13 PROGRAM TOTAL	3,729,062	3,745,377
14 SALARY LIMIT	813,274	820,002

15 Sec. 99. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
16 Program No. 365 - Mental Health Operations

	FY2017-18	FY2018-19
17 GENERAL FUND	56,848,479	57,989,007
18 CASH FUND	4,487,748	4,302,018
19 FEDERAL FUND est.	5,815,560	5,818,148
20 PROGRAM TOTAL	67,151,787	68,109,173
21 SALARY LIMIT	38,867,526	39,383,417

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

- 25 No. 361 - Hastings Regional Center
- 26 No. 363 - Lincoln Regional Center
- 27 No. 379 - Evaluation and Screening - Community-Based Residential
- 28 Services
- 29 No. 870 - Norfolk Sex Offender Treatment

1 Sec. 100. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
2 Program No. 421 - Beatrice State Developmental Center

	FY2017-18	FY2018-19
4 GENERAL FUND	20,395,561	20,585,560
5 CASH FUND	2,708,748	2,708,749
6 FEDERAL FUND est.	20,281,320	20,642,037
7 PROGRAM TOTAL	43,385,629	43,936,346
8 SALARY LIMIT	24,581,677	24,765,590

9 The chief executive officer of the Department of Health and Human
10 Services shall certify to the budget administrator of the budget division
11 of the Department of Administrative Services the FY2017-18 and FY2018-19
12 unexpended appropriation balances for the Beatrice State Developmental
13 Center, Program 421, which are available to transition and maintain
14 persons transferred from the Beatrice State Developmental Center to
15 community-based developmental disability or other services. The budget
16 administrator of the budget division of the Department of Administrative
17 Services shall administratively transfer during FY2017-18 and FY2018-19
18 available unexpended appropriation balances as certified by the chief
19 executive officer of the Department of Health and Human Services from the
20 Beatrice State Developmental Center, Program 421, to Developmental
21 Disability Aid, Program 424, and Medical Assistance, Program 348.

22 Sec. 101. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
23 Program No. 424 - Developmental Disability Aid

	FY2017-18	FY2018-19
25 GENERAL FUND	147,188,805	148,318,867
26 CASH FUND	6,312,000	6,312,000
27 PROGRAM TOTAL	153,500,805	154,630,867

28 There is included in the appropriation to this program for FY2017-18
29 \$147,188,805 General Funds and \$6,312,000 Cash Funds for state aid, which
30 shall only be used for such purpose. There is included in the
31 appropriation to this program for FY2018-19 \$148,318,867 General Funds

1 and \$6,312,000 Cash Funds for state aid, which shall only be used for
2 such purpose.

3 There is included in the amount shown as Cash Fund aid in this
4 program for FY2017-18 \$5,000,000 Cash Funds and for FY2018-19 \$5,000,000
5 Cash Funds from the Nebraska Health Care Cash Fund to be used for
6 services for persons with developmental disabilities (1) who were on the
7 waiting list for such services prior to July 1, 2001, and began receiving
8 such services on and after such date and (2) who are on the waiting list
9 for such services on and after July 1, 2017, beginning with those who
10 have been on the waiting list for the greatest length of time past their
11 date of need.

12 Sec. 102. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

13 Program No. 502 - Public Health Aid

	FY2017-18	FY2018-19
14 GENERAL FUND	5,593,236	5,593,236
15 CASH FUND	9,230,000	9,230,000
16 PROGRAM TOTAL	14,823,236	14,823,236

17
18 There is included in the appropriation to this program for FY2017-18
19 \$5,593,236 General Funds and \$9,230,000 Cash Funds for state aid, which
20 shall only be used for such purpose. There is included in the
21 appropriation to this program for FY2018-19 \$5,593,236 General Funds and
22 \$9,230,000 Cash Funds for state aid, which shall only be used for such
23 purpose.

24 There is included in the amount shown as aid for this program for
25 FY2017-18 \$2,100,000 General Funds and for FY2018-19 \$2,100,000 General
26 Funds for the seven community health centers funded through Federal
27 Program 330, Public Law 104-299, the federal Health Centers Consolidation
28 Act of 1996. Each of the following centers is to receive \$300,000:
29 Charles Drew Health Center, One World Community Health Center, East
30 Central District Health Department – Good Neighbor Community Health
31 Center, Community Action Partnership of Western Nebraska, Midtown

1 Community Health Center, People's Health Center, and Heartland Health
2 Center.

3 There is included in the amount shown as aid for this program for
4 FY2017-18 \$1,400,000 General Funds and for FY2018-19 \$1,400,000 General
5 Funds for the seven community health centers funded through Federal
6 Program 330, Public Law 104-299, the federal Health Centers Consolidation
7 Act of 1996 for dental services. Each of the following centers is to
8 receive \$200,000: Charles Drew Health Center, One World Community Health
9 Center, East Central District Health Department – Good Neighbor Community
10 Health Center, Community Action Partnership of Western Nebraska, Midtown
11 Community Health Center, People's Health Center, and Heartland Health
12 Center.

13 There is included in the amount shown as aid for this program for
14 FY2017-18 \$325,000 General Funds and \$750,000 Cash Funds from the
15 Nebraska Health Care Cash Fund and for FY2018-19 \$325,000 General Funds
16 and \$750,000 Cash Funds from the Nebraska Health Care Cash Fund for the
17 seven community health centers funded through Federal Program 330, Public
18 Law 104-299, the federal Health Centers Consolidation Act of 1996. Each
19 center is to receive an amount to be distributed proportionally based on
20 the previous fiscal year's number of uninsured clients as reported on the
21 Uniform Data System Report provided to the United States Department of
22 Health and Human Services Bureau of Primary Health Care. The distribution
23 shall be made to Charles Drew Health Center, One World Community Health
24 Center, East Central District Health Department – Good Neighbor Community
25 Health Center, Community Action Partnership of Western Nebraska Health
26 Center, Midtown Community Health Center, People's Health Center, and
27 Heartland Health Center.

28 There is included in the amount shown as aid for this program for
29 FY2017-18 \$1,708,422 General Funds and \$5,605,000 Cash Funds from the
30 Nebraska Health Care Cash Fund for public health departments. There is
31 included in the amount shown as aid for this program for FY2018-19

1 \$1,708,422 General Funds and \$5,605,000 Cash Funds from the Nebraska
2 Health Care Cash Fund for public health departments.

3 There is included in the amount shown as aid for this program for
4 FY2017-18 \$31,713 General Funds and \$1,526,000 Cash Funds from the
5 Nebraska Health Care Cash Fund for minority public health services in
6 counties having a minority population equal to or exceeding five percent
7 of the total population of the county in the first and third
8 congressional districts as determined by the most recent federal
9 decennial census. There is included in the amount shown as aid for this
10 program for FY2018-19 \$31,713 General Funds and \$1,526,000 Cash Funds
11 from the Nebraska Health Care Cash Fund for minority public health
12 services in counties having a minority population equal to or exceeding
13 five percent of the total population of the county in the first and third
14 congressional districts as determined by the most recent federal
15 decennial census. The Department of Health and Human Services shall
16 distribute the funds on a per capita basis for the purpose of
17 implementing a minority health initiative which may target, but shall not
18 be limited to, infant mortality, cardiovascular disease, obesity,
19 diabetes, and asthma.

20 There is included in the amount shown as aid for this program for
21 FY2017-18 \$28,101 General Funds and \$1,349,000 Cash Funds from the
22 Nebraska Health Care Cash Fund to be distributed equally among federally
23 qualified health centers in the second congressional district. Such funds
24 shall be used for the purpose of implementing a minority health
25 initiative which may target, but shall not be limited to, infant
26 mortality, cardiovascular disease, obesity, diabetes, and asthma. There
27 is included in the amount shown as aid for this program for FY2018-19
28 \$28,101 General Funds and \$1,349,000 Cash Funds from the Nebraska Health
29 Care Cash Fund to be distributed equally among federally qualified health
30 centers in the second congressional district. Such funds shall be used
31 for the purpose of implementing a minority health initiative which may

1 target, but shall not be limited to, infant mortality, cardiovascular
2 disease, obesity, diabetes, and asthma.

3 Sec. 103. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

4 Program No. 514 - Health Aid

5		FY2017-18	FY2018-19
6	GENERAL FUND	6,200,171	6,200,171
7	CASH FUND	11,495,817	11,495,817
8	FEDERAL FUND est.	54,042,225	54,042,225
9	PROGRAM TOTAL	71,738,213	71,738,213

10 There is included in the appropriation to this program for FY2017-18
11 \$6,200,171 General Funds, \$11,495,817 Cash Funds, and \$54,042,225 Federal
12 Funds estimate for state aid, which shall only be used for such purpose.

13 There is included in the appropriation to this program for FY2018-19
14 \$6,200,171 General Funds, \$11,495,817 Cash Funds, and \$54,042,225 Federal
15 Funds estimate for state aid, which shall only be used for such purpose.

16 There is included in the amount shown as aid for this program up to
17 \$653,759 General Funds for FY2017-18 and up to \$653,759 General Funds for
18 FY2018-19, which shall only be used for the following purposes:
19 Reimbursement for the provision of pap smears, colposcopy, cervical
20 biopsy, cryotherapy, loop electrosurgical excision procedure (LEEP), and
21 such other treatments and procedures as may be developed for the followup
22 of abnormal pap smears; the diagnosis and treatment of sexually
23 transmitted diseases, including, but not limited to, chlamydia,
24 gonorrhoea, HPV (genital warts), and herpes; and associated laboratory and
25 equipment costs and staff training costs relating to the use of
26 colposcopy equipment. None of the General Funds provided under this
27 program shall be used to perform or facilitate the performance of
28 abortion or to counsel or refer for abortion.

29 To the extent permissible under applicable federal regulations, the
30 Department of Health and Human Services shall prioritize the disbursement
31 of all funds associated with the Federal Title X Program to the following

1 entities: federally qualified health centers as defined in 42 U.S.C.
2 1396d(1)(2)(A) and (B), community health centers, hospitals as defined in
3 section 71-419, tribal government entities, and state and local
4 government entities.

5 There is included in the amount shown as aid for this program for
6 FY2017-18 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for
7 the Poison Control Center at the University of Nebraska Medical Center,
8 which shall only be used by the medical center for the Poison Control
9 Center. There is included in the amount shown as aid for this program for
10 FY2018-19 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for
11 the Poison Control Center at the University of Nebraska Medical Center,
12 which shall only be used by the medical center for the Poison Control
13 Center.

14 There is included in the amount shown as aid for this program for
15 FY2017-18 up to \$1,100,000 General Funds for evidence-based early
16 intervention home visitation programs. There is included in the amount
17 shown as aid for this program for FY2018-19 up to \$1,100,000 General
18 Funds for evidence-based early intervention home visitation programs.

19 There is included in the amount shown as aid for this program for
20 FY2017-18 up to \$100,000 General Funds to contract with the University of
21 Nebraska Medical Center for the Nebraska Perinatal Quality Improvement
22 Collaborative. There is included in the amount shown as aid for this
23 program for FY2018-19 up to \$100,000 General Funds to contract with the
24 University of Nebraska Medical Center for the Nebraska Perinatal Quality
25 Improvement Collaborative.

26 There is included in the amount shown as aid for this program for
27 FY2017-18 up to \$300,000 General Funds to contract for services for
28 implementation of a statewide drug disposal project. There is included in
29 the amount shown as aid for this program for FY2018-19 up to \$300,000
30 General Funds to contract for services for implementation of a statewide
31 drug disposal project.

1 There is included in the amount shown as aid for this program for
 2 FY2017-18 up to \$292,000 General Funds for tuition reimbursement for
 3 emergency medical services responders' initial and ongoing training.
 4 There is included in the amount shown as aid for this program for
 5 FY2018-19 up to \$292,000 General Funds for tuition reimbursement for
 6 emergency medical services responders' initial and ongoing training.

7 Sec. 104. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
 8 Program No. 519 - Nebraska Veterans' Homes

	FY2017-18	FY2018-19
10 GENERAL FUND	23,162,529	23,432,124
11 CASH FUND	14,985,901	15,103,000
12 FEDERAL FUND est.	23,612,782	23,841,836
13 PROGRAM TOTAL	61,761,212	62,376,960
14 SALARY LIMIT	32,386,387	32,635,726

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

- 18 No. 510 - Veterans' Home System Administration
- 19 No. 519 - Grand Island Veterans' Home
- 20 No. 520 - Norfolk Veterans' Home
- 21 No. 521 - Western Nebraska Veterans' Home
- 22 No. 522 - Eastern Nebraska Veterans' Home

23 Sec. 105. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
 24 Program No. 559 - Care Management

	FY2017-18	FY2018-19
26 GENERAL FUND	2,315,560	2,315,560
27 PROGRAM TOTAL	2,315,560	2,315,560

28 There is included in the appropriation to this program for FY2017-18
 29 \$2,315,560 General Funds for state aid, which shall only be used for such
 30 purpose. There is included in the appropriation to this program for
 31 FY2018-19 \$2,315,560 General Funds for state aid, which shall only be

1 used for such purpose.

2 Sec. 106. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 Program No. 571 - Community-Based Aging Services

	FY2017-18	FY2018-19
4 GENERAL FUND	8,134,141	8,134,141
5 FEDERAL FUND est.	9,469,241	9,469,241
6 PROGRAM TOTAL	17,603,382	17,603,382

7
8 There is included in the appropriation to this program for FY2017-18
9 \$8,134,141 General Funds and \$9,469,241 Federal Funds estimate for state
10 aid, which shall only be used for such purpose. There is included in the
11 appropriation to this program for FY2018-19 \$8,134,141 General Funds and
12 \$9,469,241 Federal Funds estimate for state aid, which shall only be used
13 for such purpose.

14 Sec. 107. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
15 Program No. 621 - Stem Cell Research

	FY2017-18	FY2018-19
16 CASH FUND	450,000	450,000
17 PROGRAM TOTAL	450,000	450,000
18 SALARY LIMIT	15,000	15,000

19
20 There is included in the appropriation to this program for FY2017-18
21 \$435,000 Cash Funds for state aid from the Nebraska Health Care Cash
22 Fund, which shall only be used for such purpose. There is included in the
23 appropriation to this program for FY2018-19 \$435,000 Cash Funds for state
24 aid from the Nebraska Health Care Cash Fund, which shall only be used for
25 such purpose.

26 Sec. 108. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
27 Program No. 622 - Cancer Research

	FY2017-18	FY2018-19
28 CASH FUND	3,779,167	3,780,397
29 PROGRAM TOTAL	3,779,167	3,780,397

1 SALARY LIMIT 96,374 96,815

2 There is included in the appropriation to this program for FY2017-18
3 an estimated \$3,291,113 Cash Funds for state aid, which shall only be
4 used for such purpose. There is included in the appropriation to this
5 program for FY2018-19 an estimated \$3,291,113 Cash Funds for state aid,
6 which shall only be used for such purpose.

7 Sec. 109. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
8 Program No. 623 - Biomedical Research

	FY2017-18	FY2018-19
9 CASH FUND	15,000,000	15,000,000
10 PROGRAM TOTAL	15,000,000	15,000,000

11 There is included in the appropriation to this program \$15,000,000
12 Cash Funds for FY2017-18 for state aid, which shall only be used for such
13 purpose. There is included in the appropriation to this program
14 \$15,000,000 Cash Funds for FY2018-19 for state aid, which shall only be
15 used for such purpose.

16 There is included in the amount shown as aid for this program for
17 FY2017-18 \$15,000,000 Cash Funds for biomedical research from the
18 Nebraska Health Care Cash Fund. There is included in the amount shown as
19 aid for this program for FY2018-19 \$15,000,000 Cash Funds for biomedical
20 research from the Nebraska Health Care Cash Fund. At least \$700,000 of
21 such appropriated funds shall be used annually for research to improve
22 racial and ethnic minority health. Twenty-four percent of the
23 appropriated funds shall be distributed annually to the University of
24 Nebraska, sixteen percent for contracts with other postsecondary
25 educational institutions having colleges of medicine in Nebraska and
26 their affiliated research hospitals in Nebraska, and sixty percent to the
27 University of Nebraska and for contracts with other postsecondary
28 educational institutions having colleges of medicine in Nebraska and
29 their affiliated research hospitals in Nebraska based on the percentage
30 of all funds expended by such institutions from the National Institutes
31

1 of Health of the United States Department of Health and Human Services in
2 the prior year as contained in a certified report of such expenditures to
3 the Department of Health and Human Services from such institutions,
4 excluding any such funds expended for research involving the use of human
5 fetal tissue obtained in connection with the performance of an induced
6 abortion or involving the use of human embryonic stem cells. Each
7 recipient of funds under this section shall report annually to the
8 Legislature and to the Governor regarding the use of such funds received.
9 The report required to be submitted to the Legislature by this section
10 shall be submitted electronically.

11 Sec. 110. AGENCY NO. 27 – DEPARTMENT OF ROADS

12 Total expenditures by the Department of Roads for permanent and
13 temporary salaries and per diems shall not exceed \$110,910,061 for
14 FY2017-18. Total expenditures by the Department of Roads for permanent
15 and temporary salaries and per diems shall not exceed \$111,913,191 for
16 FY2018-19.

17 There is hereby appropriated for FY2017-18 \$437,500,000 from the
18 Highway Cash Fund to the Roads Operations Cash Fund, which fund is hereby
19 appropriated. There is included in the amount appropriated from the
20 Highway Cash Fund to the Roads Operations Cash Fund for FY2017-18
21 \$6,312,705 for assistance to the local transit authorities program and
22 intercity bus system assistance.

23 There is hereby appropriated for FY2018-19 \$446,500,000 from the
24 Highway Cash Fund to the Roads Operations Cash Fund, which fund is hereby
25 appropriated. There is included in the amount appropriated from the
26 Highway Cash Fund to the Roads Operations Cash Fund for FY2018-19
27 \$6,312,705 for assistance to the local transit authorities program and
28 intercity bus system assistance.

29 It is the intent of the Legislature that the Department of Roads
30 shall, in July of each year, contact each county and municipality
31 receiving funds distributed through the Highway Allocation Fund and

1 request confirmation from such county or municipality that it plans to
2 continue to accept its share of Highway Allocation Fund distributions in
3 the current fiscal year. The request and confirmation may be in
4 electronic form. All confirmations from the counties and municipalities
5 shall be compiled and submitted electronically to the Clerk of the
6 Legislature.

7 Sec. 111. AGENCY NO. 27 – DEPARTMENT OF ROADS

8 Program No. 305 - Assistance to Local Transit Authorities

	FY2017-18	FY2018-19
9		
10 CASH FUND	6,312,705	6,312,705
11 PROGRAM TOTAL	6,312,705	6,312,705

12 There is included in the appropriation to this program for FY2017-18
13 \$6,312,705 Cash Funds for state aid, which shall only be used for such
14 purpose. There is included within state aid for FY2017-18 \$535,000 Cash
15 Funds for intercity bus system assistance and \$5,777,705 Cash Funds for
16 the public transportation assistance program.

17 There is included in the appropriation to this program for FY2018-19
18 \$6,312,705 Cash Funds for state aid, which shall only be used for such
19 purpose. There is included within state aid for FY2018-19 \$535,000 Cash
20 Funds for intercity bus system assistance and \$5,777,705 Cash Funds for
21 the public transportation assistance program.

22 Sec. 112. AGENCY NO. 27 – DEPARTMENT OF ROADS

23 Program No. 568 - Highway Administration

	FY2017-18	FY2018-19
24		
25 CASH FUND est.	18,046,318	18,263,773
26 PROGRAM TOTAL	18,046,318	18,263,773

27 Cash Fund expenditures shall not be limited to the amount shown.

28 Sec. 113. AGENCY NO. 27 – DEPARTMENT OF ROADS

29 Program No. 569 - Construction

	FY2017-18	FY2018-19
30		
31 CASH FUND est.	666,759,361	671,421,094

1 PROGRAM TOTAL 666,759,361 671,421,094

2 Cash Fund expenditures shall not be limited to the amount shown.

3 It is the intent of the Legislature that the Department of Roads
4 shall apply for and make maximum use of available federal funding,
5 including discretionary funding, on all highway construction projects
6 which are eligible for such assistance.

7 Sec. 114. AGENCY NO. 27 – DEPARTMENT OF ROADS

8 Program No. 572 - Services and Supports

9 FY2017-18 FY2018-19

10 CASH FUND est. 29,565,299 29,699,047

11 PROGRAM TOTAL 29,565,299 29,699,047

12 Cash Fund expenditures shall not be limited to the amount shown.

13 Sec. 115. AGENCY NO. 27 – DEPARTMENT OF ROADS

14 Program No. 574 - Maintenance

15 FY2017-18 FY2018-19

16 CASH FUND est. 152,853,598 155,074,546

17 PROGRAM TOTAL 152,853,598 155,074,546

18 Cash Fund expenditures shall not be limited to the amount shown.

19 Sec. 116. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

20 Program No. 36 - Departmental Administration

21 FY2017-18 FY2018-19

22 GENERAL FUND 1,176,426 1,191,005

23 PROGRAM TOTAL 1,176,426 1,191,005

24 SALARY LIMIT 766,242 773,163

25 Sec. 117. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

26 Program No. 37 - Veterans' Cemeteries

27 FY2017-18 FY2018-19

28 GENERAL FUND 6,438 180,287

29 CASH FUND 295,557 125,557

30 PROGRAM TOTAL 301,995 305,844

1	SALARY LIMIT	151,729	153,195
2	Sec. 118. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES		
3	Program No. 303 - State Aid - Small Watersheds		
4		FY2017-18	FY2018-19
5	CASH FUND	76,100	76,100
6	PROGRAM TOTAL	76,100	76,100

7 There is included in the appropriation to this program for FY2017-18
8 \$76,100 Cash Funds for state aid, which shall only be used for such
9 purpose. There is included in the appropriation to this program for
10 FY2018-19 \$76,100 Cash Funds for state aid, which shall only be used for
11 such purpose.

12 Sec. 119. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES
13 Program No. 304 - Nebraska Soil and Water Conservation Fund

14		FY2017-18	FY2018-19
15	GENERAL FUND	2,154,285	2,154,285
16	CASH FUND	47,000	47,000
17	PROGRAM TOTAL	2,201,285	2,201,285

18 The unexpended General Fund appropriation balance existing on June
19 30, 2017, is hereby reappropriated.

20 There is included in the appropriation to this program for FY2017-18
21 \$2,154,285 General Funds, any reappropriated amounts, and \$47,000 Cash
22 Funds for state aid, which shall only be used for such purpose. There is
23 included in the appropriation to this program for FY2018-19 \$2,154,285
24 General Funds, any reappropriated amounts, and \$47,000 Cash Funds for
25 state aid, which shall only be used for such purpose.

26 Sec. 120. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES
27 Program No. 306 - Water Well Decommissioning

28		FY2017-18	FY2018-19
29	CASH FUND	97,000	97,000
30	PROGRAM TOTAL	97,000	97,000

1 The unexpended Cash Fund appropriation balance existing on June 30,
2 2017, is hereby reappropriated.

3 There is included in the appropriation to this program for FY2017-18
4 \$97,000 Cash Funds, plus any reappropriated amounts, for state aid, which
5 shall only be used for such purpose. There is included in the
6 appropriation to this program for FY2018-19 \$97,000 Cash Funds, plus any
7 reappropriated amounts, for state aid, which shall only be used for such
8 purpose.

9 Sec. 121. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

10 Program No. 307 - Nebraska Resources Development Fund

	FY2017-18	FY2018-19
11		
12 GENERAL FUND	3,140,325	3,140,325
13 CASH FUND	47,500	47,500
14 PROGRAM TOTAL	3,187,825	3,187,825

15 The unexpended General Fund appropriation balance existing on June
16 30, 2017, is hereby reappropriated.

17 There is included in the appropriation to this program for FY2017-18
18 \$3,140,325 General Funds, any reappropriated amounts, and \$47,500 Cash
19 Funds for state aid, which shall only be used for such purpose. There is
20 included in the appropriation to this program for FY2018-19 \$3,140,325
21 General Funds, any reappropriated amounts, and \$47,500 Cash Funds for
22 state aid, which shall only be used for such purpose.

23 The appropriation to this program for state aid shall first be
24 utilized for projects which have been allocated funds but for which only
25 a portion of the allocation has been actually obligated. The total amount
26 of funds allocated for projects less the amounts obligated for such
27 projects shall not exceed \$18,500,000. The definitions of the terms
28 allocated and obligated shall be based on the terminology utilized by the
29 Department of Natural Resources in the Nebraska Resources Development
30 Fund Status Report.

31 It is the intent of the Legislature that \$3,140,325 General Funds be

1 appropriated to this program through FY2018-19.

2 Sec. 122. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

3 Program No. 309 - Natural Resources Water Quality Fund

	FY2017-18	FY2018-19
4 CASH FUND	1,150,826	1,150,826
5 PROGRAM TOTAL	1,150,826	1,150,826

6 The unexpended Cash Fund appropriation balance existing on June 30,
7 2017, not to exceed \$500,000, is hereby reappropriated.

8 There is included in the appropriation to this program for FY2017-18
9 \$1,150,826 Cash Funds plus any reappropriated amounts, for state aid,
10 which shall only be used for such purpose. There is included in the
11 appropriation to this program for FY2018-19 \$1,150,826 Cash Funds plus
12 any reappropriated amounts, for state aid, which shall only be used for
13 such purpose.

14 Sec. 123. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

15 Program No. 313 - Water Sustainability Fund

	FY2017-18	FY2018-19
16 CASH FUND	10,409,077	10,409,077
17 PROGRAM TOTAL	10,409,077	10,409,077

18 The unexpended Cash Fund appropriation balance existing on June 30,
19 2017, is hereby reappropriated.

20 There is included in the appropriation to this program for FY2017-18
21 \$10,409,077 Cash Funds, plus any reappropriated amounts, for state aid,
22 which shall only be used for such purpose. There is included in the
23 appropriation to this program for FY2018-19 \$10,409,077 Cash Funds, plus
24 any reappropriated amounts, for state aid, which shall only be used for
25 such purpose.

26 Sec. 124. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

27 Program No. 334 - Soil and Water Conservation

	FY2017-18	FY2018-19
28 GENERAL FUND	11,050,310	11,169,870

1	CASH FUND	7,382,502	7,385,064
2	FEDERAL FUND est.	774,756	783,279
3	PROGRAM TOTAL	19,207,568	19,338,213
4	SALARY LIMIT	6,569,590	6,627,705

5 There is hereby reappropriated an amount certified by the Department
6 of Natural Resources to the budget administrator of the budget division
7 of the Department of Administrative Services of the unexpended General
8 Fund and Cash Fund appropriation balances existing on June 30, 2017, that
9 are allocated in budget subprograms 19, 20, and 21 of Program 334.
10 Reappropriated funds shall be allocated to the same budget subprogram.

11 There is included in the appropriation to this program for FY2017-18
12 \$6,450,000 Cash Funds plus any reappropriated amounts and \$5,000 Federal
13 Funds estimate, for state aid, which shall only be used for such purpose.
14 There is included in the appropriation to this program for FY2018-19
15 \$6,450,000 Cash Funds plus any reappropriated amounts and \$5,000 Federal
16 Funds estimate, for state aid, which shall only be used for such purpose.

17 Sec. 125. AGENCY NO. 30 – STATE ELECTRICAL BOARD

18 Program No. 197 - Public Protection

19		FY2017-18	FY2018-19
20	CASH FUND	1,706,812	1,728,638
21	PROGRAM TOTAL	1,706,812	1,728,638
22	SALARY LIMIT	950,271	958,512

23 Sec. 126. AGENCY NO. 31 – MILITARY DEPARTMENT

24 Program No. 192 - Governor's Emergency Aid

25		FY2017-18	FY2018-19
26	CASH FUND	250,000	250,000
27	FEDERAL FUND est.	4,500,000	4,500,000
28	PROGRAM TOTAL	4,750,000	4,750,000

29 There is no salary limitation for this program.

30 The unexpended General Fund and Cash Fund appropriation balances

1 existing on June 30, 2017, are hereby reappropriated.

2 There is included in the appropriation to this program for FY2017-18
3 \$250,000 Cash Funds and \$4,500,000 Federal Funds estimate for state aid.

4 There is included in the appropriation to this program for FY2018-19
5 \$250,000 Cash Funds and \$4,500,000 Federal Funds estimate for state aid.

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

9 Sec. 127. AGENCY NO. 31 – MILITARY DEPARTMENT

10 Program No. 544 - National and State Guard

	FY2017-18	FY2018-19
11		
12 GENERAL FUND	3,033,775	3,053,919
13 CASH FUND	399,808	399,808
14 FEDERAL FUND est.	16,648,877	16,747,921
15 PROGRAM TOTAL	20,082,460	20,201,648
16 SALARY LIMIT	5,933,061	5,989,471

17 Sec. 128. AGENCY NO. 31 – MILITARY DEPARTMENT

18 Program No. 545 - Emergency Management

	FY2017-18	FY2018-19
19		
20 GENERAL FUND	1,388,441	1,391,861
21 CASH FUND est.	582,221	585,048
22 FEDERAL FUND est.	3,418,733	3,440,429
23 PROGRAM TOTAL	5,389,395	5,417,338
24 SALARY LIMIT	1,981,062	1,996,821

25 Cash Fund expenditures shall not be limited to the amounts shown.

26 There is included in the appropriation to this program for FY2017-18
27 \$1,570,604 Federal Funds estimate for state aid, which shall only be used
28 for such purpose. There is included in the appropriation to this program
29 for FY2018-19 \$1,570,604 Federal Funds estimate for state aid, which
30 shall only be used for such purpose.

31 The Nebraska Emergency Management Agency shall by March 1 of each

1 year provide a report electronically to the Appropriations Committee of
 2 the Legislature on the past, present, and future use of homeland security
 3 funding. No expenditure of state, federal, or other funding sources
 4 administered by the Nebraska Emergency Management Agency for homeland
 5 security purposes shall be made for the ensuing fiscal year beginning
 6 July 1 until the agency has provided the report to the committee. The
 7 report shall include, but not be limited to, the planned use of known and
 8 anticipated future funding as well as information on the past use of
 9 funding within the last five years, including specific amounts allocated
 10 to any unit of state or local government. The report shall also assess
 11 the risk that state funding will be needed in the future to supplant
 12 nonstate sources of revenue in order to continue homeland security
 13 activities at both the state and local level.

14 Sec. 129. AGENCY NO. 31 – MILITARY DEPARTMENT

15 Program No. 548 - Tuition Assistance

	FY2017-18	FY2018-19
16 GENERAL FUND	608,775	608,775
17 PROGRAM TOTAL	608,775	608,775
18 SALARY LIMIT	-0-	-0-

19 There is included in the appropriation to this program for FY2017-18
 20 \$608,775 General Funds for state aid, which shall only be used for such
 21 purpose. There is included in the appropriation to this program for
 22 FY2018-19 \$608,775 General Funds for state aid, which shall only be used
 23 for such purpose.
 24

25 Sec. 130. AGENCY NO. 32 – BOARD OF EDUCATIONAL LANDS AND FUNDS

26 Program No. 529 - Land Surveys

	FY2017-18	FY2018-19
27 GENERAL FUND	300,026	343,833
28 CASH FUND	22,592	22,834
29 PROGRAM TOTAL	322,618	366,667
30 SALARY LIMIT	230,569	266,127

1 Any General Funds expended for costs associated with the
2 administration of school lands shall be reimbursed, on a quarterly basis,
3 to the General Fund by the Board of Educational Lands and Funds.

4 Sec. 131. AGENCY NO. 32 – BOARD OF EDUCATIONAL LANDS AND FUNDS

5 Program No. 554 - Disputed Survey Settlements

	FY2017-18	FY2018-19
6 CASH FUND	20,483	20,483
7 PROGRAM TOTAL	20,483	20,483

9 Sec. 132. AGENCY NO. 32 – BOARD OF EDUCATIONAL LANDS AND FUNDS

10 Program No. 582 - School Land Trust

	FY2017-18	FY2018-19
11 CASH FUND est.	18,723,141	20,872,864
12 PROGRAM TOTAL	18,723,141	20,872,864

14 Cash Fund expenditures shall not be limited to the amount shown. The
15 appropriation contained in this program is provided pursuant to section
16 72-232.02.

17 Sec. 133. AGENCY NO. 33 – GAME AND PARKS COMMISSION

18 Program No. 162 - Environmental Trust

	FY2017-18	FY2018-19
19 CASH FUND	21,570,537	21,575,470
20 PROGRAM TOTAL	21,570,537	21,575,470
21 SALARY LIMIT	270,859	273,293

23 There is included in the appropriation to this program for FY2017-18
24 \$21,000,000 Cash Funds for state aid, which shall only be used for such
25 purpose. There is included in the appropriation to this program for
26 FY2018-19 \$21,000,000 Cash Funds for state aid, which shall only be used
27 for such purpose.

28 Sec. 134. AGENCY NO. 33 – GAME AND PARKS COMMISSION

29 Program No. 330 - Habitat Development

	FY2017-18	FY2018-19
30		

1	CASH FUND	7,101,544	7,134,742
2	FEDERAL FUND est.	3,901,863	3,903,095
3	PROGRAM TOTAL	11,003,407	11,037,837
4	SALARY LIMIT	1,355,494	1,371,329

5 There is included in the appropriation to this program for FY2017-18
6 \$1,575,000 Cash Funds for state aid, which shall only be used for such
7 purpose. There is included in the appropriation to this program for
8 FY2018-19 \$1,575,000 Cash Funds for state aid, which shall only be used
9 for such purpose.

10 Sec. 135. AGENCY NO. 33 – GAME AND PARKS COMMISSION

11 Program No. 336 - Wildlife Conservation

		FY2017-18	FY2018-19
12			
13	GENERAL FUND	1,326,134	1,343,667
14	CASH FUND	25,088,106	25,266,403
15	FEDERAL FUND est.	3,691,200	3,708,066
16	PROGRAM TOTAL	30,105,440	30,318,136
17	SALARY LIMIT	14,300,716	14,429,030

18 There is included in the appropriation to this program for FY2017-18
19 \$585,000 Cash Funds for state aid, which shall only be used for such
20 purpose. There is included in the appropriation to this program for
21 FY2018-19 \$585,000 Cash Funds for state aid, which shall only be used for
22 such purpose.

23 Sec. 136. AGENCY NO. 33 – GAME AND PARKS COMMISSION

24 Program No. 337 - Administration

		FY2017-18	FY2018-19
25			
26	GENERAL FUND	825,996	833,649
27	CASH FUND	4,431,694	4,483,044
28	PROGRAM TOTAL	5,257,690	5,316,693
29	SALARY LIMIT	2,720,632	2,744,402

30 Sec. 137. AGENCY NO. 33 – GAME AND PARKS COMMISSION

1 Program No. 338 - Niobrara Council

	FY2017-18	FY2018-19
3 GENERAL FUND	40,751	40,751
4 CASH FUND	1,000	1,000
5 FEDERAL FUND est.	125,000	125,000
6 PROGRAM TOTAL	166,751	166,751

7 There is included in the appropriation to this program for FY2017-18
 8 \$40,751 General Funds, \$1,000 Cash Funds, and \$125,000 Federal Funds
 9 estimate for state aid, which shall only be used for such purpose. There
 10 is included in the appropriation to this program for FY2018-19 \$40,751
 11 General Funds, \$1,000 Cash Funds, and \$125,000 Federal Funds estimate for
 12 state aid, which shall only be used for such purpose.

13 Sec. 138. AGENCY NO. 33 – GAME AND PARKS COMMISSION

14 Program No. 549 - Parks - Administration and Operation

	FY2017-18	FY2018-19
16 GENERAL FUND	7,097,051	7,221,414
17 CASH FUND	20,198,003	20,760,514
18 FEDERAL FUND est.	50,365	50,365
19 PROGRAM TOTAL	27,345,419	28,032,293
20 SALARY LIMIT	12,578,825	13,073,064

21 Sec. 139. AGENCY NO. 33 – GAME AND PARKS COMMISSION

22 Program No. 550 - Planning and Trails Coordination

	FY2017-18	FY2018-19
24 GENERAL FUND	457,701	462,896
25 CASH FUND	1,098,060	1,110,090
26 FEDERAL FUND est.	106,231	106,993
27 PROGRAM TOTAL	1,661,992	1,679,979
28 SALARY LIMIT	901,183	909,772

29 It is the intent of the Legislature that the amount expended for the
 30 development and maintenance of boundary fences along the Cowboy Trail be

1 limited to \$64,000 Cash Funds during each fiscal year.

2 Sec. 140. AGENCY NO. 33 – GAME AND PARKS COMMISSION

3 Program No. 617 - Engineering and Area Maintenance

	FY2017-18	FY2018-19
4		
5 GENERAL FUND	2,111,488	2,139,738
6 CASH FUND	970,336	973,870
7 PROGRAM TOTAL	3,081,824	3,113,608
8 SALARY LIMIT	1,683,514	1,698,190

9 Sec. 141. AGENCY NO. 33 – GAME AND PARKS COMMISSION

10 Program No. 628 - Credit Card Discount Sales

	FY2017-18	FY2018-19
11		
12 CASH FUND est.	515,205	515,205
13 PROGRAM TOTAL	515,205	515,205

14 Cash Fund expenditures shall not be limited to the amount shown.

15 Sec. 142. AGENCY NO. 33 – GAME AND PARKS COMMISSION

16 Program No. 846 - Nebraska Public Safety Communication System

	FY2017-18	FY2018-19
17		
18 GENERAL FUND	37,384	16,029
19 CASH FUND	303,957	303,957
20 PROGRAM TOTAL	341,341	319,986

21 Sec. 143. AGENCY NO. 34 – NEBRASKA LIBRARY COMMISSION

22 Program No. 252 - Library and Information Services

	FY2017-18	FY2018-19
23		
24 GENERAL FUND	2,706,080	2,734,973
25 CASH FUND	94,049	94,049
26 FEDERAL FUND est.	913,234	926,186
27 PROGRAM TOTAL	3,713,363	3,755,208
28 SALARY LIMIT	2,153,831	2,171,426

29 Sec. 144. AGENCY NO. 34 – NEBRASKA LIBRARY COMMISSION

30 Program No. 302 - Library Development

	FY2017-18	FY2018-19
1		
2 GENERAL FUND	1,255,085	1,255,085
3 FEDERAL FUND est.	611,395	611,395
4 PROGRAM TOTAL	1,866,480	1,866,480

5 There is included in the appropriation to this program for FY2017-18
6 \$1,255,085 General Funds estimate and \$611,395 Federal Funds estimate for
7 state aid, which shall only be used for such purpose. There is included
8 in the appropriation to this program for FY2018-19 \$1,255,085 General
9 Funds estimate and \$611,395 Federal Funds estimate for state aid, which
10 shall only be used for such purpose.

11 Sec. 145. AGENCY NO. 35 – NEBRASKA LIQUOR CONTROL COMMISSION

12 Program No. 73 - Licensing and Regulation

	FY2017-18	FY2018-19
13		
14 GENERAL FUND	1,274,031	1,291,003
15 CASH FUND	70,719	70,719
16 PROGRAM TOTAL	1,344,750	1,361,722
17 SALARY LIMIT	763,579	771,178

18 Sec. 146. AGENCY NO. 36 – STATE RACING COMMISSION

19 Program No. 74 - Enforcement of Standards - Horseracing

	FY2017-18	FY2018-19
20		
21 CASH FUND est.	728,412	732,831
22 PROGRAM TOTAL	728,412	732,831
23 SALARY LIMIT	339,351	342,231

24 There is included in the appropriation to this program for FY2017-18
25 \$140,000 Cash Funds for state aid, which shall only be used for such
26 purpose. There is included in the appropriation to this program for
27 FY2018-19 \$140,000 Cash Funds for state aid, which shall only be used for
28 such purpose.

29 Sec. 147. AGENCY NO. 37 – NEBRASKA WORKERS' COMPENSATION COURT

30 Program No. 530 - Court Administration

1		FY2017-18	FY2018-19
2	CASH FUND	4,676,575	4,724,444
3	FEDERAL FUND est.	53,272	53,887
4	PROGRAM TOTAL	4,729,847	4,778,331
5	SALARY LIMIT	2,368,588	2,390,730

6 Sec. 148. AGENCY NO. 39 – NEBRASKA BRAND COMMITTEE
7 Program No. 75 - Nebraska Brand Committee

8		FY2017-18	FY2018-19
9	CASH FUND	4,622,810	4,685,587
10	PROGRAM TOTAL	4,622,810	4,685,587
11	SALARY LIMIT	2,943,134	2,965,397

12 Sec. 149. AGENCY NO. 40 – NEBRASKA MOTOR VEHICLE INDUSTRY LICENSING
13 BOARD

14 Program No. 76 - Enforcement of Standards - Automotive Industry

15		FY2017-18	FY2018-19
16	CASH FUND	736,204	746,655
17	PROGRAM TOTAL	736,204	746,655
18	SALARY LIMIT	462,845	467,353

19 Sec. 150. AGENCY NO. 41 – STATE REAL ESTATE COMMISSION
20 Program No. 77 - Enforcement of Standards - Real Estate

21		FY2017-18	FY2018-19
22	CASH FUND	1,205,660	1,217,424
23	PROGRAM TOTAL	1,205,660	1,217,424
24	SALARY LIMIT	580,580	585,646

25 The unexpended Cash Fund appropriation balance, not to exceed
26 \$230,000, existing on June 30, 2017, is hereby reappropriated.
27 Expenditure of reappropriated funds shall be limited to completion of the
28 database improvement project.

29 Sec. 151. AGENCY NO. 45 – BOARD OF BARBER EXAMINERS
30 Program No. 80 - Enforcement of Standards - Barbering

	FY2017-18	FY2018-19
1		
2 CASH FUND	165,362	167,611
3 PROGRAM TOTAL	165,362	167,611
4 SALARY LIMIT	101,324	102,145

5 Sec. 152. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES
6 Program No. 200 - Operations

	FY2017-18	FY2018-19
7		
8 GENERAL FUND	208,556,396	216,509,626
9 CASH FUND	3,126,000	2,126,000
10 FEDERAL FUND est.	1,766,770	1,770,844
11 REVOLVING FUND est.	19,808,916	19,970,069
12 PROGRAM TOTAL	233,258,082	240,376,539
13 SALARY LIMIT	112,403,492	116,775,361

14 The unexpended General Fund appropriation balance existing on June
15 30, 2017, is hereby reappropriated.

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

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

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

- 1 No. 377 - Omaha Correctional Center
- 2 No. 386 - McCook Incarceration Work Camp
- 3 No. 390 - Federal Surplus Property
- 4 No. 495 - Department Central Warehouse
- 5 No. 563 - Correctional Industries
- 6 Revolving Fund expenditures shall not be limited to the amounts
- 7 shown.

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

10 Sec. 153. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

11 Program No. 214 - Vocational and Life Skills

	FY2017-18	FY2018-19
12 GENERAL FUND	5,116,831	5,133,231
13 PROGRAM TOTAL	5,116,831	5,133,231
14 SALARY LIMIT	1,188,753	1,196,354

15 The unexpended General Fund appropriation balance, less aid,
 16 existing on June 30, 2017, is hereby reappropriated.

17 There is included in the appropriation to this program for FY2017-18
 18 \$3,500,000 General Funds for state aid, which shall only be used for such
 19 purpose. There is included in the appropriation to this program for
 20 FY2018-19 \$3,500,000 General Funds for state aid, which shall only be
 21 used for such purpose.

22 Sec. 154. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

23 Program No. 725 - Building Depreciation Charges

	FY2017-18	FY2018-19
24 GENERAL FUND	71,915	71,915
25 PROGRAM TOTAL	71,915	71,915

26 There is included in the appropriation to this program for FY2017-18
 27 \$71,915 General Funds for state building rental depreciation charges,
 28 which shall only be used for such purpose. There is included in the
 29 appropriation to this program for FY2018-19 \$71,915 General Funds for
 30

1 state building rental depreciation charges, which shall only be used for
2 such purpose.

3 Sec. 155. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
4 COMMISSION

5 Program No. 533 - Network Operations

	FY2017-18	FY2018-19
6 GENERAL FUND	9,516,967	9,571,248
8 CASH FUND	310,206	310,206
9 PROGRAM TOTAL	9,827,173	9,881,454
10 SALARY LIMIT	2,860,693	2,883,974

11 Sec. 156. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
12 COMMISSION

13 Program No. 566 - Public Radio

	FY2017-18	FY2018-19
14 GENERAL FUND	478,113	480,528
16 CASH FUND	27,549	27,549
17 PROGRAM TOTAL	505,662	508,077
18 SALARY LIMIT	178,020	179,455

19 The limitation on expenditures for permanent and temporary salaries
20 and per diems contained in this section does not include expenditures
21 from trust funds.

22 Sec. 157. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
23 EDUCATION

24 Program No. 297 - Education Grant Program

	FY2017-18	FY2018-19
25 FEDERAL FUND est.	401,724	401,918
27 PROGRAM TOTAL	401,724	401,918
28 SALARY LIMIT	18,742	18,839

29 There is included in the appropriation to this program for FY2017-18
30 \$380,000 Federal Funds estimate for state aid, which shall only be used

1 for such purpose. There is included in the appropriation to this program
2 for FY2018-19 \$380,000 Federal Funds estimate for state aid, which shall
3 only be used for such purpose.

4 Sec. 158. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
5 EDUCATION

6 Program No. 640 - Postsecondary Education Coordination

	FY2017-18	FY2018-19
7 GENERAL FUND	1,417,047	1,398,050
8 CASH FUND	35,681	36,396
9 FEDERAL FUND est.	6,306	6,306
10 PROGRAM TOTAL	1,459,034	1,440,752
11 SALARY LIMIT	940,584	913,190

12 There is included in the appropriation to this program for FY2017-18
13 an estimated \$115,000 General Funds and for FY2018-19 an estimated
14 \$115,000 General Funds for Midwestern Higher Education Compact state
15 membership dues.

16 Sec. 159. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
17 EDUCATION

18 Program No. 690 - Nebraska Opportunity Grant Program

	FY2017-18	FY2018-19
19 GENERAL FUND	6,568,156	6,568,156
20 CASH FUND	10,380,146	10,380,146
21 PROGRAM TOTAL	16,948,302	16,948,302

22 There are no personal services included in the appropriations in
23 this section.

24 There is included in the appropriation to this program for FY2017-18
25 \$6,568,156 General Funds and \$10,380,146 Cash Funds for state aid, which
26 shall only be used for such purpose. There is included in the
27 appropriation to this program for FY2018-19 \$6,568,156 General Funds and
28 \$10,380,146 Cash Funds for state aid, which shall only be used for such
29 purpose.
30
31

1 Sec. 160. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
2 EDUCATION

3 Program No. 691 - Access College Early Scholarship Program

	FY2017-18	FY2018-19
4		
5 GENERAL FUND	985,000	985,000
6 PROGRAM TOTAL	985,000	985,000

7 There are no personal services included in the appropriations in
8 this section.

9 There is included in the appropriation to this program for FY2017-18
10 \$985,000 General Funds for state aid, which shall only be used for such
11 purpose. There is included in the appropriation to this program for
12 FY2018-19 \$985,000 General Funds for state aid, which shall only be used
13 for such purpose.

14 Sec. 161. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
15 EDUCATION

16 Program No. 692 - Community College GAP Program

	FY2017-18	FY2018-19
17		
18 CASH FUND	1,464,876	1,466,545
19 PROGRAM TOTAL	1,464,876	1,466,545
20 SALARY LIMIT	60,621	61,209

21 There is included in the appropriation to this program for FY2017-18
22 \$1,351,047 Cash Funds for state aid, which shall only be used for such
23 purpose. There is included in the appropriation to this program for
24 FY2018-19 \$1,351,047 Cash Funds for state aid, which shall only be used
25 for such purpose.

26 Sec. 162. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
27 EDUCATION

28 Program No. 693 - Oral Health Training and Services

	FY2017-18	FY2018-19
29		
30 CASH FUND	17,512	17,654
31 PROGRAM TOTAL	17,512	17,654

1 SALARY LIMIT 12,917 12,959

2 There is included in the appropriation to this program for FY2017-18
3 \$17,512 from the Oral Health Training and Services Fund to administer the
4 fund and processes associated with development, award, and administration
5 of contracts. There is included in the appropriation to this program for
6 FY2018-19 \$17,654 from the Oral Health Training and Services Fund to
7 administer the fund and processes associated with development, award, and
8 administration of contracts.

9 Sec. 163. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
10 COLLEGES

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

	FY2017-18	FY2018-19
12 GENERAL FUND	51,654,879	52,503,312
13 CASH FUND est.	38,025,445	38,025,445
14 FEDERAL FUND est.	46,739,698	46,739,698
15 REVOLVING FUND est.	9,535,829	9,535,829
16 PROGRAM TOTAL	145,955,851	146,804,284

17
18 It is the intent of the Legislature that upon the approval of the
19 Board of Trustees of the Nebraska State Colleges, the System Office of
20 the Nebraska State Colleges may divide and distribute the funds
21 appropriated to this program among Chadron State College, Peru State
22 College, Wayne State College, and the System Office of the Nebraska State
23 Colleges.

24 It is the intent of the Legislature that Cash Fund revenue from
25 resident tuition, nonresident tuition, off-campus tuition, and fees
26 separately assessed shall be individually accounted for on the Nebraska
27 Information System.

28 The Legislature reaffirms its intent to utilize the Nebraska
29 Educational Data System created by Laws 1978, LB 897, to support the
30 appropriations and oversight process for postsecondary education. It is
31 further the intent of the Legislature that all institutions provide the

1 data in the precise formats required by the Coordinating Commission for
2 Postsecondary Education.

3 The Legislature reaffirms its commitment to long-range and short-
4 range computer planning by the Nebraska state colleges. It is the intent
5 of the Legislature that comprehensive computer plans of the Nebraska
6 state colleges be updated biennially and submitted to the Legislative
7 Fiscal Analyst, the Department of Administrative Services, and the
8 Coordinating Commission for Postsecondary Education on or before October
9 15 of each odd-numbered year. The plans required to be submitted to the
10 Legislative Fiscal Analyst by this section shall be submitted
11 electronically.

12 The Department of Administrative Services shall monitor the
13 appropriations and expenditures of the Board of Trustees of the Nebraska
14 State Colleges, Agency No. 50-0, and the Nebraska State Colleges, Agency
15 Nos. 50-1, 50-3, and 50-4, according to NCHEMS-Program Classification
16 Structure, Second Edition. Expenditure authority shall be limited to
17 program appropriations.

18 Sec. 164. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA
19 Program No. 781 - University - Administration

20 (1) There is hereby appropriated to the Board of Regents of the
21 University of Nebraska for expenditure and distribution to the campuses
22 by the University of Nebraska Central Administration the following sums
23 of money.

	FY2017-18	FY2018-19
24 GENERAL FUND	570,900,008	577,665,817
25 PROGRAM TOTAL	570,900,008	577,665,817

26
27 The unexpended General Fund appropriation balance existing on June
28 30, 2017, is hereby reappropriated.

29 (2) It is intended that the University of Nebraska Central
30 Administration, upon approval of the Board of Regents of the University
31 of Nebraska, divide and distribute the funds appropriated in this section

1 among all the campuses and the central administration, including the
2 Nebraska College of Technical Agriculture at Curtis. At the direction of
3 the board, these funds may be supplemented by Cash Funds, Federal Funds,
4 Revolving Funds, and Trust Funds.

5 (3) There is included in the appropriation to this program for
6 FY2017-18 an estimated \$3,398,163 General Funds and for FY2018-19 an
7 estimated \$3,398,163 General Funds for the Nebraska College of Technical
8 Agriculture at Curtis.

9 There is included in the appropriation to this program for FY2017-18
10 an estimated \$2,804,862 General Funds and for FY2018-19 an estimated
11 \$2,804,862 General Funds for the Nebraska Forest Service Program.

12 There is included in the appropriation to this program \$1,800,000
13 General Funds for FY2017-18 and \$1,800,000 General Funds for FY2018-19
14 for pediatric cancer of which \$1,500,000 per year is for pediatric cancer
15 research and \$300,000 per year is for pediatric cancer specialists.

16 There is included in the appropriation to this program \$2,000,000
17 General Funds for FY2017-18 and \$2,000,000 General Funds for FY2018-19
18 for the academic program costs associated with the Health Science
19 Education Center located at the University of Nebraska at Kearney.

20 There is included in the appropriation to this program \$424,000
21 General Funds for FY2017-18 and \$424,000 General Funds for FY2018-19 for
22 the operating and maintenance cost associated with the Health Science
23 Education Center located at the University of Nebraska at Kearney.

24 There is included in the appropriation to this program \$1,000,000
25 General Funds for FY2017-18 and \$1,000,000 General Funds for FY2018-19
26 for a Biomedical Institute located at the University of Nebraska Medical
27 Center.

28 There is included in the appropriation to this program \$100,000
29 General Funds for FY2017-18 and \$100,000 General Funds for FY2018-19 for
30 the Nebraska Business Development Center at the University of Nebraska at
31 Omaha.

1 There is included in the appropriation to this program \$2,000,000
2 General Funds for FY2017-18 and \$2,000,000 General Funds for FY2018-19
3 for the academic program costs and the operating and maintenance costs
4 associated with the Center for Advanced Interprofessional Learning.

5 There is included in the appropriation to this program \$320,300
6 General Funds for FY2017-18 and \$320,300 General Funds for FY2018-19 for
7 faculty salary enhancement at the Nebraska College of Technical
8 Agriculture at Curtis.

9 There is included in the appropriation to this program \$100,000
10 General Funds for FY2017-18 and \$100,000 General Funds for FY2018-19 for
11 a staff veterinarian at the Nebraska College of Technical Agriculture at
12 Curtis.

13 It is the intent of the Legislature that the Institute of
14 Agriculture and Natural Resources and the Cooperative Extension Program
15 are treated fairly in the University of Nebraska 2017-2017 biennial
16 budget-setting process.

17 (4)(a) There is included in the appropriation to this program for
18 the Board of Regents of the University of Nebraska for FY2017-18 an
19 estimated \$11,719,478 General Funds and for FY2018-19 an estimated
20 \$11,719,478 General Funds, to be administered by Central Administration,
21 for the purpose of targeted research activities at the University of
22 Nebraska. It is intended that none of these funds be used for new capital
23 construction or renovation, except that a small portion may be used for
24 short-term cash flow. Further, it is intended that an estimated \$315,291
25 of the estimated \$11,719,478 for FY2017-18 and an estimated \$315,291 of
26 the estimated \$11,719,478 for FY2018-19 be used in conjunction with the
27 Experimental Program to Stimulate Competitive Research (EPSCoR) which is
28 expected to have an increased emphasis on applied research and technology
29 transfer.

30 (b) It is intended that faculty teams, research centers, or
31 individual faculty from the various colleges and departments of all of

1 the campuses of the University of Nebraska should present research
2 proposals to the Research Fund Advisory Committee and Central
3 Administration for the various targeted research areas after the
4 FY2017-18 appropriation has been made but prior to August 15, 2017.
5 Inherent in this process is the concept that the best proposals be
6 selected regardless of the campus of origin and that selections be made
7 on a competitive basis.

8 (c) It is intended for the EPSCoR Program that faculty teams,
9 clusters, research centers, or individual faculty from the various
10 colleges and departments of all of the campuses of the University of
11 Nebraska and Creighton University should present to the EPSCoR Planning
12 Committee research proposals to be funded by the EPSCoR Program. Inherent
13 in this process is the concept that the best proposals be selected
14 regardless of the campus of origin and that selections be made on a
15 competitive basis. Emphasis shall be placed on technology transfer and
16 the research needs of business and industry. It is intended that the
17 EPSCoR Planning Committee shall continue to develop the Nebraska State
18 Science and Technology Transfer Plan as part of the EPSCoR Program. It is
19 further intended that the existing Research Fund Advisory Committee and
20 the existing EPSCoR Planning Committee coordinate and integrate the
21 planning and project evaluation criteria and procedures for both the
22 Nebraska Research Initiative Program and the EPSCoR Program. Matching
23 funds for any research grants to Creighton University shall be in the
24 form of a contract in which specific services are identified and a time
25 period is specified. Creighton University shall provide an appropriate
26 share of any match.

27 (d) The unexpended appropriations balance from the \$11,719,478
28 estimated General Funds appropriated for research existing on June 30,
29 2017, and the unexpended appropriations balance from the estimated
30 \$11,719,478 General Funds appropriated for research existing on June 30,
31 2018, are hereby reappropriated.

1 (5) It is intended that:

2 (a) The University of Nebraska shall report its expenditures on the
3 Allotment Status Report and Regular Budget Status Report according to its
4 internal operational and organizational structure, subject to approval by
5 the Accounting Administrator and the budget administrator of the budget
6 division of the Department of Administrative Services;

7 (b) The University of Nebraska shall report its expenditures on the
8 Program Classification Expenditure Report in the NCHEMS-Program
9 Classification Structure, Second Edition, subject to approval by the
10 Accounting Administrator and the budget administrator of the budget
11 division of the Department of Administrative Services;

12 (c) The University of Nebraska shall submit the budget request in
13 the NCHEMS-Program Classification Structure, Second Edition, for the
14 University of Nebraska-Lincoln with an informational budget request for
15 the Institute of Agriculture and Natural Resources, University of
16 Nebraska at Omaha, University of Nebraska Medical Center, University of
17 Nebraska at Kearney, Nebraska College of Technical Agriculture at Curtis,
18 and University of Nebraska Central Administration;

19 (d) Comprehensive computer plans at the University of Nebraska shall
20 be biennially updated and submitted to the Legislative Fiscal Analyst and
21 to the budget division of the Department of Administrative Services on or
22 before September 1 of odd-numbered years; and

23 (e) The Nebraska Educational Data System created by Laws 1978, LB
24 897, shall be utilized to support the appropriations and oversight
25 process for postsecondary education. It is further the intent of the
26 Legislature that all institutions shall provide the data in the precise
27 formats required by the Coordinating Commission for Postsecondary
28 Education and that any expenditure of General Funds on the development of
29 new information systems, including any student information system, meet
30 the requirements of the Nebraska Educational Data System as determined by
31 the Coordinating Commission for Postsecondary Education.

1 Sec. 165. AGENCY NO. 52 – NEBRASKA STATE FAIR BOARD
2 Program No. 694 - State Fair Support and Improvement

	FY2017-18	FY2018-19
4 CASH FUND est.	4,250,000	4,250,000
5 PROGRAM TOTAL	4,250,000	4,250,000

6 Cash Fund expenditures shall not be limited to the amount shown.
7 There is included in the appropriation to this program for FY2017-18
8 \$4,250,000 Cash Funds estimate for state aid, which shall only be used
9 for such purpose. There is included in the appropriation to this program
10 for FY2018-19 \$4,250,000 Cash Funds estimate for state aid, which shall
11 only be used for such purpose.

12 Sec. 166. AGENCY NO. 53 – REAL PROPERTY APPRAISER BOARD
13 Program No. 79 - Appraiser Licensing

	FY2017-18	FY2018-19
15 CASH FUND	378,700	382,525
16 PROGRAM TOTAL	378,700	382,525
17 SALARY LIMIT	161,818	163,472

18 The unexpended Cash Fund appropriation balance, not to exceed
19 \$69,709, existing on June 30, 2017, is hereby reappropriated. Expenditure
20 of reappropriated funds shall be limited to completion of the database
21 improvement project.

22 It is the intent of the Legislature that the agency complies with
23 the provisions of sections 76-2226 and 76-3219 on the allowed use of
24 money in the Real Property Appraiser Fund and the Appraisal Management
25 Company Fund.

26 Sec. 167. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY
27 Program No. 553 - Sesquicentennial Commission

	FY2017-18	FY2018-19
29 GENERAL FUND	94,367	-0-
30 CASH FUND	90,000	-0-
31 PROGRAM TOTAL	184,367	-0-

1 SALARY LIMIT 75,023 -0-

2 There is included in the appropriation to this program for FY2017-18
3 \$20,450 Cash Funds, for state aid, which shall only be used for such
4 purpose.

5 Sec. 168. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY

6 Program No. 648 - Nebraska State Historical Society

	FY2017-18	FY2018-19
7		
8 GENERAL FUND	4,371,444	4,420,519
9 CASH FUND	2,571,825	2,588,613
10 FEDERAL FUND est.	863,693	868,781
11 PROGRAM TOTAL	7,806,962	7,877,913
12 SALARY LIMIT	3,887,847	3,922,039

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

16 No. 43 - Departmental Administration

17 No. 258 - Library/Archives Division

18 No. 541 - Museum Operation

19 No. 542 - Branch Museums

20 No. 543 - Archeology Division

21 No. 552 - Historic Preservation

22 No. 632 - Hall of Fame Commission

23 No. 647 - Skeletal Remains Protection

24 No. 653 - Gerald R. Ford Conservation Center

25 There is included in the appropriation to this program for FY2017-18
26 \$100,000 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 FY2018-19 \$100,000 Federal Funds estimate for state aid, which shall
29 only be used for such purpose.

30 There is included in the appropriation to this program for FY2017-18
31 \$25,000 General Funds and for FY2018-19 \$25,000 General Funds to carry

1 out obligations of the agency under the Unmarked Human Burial Sites and
2 Skeletal Remains Protection Act, which shall only be used for such
3 purpose.

4 It is the intent of the Legislature that the Nebraska State
5 Historical Society shall continue to budget and account for each of the
6 branch museums at the subprogram level within this program.

7 Appropriations shall only be expended for the operation,
8 construction, maintenance, or repair of a gift of real property after
9 that property has been approved for acceptance by the Governor and the
10 Legislature as required under section 81-1108.33.

11 Sec. 169. AGENCY NO. 56 – NEBRASKA WHEAT DEVELOPMENT, UTILIZATION,
12 AND MARKETING BOARD

13 Program No. 381 - Nebraska Wheat Development, Utilization, and
14 Marketing Board

	FY2017-18	FY2018-19
15		
16 CASH FUND	1,484,870	1,555,811
17 PROGRAM TOTAL	1,484,870	1,555,811
18 SALARY LIMIT	235,803	238,989

19 Sec. 170. AGENCY NO. 57 – NEBRASKA OIL AND GAS CONSERVATION
20 COMMISSION

21 Program No. 335 - Oil and Gas Conservation

	FY2017-18	FY2018-19
22		
23 CASH FUND	821,282	829,648
24 FEDERAL FUND est.	79,991	80,333
25 PROGRAM TOTAL	901,273	909,981
26 SALARY LIMIT	584,112	589,107

27 Sec. 171. AGENCY NO. 58 – BOARD OF ENGINEERS AND ARCHITECTS

28 Program No. 82 - Enforcement of Standards - Engineers and Architects

	FY2017-18	FY2018-19
29		
30 CASH FUND	807,578	811,210

1	PROGRAM TOTAL	807,578	811,210
2	SALARY LIMIT	341,534	344,614
3	Sec. 172. AGENCY NO. 59 – BOARD OF GEOLOGISTS		
4	Program No. 159 - Enforcement of Standards		
5		FY2017-18	FY2018-19
6	CASH FUND	29,720	30,220
7	PROGRAM TOTAL	29,720	30,220
8	Sec. 173. AGENCY NO. 60 – NEBRASKA ETHANOL BOARD		
9	Program No. 516 - Ethanol		
10		FY2017-18	FY2018-19
11	CASH FUND	679,273	684,749
12	PROGRAM TOTAL	679,273	684,749
13	SALARY LIMIT	309,613	312,421
14	Sec. 174. AGENCY NO. 61 – NEBRASKA DAIRY INDUSTRY DEVELOPMENT BOARD		
15	Program No. 114 - Nebraska Dairy Industry Development Board		
16		FY2017-18	FY2018-19
17	CASH FUND	1,399,809	1,399,810
18	PROGRAM TOTAL	1,399,809	1,399,810
19	Sec. 175. AGENCY NO. 62 – STATE BOARD OF EXAMINERS FOR LAND		
20	SURVEYORS		
21	Program No. 83 - Enforcement of Standards - Land Surveyors		
22		FY2017-18	FY2018-19
23	CASH FUND	20,127	20,128
24	PROGRAM TOTAL	20,127	20,128
25	Sec. 176. AGENCY NO. 63 – NEBRASKA STATE BOARD OF PUBLIC		
26	ACCOUNTANCY		
27	Program No. 84 - Enforcement of Standards		
28		FY2017-18	FY2018-19
29	CASH FUND	425,383	429,071
30	PROGRAM TOTAL	425,383	429,071

1	SALARY LIMIT	184,302	185,793
2	Sec. 177. AGENCY NO. 64 – NEBRASKA STATE PATROL		
3	Program No. 100 - Public Protection		
4		FY2017-18	FY2018-19
5	GENERAL FUND	57,454,234	58,165,666
6	CASH FUND	6,984,827	7,005,947
7	FEDERAL FUND est.	384,139	410,660
8	PROGRAM TOTAL	64,823,200	65,582,273
9	SALARY LIMIT	38,893,087	39,225,431

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

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

16 There is included in the appropriation to this program for FY2017-18
 17 \$150,000 General Funds and \$100,000 Federal Funds from the Byrne Criminal
 18 History Improvement set-aside funds, subject to available federal
 19 appropriation, which shall only be expended for criminal justice
 20 information systems improvements. There is included in the appropriation
 21 to this program for FY2018-19 \$150,000 General Funds and \$100,000 Federal
 22 Funds from the Byrne Criminal History Improvement set-aside funds,
 23 subject to available federal appropriation, which shall only be expended
 24 for criminal justice information systems improvements. Federal Funds
 25 transferred to the Nebraska State Patrol pursuant to this section shall
 26 be expended consistent with all applicable federal laws, rules, and
 27 regulations pertaining to Byrne Criminal History Improvement set-aside
 28 funds.

29 There is included in the appropriation to this program for FY2017-18
 30 \$485,979 Cash Funds and for FY2018-19 \$485,979 Cash Funds, which
 31 appropriation amounts shall only be expended to provide law enforcement

1 coverage along state road construction zones. The Department of Roads
2 shall contract with the Nebraska State Patrol for such law enforcement
3 coverage and shall pay for such services from the Roads Operations Cash
4 Fund to the Nebraska State Patrol Cash Fund in four equal quarterly
5 amounts to be transferred by the State Treasurer on or before July 15,
6 October 15, January 15, and April 15, for both FY2017-18 and FY2018-19.

7 Sec. 178. AGENCY NO. 64 – NEBRASKA STATE PATROL

8 Program No. 205 - Carrier Enforcement

	FY2017-18	FY2018-19
9		
10 CASH FUND	8,165,761	8,261,749
11 FEDERAL FUND est.	2,445,995	2,485,454
12 PROGRAM TOTAL	10,611,756	10,747,203
13 SALARY LIMIT	6,565,149	6,621,225

14 Sec. 179. AGENCY NO. 64 – NEBRASKA STATE PATROL

15 Program No. 325 - Operational Improvements

	FY2017-18	FY2018-19
16		
17 CASH FUND	2,314,550	2,314,550
18 PROGRAM TOTAL	2,314,550	2,314,550

19 Expenditures from this program shall be restricted to the Public
20 Safety Cash Fund and the Nebraska State Patrol Drug Control and Education
21 Cash Fund. These two Cash Funds shall not be expended from any other
22 budget programs, except that the Public Safety Cash Fund may also be
23 expended from administratively created budget Program No. 575, for the
24 purpose of providing the required state match for federal Byrne grants
25 awarded to the Nebraska State Patrol and from Program No. 850 for the
26 Nebraska Public Safety Communication System. Expenditures from these two
27 Cash Funds shall be made from separate budget subprograms.

28 As funds become available, the Superintendent of Law Enforcement and
29 Public Safety shall submit proposed lists of projects in writing to the
30 budget division of the Department of Administrative Services, which shall
31 forward them to the Governor for approval or rejection, except that no

1 new projects shall be submitted by the superintendent or approved by the
2 Governor during FY2017-18 or FY2018-19 until the Nebraska State Patrol
3 has first reserved the full Cash Fund appropriations and Cash Fund
4 balances necessary to completely meet all active and outstanding
5 operational improvement project balances remaining unexpended as of June
6 30, 2017.

7 Sec. 180. AGENCY NO. 64 – NEBRASKA STATE PATROL

8 Program No. 630 - State Capitol Security

	FY2017-18	FY2018-19
9		
10 GENERAL FUND	253,704	253,704
11 REVOLVING FUND	1,250,978	1,267,285
12 PROGRAM TOTAL	1,504,682	1,520,989
13 SALARY LIMIT	768,020	772,803

14 Any security agreements entered into by the Nebraska State Patrol,
15 on behalf of the state capitol security division, shall require that all
16 such revenue be credited directly to the Capitol Security Revolving Fund.

17 For budgeting purposes only, the amount of projected revenue to be
18 received from security agreements entered into by the Nebraska State
19 Patrol, on behalf of the state capitol security division, to be credited
20 directly to the Capitol Security Revolving Fund is estimated to be
21 \$500,583 for FY2017-18 and \$500,583 for FY2018-19.

22 Sec. 181. AGENCY NO. 64 – NEBRASKA STATE PATROL

23 Program No. 850 - Nebraska Public Safety Communication System

	FY2017-18	FY2018-19
24		
25 GENERAL FUND	1,369,043	1,110,479
26 CASH FUND	3,820,000	3,704,662
27 PROGRAM TOTAL	5,189,043	4,815,141
28 SALARY LIMIT	91,122	91,874

29 Sec. 182. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

30 Program No. 49 - Departmental Administration

	FY2017-18	FY2018-19
31		

1	REVOLVING FUND	3,850,053	3,853,175
2	PROGRAM TOTAL	3,850,053	3,853,175
3	SALARY LIMIT	2,375,892	2,389,222
4	Sec. 183. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
5	Program No. 101 - Chief Information Officer		
6		FY2017-18	FY2018-19
7	GENERAL FUND	345,170	348,843
8	PROGRAM TOTAL	345,170	348,843
9	SALARY LIMIT	222,893	224,577
10	Sec. 184. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
11	Program No. 169 - Federal Liaison		
12		FY2017-18	FY2018-19
13	GENERAL FUND	2,000	2,000
14	PROGRAM TOTAL	2,000	2,000
15	Sec. 185. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
16	Program No. 170 - Intergovernmental Data Services		
17		FY2017-18	FY2018-19
18	REVOLVING FUND	2,481,303	2,485,934
19	PROGRAM TOTAL	2,481,303	2,485,934
20	SALARY LIMIT	281,811	284,246
21	Sec. 186. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
22	Program No. 171 - Materiel Division		
23		FY2017-18	FY2018-19
24	CASH FUND	98,711	98,711
25	REVOLVING FUND	21,849,657	21,519,853
26	PROGRAM TOTAL	21,948,368	21,618,564
27	SALARY LIMIT	3,133,728	3,162,947
28	Sec. 187. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
29	Program No. 172 - Information Management Services Division		
30		FY2017-18	FY2018-19

1	REVOLVING FUND	70,798,924	69,865,792
2	PROGRAM TOTAL	70,798,924	69,865,792
3	SALARY LIMIT	14,958,147	15,426,362
4	Sec. 188. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
5	Program No. 173 - Communications Division		
6		FY2017-18	FY2018-19
7	REVOLVING FUND	40,073,901	41,577,847
8	PROGRAM TOTAL	40,073,901	41,577,847
9	SALARY LIMIT	3,753,647	3,781,028
10	Sec. 189. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
11	Program No. 180 - Transportation Services Bureau		
12		FY2017-18	FY2018-19
13	REVOLVING FUND	8,758,701	8,767,987
14	PROGRAM TOTAL	8,758,701	8,767,987
15	SALARY LIMIT	519,313	523,034
16	Sec. 190. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
17	Program No. 245 - Nebraska Public Safety Communication System		
18		FY2017-18	FY2018-19
19	REVOLVING FUND	7,827,236	7,835,389
20	PROGRAM TOTAL	7,827,236	7,835,389
21	SALARY LIMIT	465,189	468,810
22	Sec. 191. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
23	Program No. 509 - Budget Division		
24		FY2017-18	FY2018-19
25	GENERAL FUND	1,247,525	1,262,115
26	PROGRAM TOTAL	1,247,525	1,262,115
27	SALARY LIMIT	821,036	828,806
28	The unexpended General Fund appropriation balance existing on June		
29	30, 2017, is hereby reappropriated.		
30	Sec. 192. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		

1	Program No. 535 - Risk Management Division		
2		FY2017-18	FY2018-19
3	REVOLVING FUND	491,022	494,200
4	PROGRAM TOTAL	491,022	494,200
5	SALARY LIMIT	190,184	191,758

6 Sec. 193. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

7	Program No. 560 - State Building Division		
8		FY2017-18	FY2018-19
9	GENERAL FUND	234,636	235,205
10	CASH FUND	933,457	933,457
11	REVOLVING FUND	35,741,045	35,814,532
12	PROGRAM TOTAL	36,909,138	36,983,194
13	SALARY LIMIT	3,521,267	3,549,650

14 Charges assessed by the Department of Administrative Services
15 pursuant to provisions of subdivision (4)(b) of section 81-1108.17 for
16 the Ferguson House shall not annually exceed an amount calculated as
17 follows:

18 (1) Multiply the insured replacement value of the Ferguson House
19 property by two one-hundredths;

20 (2) Divide the amount of tenant-occupied gross square feet of
21 Ferguson House space by the Ferguson House gross square feet of total
22 space; and

23 (3) Multiply the amount computed in subdivision (1) of this section
24 by the amount computed in subdivision (2) of this section.

25 Sec. 194. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

26	Program No. 567 - Accounting Division		
27		FY2017-18	FY2018-19
28	GENERAL FUND	5,149,000	6,900,000
29	REVOLVING FUND	5,237,556	5,271,488
30	PROGRAM TOTAL	10,386,556	12,171,488

1	SALARY LIMIT	1,788,866	1,806,244
2	Sec. 195. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
3	Program No. 573 - Task Force for Building Renewal		
4		FY2017-18	FY2018-19
5	CASH FUND	502,389	506,739
6	PROGRAM TOTAL	502,389	506,739
7	SALARY LIMIT	345,984	348,214
8	Sec. 196. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES		
9	Program No. 591 - Tort Claims		
10		FY2017-18	FY2018-19
11	GENERAL FUND	210,000	210,000
12	CASH FUND	50,000	50,000
13	PROGRAM TOTAL	260,000	260,000

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

- 16 (a) \$55,005 from the Department of Roads; and
- 17 (b) \$2,604 from the Game and Parks Commission.

18 Such sums shall be transferred to the risk management and state
19 claims division no later than August 1, 2017, or in four equal payments
20 on August 1, October 1, January 1, and April 1, at the discretion of the
21 Risk Manager.

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

- 24 (a) \$55,005 from the Department of Roads; and
- 25 (b) \$2,604 from the Game and Parks Commission.

26 Such sums shall be transferred to the risk management and state
27 claims division no later than August 1, 2018, or in four equal payments
28 on August 1, October 1, January 1, and April 1, at the discretion of the
29 Risk Manager.

30 It is the intent of the Legislature that transfers specified in this
31 section for FY2018-19 be adjusted by the One Hundred Fifth Legislature,

1 Second Session, 2018, in accordance with information available after July
2 1, 2017.

3 Sec. 197. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

4 Program No. 592 - Indemnification Claims

	FY2017-18	FY2018-19
5 GENERAL FUND	491,250	491,250
6 REVOLVING FUND	150,000	150,000
7 PROGRAM TOTAL	641,250	641,250

9 Sec. 198. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

10 Program No. 593 - Workers' Compensation Claims

	FY2017-18	FY2018-19
11 REVOLVING FUND	17,952,297	17,952,297
12 PROGRAM TOTAL	17,952,297	17,952,297

14 It is the intent of the Legislature that state agencies, boards, and
15 commissions make the workers' compensation insurance premium payments to
16 the Workers' Compensation Claims Revolving Fund, which are hereby
17 appropriated for FY2017-18 in this program under the authority of
18 sections 81-8,239.02 and 81-8,239.03, to the risk management and state
19 claims division no later than August 1, 2017, or in four equal payments
20 on August 1, October 1, January 1, and April 1, at the discretion of the
21 Risk Manager.

22 It is the intent of the Legislature that state agencies, boards, and
23 commissions make the workers' compensation insurance premium payments to
24 the Workers' Compensation Claims Revolving Fund, which are hereby
25 appropriated for FY2018-19 in this program under the authority of
26 sections 81-8,239.02 and 81-8,239.03, to the risk management and state
27 claims division no later than August 1, 2018, or in four equal payments
28 on August 1, October 1, January 1, and April 1, at the discretion of the
29 Risk Manager.

30 There is included in the appropriation to this program for FY2017-18
31 an amount not to exceed \$25,000 Revolving Funds, which may be used to

1 contract for rehabilitation services to assist worker rehabilitation in
2 relation to workers' compensation cases. There is included in the
3 appropriation to this program for FY2018-19 an amount not to exceed
4 \$25,000 Revolving Funds, which may be used to contract for rehabilitation
5 services to assist worker rehabilitation in relation to workers'
6 compensation cases.

7 Sec. 199. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

8 Program No. 594 - State Insurance

	FY2017-18	FY2018-19
9		
10 REVOLVING FUND	7,615,874	7,615,874
11 PROGRAM TOTAL	7,615,874	7,615,874

12 Sec. 200. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

13 Program No. 605 - Personnel Division

	FY2017-18	FY2018-19
14		
15 GENERAL FUND	1,632,045	1,655,686
16 REVOLVING FUND	8,058,926	8,143,213
17 PROGRAM TOTAL	9,690,971	9,798,899
18 SALARY LIMIT	6,494,114	6,562,002

19 It is the intent of the Legislature that the personnel division of
20 the Department of Administrative Services continue to accurately track
21 vacant positions in state government and report electronically to the
22 Legislative Fiscal Analyst on a quarterly basis.

23 Sec. 201. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

24 Program No. 606 - Benefits Administration

	FY2017-18	FY2018-19
25		
26 CASH FUND	1,291,814	1,107,962
27 PROGRAM TOTAL	1,291,814	1,107,962
28 SALARY LIMIT	304,635	307,113

29 Sec. 202. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

30 Program No. 608 - Employee Relations Division

	FY2017-18	FY2018-19
1		
2 GENERAL FUND	411,300	416,319
3 PROGRAM TOTAL	411,300	416,319
4 SALARY LIMIT	282,112	284,686

5 The unexpended General Fund appropriation balance existing on June
6 30, 2017, is hereby reappropriated.

7 Sec. 203. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

8 Program No. 685 - Office of the Nebraska Capitol Commission

	FY2017-18	FY2018-19
9		
10 GENERAL FUND	4,279,152	4,306,320
11 CASH FUND	133,804	140,064
12 REVOLVING FUND	4,750	4,750
13 PROGRAM TOTAL	4,417,706	4,451,134
14 SALARY LIMIT	1,361,438	1,374,747

15 The unexpended General Fund appropriation balance existing on June
16 30, 2017, is hereby reappropriated. It is the intent of the Legislature
17 that any reappropriated balance be used for unexpected increases in
18 utility expenses.

19 Sec. 204. AGENCY NO. 66 – ABSTRACTERS BOARD OF EXAMINERS

20 Program No. 58 - Enforcement of Standards - Abstracters

	FY2017-18	FY2018-19
21		
22 CASH FUND	56,735	56,993
23 PROGRAM TOTAL	56,735	56,993
24 SALARY LIMIT	24,471	24,695

25 Sec. 205. AGENCY NO. 67 – EQUAL OPPORTUNITY COMMISSION

26 Program No. 59 - Enforcement of Standards

	FY2017-18	FY2018-19
27		
28 GENERAL FUND	1,232,512	1,254,241
29 FEDERAL FUND est.	816,437	822,942
30 PROGRAM TOTAL	2,048,949	2,077,183

1	SALARY LIMIT	1,252,424	1,263,850
2	Sec. 206. AGENCY NO. 68 – COMMISSION ON LATINO-AMERICANS		
3	Program No. 537 - Commission on Latino-Americans		
4		FY2017-18	FY2018-19
5	GENERAL FUND	204,607	208,479
6	CASH FUND	4,850	4,850
7	PROGRAM TOTAL	209,457	213,329
8	SALARY LIMIT	133,880	135,224
9	Sec. 207. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL		
10	Program No. 326 - Promotion and Development of the Arts		
11		FY2017-18	FY2018-19
12	GENERAL FUND	607,473	614,128
13	CASH FUND	60,000	60,000
14	FEDERAL FUND est.	196,571	199,129
15	PROGRAM TOTAL	864,044	873,257
16	SALARY LIMIT	526,801	531,862
17	Sec. 208. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL		
18	Program No. 327 - Aid to the Arts		
19		FY2017-18	FY2018-19
20	GENERAL FUND	898,319	898,319
21	FEDERAL FUND est.	545,800	545,800
22	PROGRAM TOTAL	1,444,119	1,444,119
23	There is included in the appropriation to this program for FY2017-18		
24	\$898,319 General Funds and \$545,800 Federal Funds estimate for state aid,		
25	which shall only be used for such purpose. There is included in the		
26	appropriation to this program for FY2018-19 \$898,319 General Funds and		
27	\$545,800 Federal Funds estimate for state aid, which shall only be used		
28	for such purpose.		
29	Sec. 209. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL		
30	Program No. 329 - Arts and Humanities Preservation		

1		FY2017-18	FY2018-19
2	CASH FUND	1,425,266	1,425,543
3	PROGRAM TOTAL	1,425,266	1,425,543
4	SALARY LIMIT	21,941	21,982

5 There is included in the appropriation to this program for FY2017-18
6 \$1,395,000 Cash Funds for state aid, which shall only be used for such
7 purpose. There is included in the appropriation to this program for
8 FY2018-19 \$1,395,000 Cash Funds for state aid, which shall only be used
9 for such purpose.

10 The budget division of the Department of Administrative Services
11 shall only allot state aid funds appropriated to this program if the
12 Nebraska Arts Council provides evidence of dollar-for-dollar matching
13 funds derived from nonstate sources, as required in section 82-332.

14 Sec. 210. AGENCY NO. 70 – FOSTER CARE REVIEW OFFICE

15 Program No. 116 - Foster Care Review Office

16		FY2017-18	FY2018-19
17	GENERAL FUND	1,841,906	1,872,766
18	CASH FUND	5,700	5,700
19	FEDERAL FUND est.	407,203	407,203
20	PROGRAM TOTAL	2,254,809	2,285,669
21	SALARY LIMIT	1,425,591	1,438,826

22 Sec. 211. AGENCY NO. 70 – FOSTER CARE REVIEW OFFICE

23 Program No. 353 - Children's Commission

24		FY2017-18	FY2018-19
25	CASH FUND	132,436	134,957
26	PROGRAM TOTAL	132,436	134,957
27	SALARY LIMIT	99,894	100,894

28 Sec. 212. AGENCY NO. 71 – STATE ENERGY OFFICE

29 Program No. 106 - Energy Office Administration

30		FY2017-18	FY2018-19
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1	CASH FUND	999,798	999,798
2	FEDERAL FUND est.	7,842,705	7,842,705
3	PROGRAM TOTAL	8,842,503	8,842,503
4	SALARY LIMIT	1,118,080	1,127,696

5 There is included in the appropriation to this program for FY2017-18
6 \$564,562 Cash Funds and \$6,349,656 Federal Funds estimate for state aid,
7 which shall only be used for such purpose. Cash Fund expenditures for
8 state aid for FY2017-18 shall not be limited to the amount shown. There
9 is included in the appropriation to this program for FY2018-19 \$564,562
10 Cash Funds and \$6,349,656 Federal Funds estimate for state aid, which
11 shall only be used for such purpose. Cash Fund expenditures for state aid
12 for FY2018-19 shall not be limited to the amount shown.

13 Sec. 213. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
14 Program No. 601 - Community and Rural Development

	FY2017-18	FY2018-19	
15			
16	GENERAL FUND	801,826	804,977
17	CASH FUND	11,912,785	11,919,244
18	FEDERAL FUND est.	20,727,796	20,740,845
19	PROGRAM TOTAL	33,442,407	33,465,066
20	SALARY LIMIT	1,103,291	1,112,498

21 There is included in the appropriation to this program for FY2017-18
22 \$500,000 General Funds, \$11,250,000 Cash Funds, and \$18,937,950 Federal
23 Funds estimate for state aid, which shall only be used for such purpose.
24 There is included in the appropriation to this program for FY2018-19
25 \$500,000 General Funds, \$11,250,000 Cash Funds, and \$18,937,950 Federal
26 Funds estimate for state aid, which shall only be used for such purpose.

27 There is included in the amount shown for FY2017-18 \$500,000 General
28 Funds to provide aid funding to development districts formed under
29 sections 13-1901 to 13-1907. There is included in the amount shown for
30 FY2018-19 \$500,000 General Funds to provide aid funding to development
31 districts formed under sections 13-1901 to 13-1907.

1 Sec. 214. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT
2 Program No. 603 - Industrial Recruitment

	FY2017-18	FY2018-19
4 GENERAL FUND	11,539,817	11,595,236
5 CASH FUND	10,396,872	10,397,777
6 FEDERAL FUND est.	496,460	496,532
7 PROGRAM TOTAL	22,433,149	22,489,545
8 SALARY LIMIT	2,780,690	2,807,081

9 There is included in the appropriation to this program for FY2017-18
10 \$6,760,000 General Funds, \$9,897,194 Cash Funds, and \$249,341 Federal
11 Funds estimate for state aid, which shall only be used for such purpose.

12 There is included in the appropriation to this program for FY2018-19
13 \$6,760,000 General Funds, \$9,897,194 Cash Funds, and \$249,341 Federal
14 Funds estimate for state aid, which shall only be used for such purpose.

15 There is included in the appropriation to this program for FY2017-18
16 \$250,000 General Funds for the Nebraska Developing Youth Talent
17 Initiative, which shall only be used for such purpose. There is included
18 in the appropriation to this program for FY2018-19 \$250,000 General Funds
19 for the Nebraska Developing Youth Talent Initiative, which shall only be
20 used for such purpose. The department shall establish a separate budget
21 subprogram to account for the expenditure of funds appropriated for the
22 Nebraska Developing Youth Talent Initiative. It is the intent of the
23 Legislature that the Department of Economic Development shall select up
24 to two industry partners or industry consortiums each fiscal year from
25 the manufacturing and information technology sectors to participate in
26 the initiative, which shall be in collaboration with public schools. The
27 initiative shall be designed to reach students beginning in the seventh
28 and eighth grades. At least one industry partner selected to participate
29 in the initiative shall be from a county that has a population of less
30 than one hundred thousand inhabitants. An annual evaluation report
31 detailing the outcomes of the initiative shall be provided to the

1 Legislature electronically and to the Governor, not later than September
2 15th each year.

3 Sec. 215. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

4 Program No. 655 - Civic and Community Center Financing Fund

	FY2017-18	FY2018-19
5		
6 CASH FUND	2,501,549	2,501,886
7 PROGRAM TOTAL	2,501,549	2,501,886
8 SALARY LIMIT	19,036	19,188

9 There is included in the appropriation to this program for FY2017-18
10 \$2,465,000 Cash Funds for state aid, which shall only be used for such
11 purpose. There is included in the appropriation to this program for
12 FY2018-19 \$2,465,000 Cash Funds for state aid, which shall only be used
13 for such purpose.

14 Sec. 216. AGENCY NO. 73 – STATE BOARD OF LANDSCAPE ARCHITECTS

15 Program No. 597 - State Board of Landscape Architects

	FY2017-18	FY2018-19
16		
17 CASH FUND	24,997	25,597
18 PROGRAM TOTAL	24,997	25,597

19 Sec. 217. AGENCY NO. 74 – NEBRASKA POWER REVIEW BOARD

20 Program No. 72 - Enforcement of Standards

	FY2017-18	FY2018-19
21		
22 CASH FUND	611,731	617,155
23 PROGRAM TOTAL	611,731	617,155
24 SALARY LIMIT	237,965	239,837

25 Sec. 218. AGENCY NO. 75 – NEBRASKA INVESTMENT COUNCIL

26 Program No. 610 - Investments Administration

	FY2017-18	FY2018-19
27		
28 CASH FUND	2,950,805	2,970,531
29 PROGRAM TOTAL	2,950,805	2,970,531
30 SALARY LIMIT	1,137,628	1,188,563

1 Sec. 219. AGENCY NO. 76 – COMMISSION ON INDIAN AFFAIRS

2 Program No. 584 - Indian Affairs

3		FY2017-18	FY2018-19
4	GENERAL FUND	232,785	236,049
5	CASH FUND	20,228	20,228
6	PROGRAM TOTAL	253,013	256,277
7	SALARY LIMIT	153,927	155,253

8 Sec. 220. AGENCY NO. 77 – COMMISSION OF INDUSTRIAL RELATIONS

9 Program No. 490 - Commissioner Expenses

10		FY2017-18	FY2018-19
11	GENERAL FUND	65,644	65,644
12	PROGRAM TOTAL	65,644	65,644
13	SALARY LIMIT	61,000	61,000

14 Sec. 221. AGENCY NO. 77 – COMMISSION OF INDUSTRIAL RELATIONS

15 Program No. 531 - Administration

16		FY2017-18	FY2018-19
17	GENERAL FUND	254,041	273,450
18	PROGRAM TOTAL	254,041	273,450
19	SALARY LIMIT	146,538	161,569

20 Sec. 222. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
21 AND CRIMINAL JUSTICE

22 Program No. 150 - Juvenile Services Act

23		FY2017-18	FY2018-19
24	GENERAL FUND	711,849	713,390
25	PROGRAM TOTAL	711,849	713,390
26	SALARY LIMIT	67,031	67,612

27 There is included in the appropriation to this program for FY2017-18
28 \$587,812 General Funds for state aid, which shall only be used for such
29 purpose. There is included in the appropriation to this program for
30 FY2018-19 \$587,812 General Funds for state aid, which shall only be used

1 for such purpose.

2 Sec. 223. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
3 AND CRIMINAL JUSTICE

4 Program No. 155 - County Juvenile Services Aid

	FY2017-18	FY2018-19
5 GENERAL FUND	7,231,170	7,235,536
6 PROGRAM TOTAL	7,231,170	7,235,536
7 SALARY LIMIT	226,837	228,951

9 There is included in the appropriation to this program for FY2017-18
10 \$6,120,000 General Funds for state aid, which shall only be used for such
11 purpose. There is included in the appropriation to this program for
12 FY2018-19 \$6,120,000 General Funds for state aid, which shall only be
13 used for such purpose.

14 Sec. 224. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
15 AND CRIMINAL JUSTICE

16 Program No. 198 - Central Administration

	FY2017-18	FY2018-19
17 GENERAL FUND	826,853	833,457
18 CASH FUND	41,073	41,733
19 FEDERAL FUND est.	5,425,792	5,432,377
20 PROGRAM TOTAL	6,293,718	6,307,567
21 SALARY LIMIT	457,821	463,987

22 There is included in the appropriation to this program for FY2017-18
23 \$513,457 General Funds and \$4,520,673 Federal Funds estimate for state
24 aid, which shall only be used for such purpose. There is included in the
25 appropriation to this program for FY2018-19 \$513,457 General Funds and
26 \$4,520,673 Federal Funds estimate for state aid, which shall only be used
27 for such purpose.

28 There is included in the appropriation to this program for FY2017-18
29 \$62,000 General Funds and \$194,233 Federal Funds estimate from the
30 federal Victims of Crime Act of 1984 to operate a victim notification
31

1 system, which shall only be used for such purpose. There is included in
2 the appropriation to this program for FY2018-19 \$62,000 General Funds and
3 \$194,233 Federal Funds estimate from the federal Victims of Crime Act of
4 1984 to operate a victim notification system, which shall only be used
5 for such purpose.

6 Sec. 225. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
7 AND CRIMINAL JUSTICE

8 Program No. 199 - Nebraska Law Enforcement Training Center

	FY2017-18	FY2018-19
9		
10 GENERAL FUND	2,081,107	2,090,277
11 CASH FUND	908,800	919,420
12 FEDERAL FUND est.	61,146	61,664
13 PROGRAM TOTAL	3,051,053	3,071,361
14 SALARY LIMIT	909,598	918,594

15 The unexpended General Fund appropriation balance existing on June
16 30, 2017, is hereby reappropriated.

17 There is included in the appropriation to this program for FY2017-18
18 \$916,523 General Funds for Training Center building rental charges to be
19 paid to the state building division of the Department of Administrative
20 Services, which shall only be used for such purpose. There is included in
21 the appropriation to this program for FY2018-19 \$916,523 General Funds
22 for Training Center building rental charges to be paid to the state
23 building division of the Department of Administrative Services, which
24 shall only be used for such purpose.

25 There is included in the appropriation to this program for FY2017-18
26 \$465,875 General Funds for the annual depreciation charge to be paid to
27 the state building division of the Department of Administrative Services,
28 which shall only be used for such purpose. There is included in the
29 appropriation to this program for FY2018-19 \$465,875 General Funds for
30 the annual depreciation charge to be paid to the state building division
31 of the Department of Administrative Services, which shall only be used

1 for such purpose.

2 All food service charges for students shall be separate and distinct
3 from tuition and fee charges assessed, and such food service charges
4 shall not be included or commingled for purposes of establishing annual
5 tuition and fee rates.

6 Any rules, regulations, or operating instructions adopted by the
7 Nebraska Commission on Law Enforcement and Criminal Justice shall be
8 consistent with the provisions of this section.

9 Sec. 226. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
10 AND CRIMINAL JUSTICE

11 Program No. 201 - Victim-Witness Assistance

	FY2017-18	FY2018-19
12 GENERAL FUND	165,230	165,230
13 FEDERAL FUND est.	3,203,047	3,207,690
14 PROGRAM TOTAL	3,368,277	3,372,920
15 SALARY LIMIT	232,479	234,193

17 There is included in the appropriation to this program for FY2017-18
18 \$52,559 General Funds and \$2,632,086 Federal Funds estimate for state
19 aid, which shall only be used for such purpose. There is included in the
20 appropriation to this program for FY2018-19 \$52,559 General Funds and
21 \$2,632,086 Federal Funds estimate for state aid, which shall only be used
22 for such purpose.

23 Sec. 227. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
24 AND CRIMINAL JUSTICE

25 Program No. 202 - Crime Victims' Reparations

	FY2017-18	FY2018-19
26 GENERAL FUND	27,837	27,837
27 CASH FUND	303,474	303,474
28 FEDERAL FUND est.	128,400	128,400
29 PROGRAM TOTAL	459,711	459,711
30 SALARY LIMIT	-0-	-0-

1 There is included in the appropriation to this program for FY2017-18
 2 \$20,000 General Funds, \$303,474 Cash Funds, and \$121,980 Federal Funds
 3 estimate for state aid, which shall only be used for such purpose. There
 4 is included in the appropriation to this program for FY2018-19 \$20,000
 5 General Funds, \$303,474 Cash Funds, and \$121,980 Federal Funds estimate
 6 for state aid, which shall only be used for such purpose.

7 Sec. 228. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
 8 AND CRIMINAL JUSTICE

9 Program No. 203 - Jail Standards Board

	FY2017-18	FY2018-19
10		
11 GENERAL FUND	320,434	324,549
12 PROGRAM TOTAL	320,434	324,549
13 SALARY LIMIT	195,635	197,590

14 Sec. 229. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
 15 AND CRIMINAL JUSTICE

16 Program No. 204 - Office of Violence Prevention

	FY2017-18	FY2018-19
17		
18 GENERAL FUND	462,299	463,552
19 CASH FUND	10,500	10,500
20 PROGRAM TOTAL	472,799	474,052
21 SALARY LIMIT	56,368	56,917

22 There is included in the appropriation to this program for FY2017-18
 23 \$350,000 General Funds for state aid, which shall only be used for such
 24 purpose. There is included in the appropriation to this program for
 25 FY2018-19 \$350,000 General Funds for state aid, which shall only be used
 26 for such purpose.

27 Sec. 230. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
 28 AND CRIMINAL JUSTICE

29 Program No. 210 - State Agency Byrne Grants

	FY2017-18	FY2018-19
30		
31 FEDERAL FUND est.	1,329,951	1,329,951

1	PROGRAM TOTAL	1,329,951	1,329,951
2	SALARY LIMIT	-0-	-0-

3 The budget division of the Department of Administrative Services
4 shall create a separate budget program within each agency receiving funds
5 from the appropriation to this program to properly account for such
6 funds. The expenditure limitation for permanent and temporary salaries
7 and per diems may be increased within these administratively created
8 programs to allow for the expenditure of personal services.

9 At the direction of the budget administrator of the budget division
10 of the Department of Administrative Services, any funds appropriated to
11 this program shall be administratively transferred to the appropriate
12 state agencies that have been awarded federal Byrne grants by the
13 Nebraska Commission on Law Enforcement and Criminal Justice. The Nebraska
14 Commission on Law Enforcement and Criminal Justice shall certify to the
15 budget division of the Department of Administrative Services the federal
16 fund appropriations to be transferred pursuant to this section.

17 Sec. 231. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT
18 AND CRIMINAL JUSTICE

19 Program No. 215 - Criminal Justice Information System

	FY2017-18	FY2018-19	
20			
21	GENERAL FUND	187,510	187,823
22	FEDERAL FUND est.	812,833	815,108
23	PROGRAM TOTAL	1,000,343	1,002,931
24	SALARY LIMIT	153,507	154,663

25 The unexpended General Fund appropriation balance existing on June
26 30, 2017, is hereby reappropriated.

27 Funds appropriated to this program shall be used to support criminal
28 justice information systems projects for state law enforcement agencies
29 and to assist with the sharing of criminal justice information by
30 federal, state, and local agencies.

31 Sec. 232. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT

1 AND CRIMINAL JUSTICE

2 Program No. 220 - Community Corrections Division

3		FY2017-18	FY2018-19
4	GENERAL FUND	311,579	314,955
5	CASH FUND	413,351	413,578
6	PROGRAM TOTAL	724,930	728,533
7	SALARY LIMIT	211,813	213,727

8 Sec. 233. AGENCY NO. 81 - COMMISSION FOR THE BLIND AND VISUALLY
9 IMPAIRED

10 Program No. 357 - Blind and Visually Impaired

11		FY2017-18	FY2018-19
12	GENERAL FUND	1,118,768	1,127,119
13	CASH FUND	99,279	99,840
14	FEDERAL FUND est.	4,685,776	4,729,360
15	PROGRAM TOTAL	5,903,823	5,956,319
16	SALARY LIMIT	2,304,645	2,327,193

17 There is included in the appropriation to this program for FY2017-18
18 \$176,890 General Funds, \$10,000 Cash Funds, and \$989,593 Federal Funds
19 estimate for state aid, which shall only be used for such purpose. There
20 is included in the appropriation to this program for FY2018-19 \$176,890
21 General Funds, \$10,000 Cash Funds, and \$989,593 Federal Funds estimate
22 for state aid, which shall only be used for such purpose.

23 There is included in the appropriation to this program for FY2017-18
24 \$128,250 General Funds and for FY2018-19 \$128,250 General Funds for
25 services for the older blind, which shall only be used for such purpose.
26 It is the intent of the Legislature that services for the older blind be
27 coordinated and integrated to the extent possible with services provided
28 to the aged by other state agencies.

29 Sec. 234. AGENCY NO. 82 - COMMISSION FOR THE DEAF AND HARD OF
30 HEARING

31 Program No. 578 - Hearing Impaired

1		FY2017-18	FY2018-19
2	GENERAL FUND	998,241	1,010,338
3	CASH FUND	16,659	16,659
4	PROGRAM TOTAL	1,014,900	1,026,997
5	SALARY LIMIT	578,453	583,991

6 Sec. 235. AGENCY NO. 83 – AID TO COMMUNITY COLLEGES
7 Program No. 151 - Aid to Community Colleges

8		FY2017-18	FY2018-19
9	GENERAL FUND	97,803,459	97,803,459
10	PROGRAM TOTAL	97,803,459	97,803,459

11 There is included in the appropriation to this program for FY2017-18
12 \$97,803,459 General Funds for state aid, which shall only be used for
13 such purpose. There is included in the appropriation to this program for
14 FY2018-19 \$97,803,459 General Funds for state aid, which shall only be
15 used for such purpose.

16 Sec. 236. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENTAL QUALITY
17 Program No. 513 - Environmental Quality

18		FY2017-18	FY2018-19
19	GENERAL FUND	4,099,093	4,142,772
20	CASH FUND	32,502,704	32,605,968
21	FEDERAL FUND est.	16,710,334	16,810,395
22	PROGRAM TOTAL	53,312,131	53,559,135
23	SALARY LIMIT	12,809,139	12,925,447

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

- 27 No. 513 - Administration
- 28 No. 586 - Water Quality
- 29 No. 587 - Land Quality
- 30 No. 588 - Air Quality

1 There is included in the appropriation to this program for FY2017-18
 2 \$316,200 General Funds, \$15,573,273 Cash Funds, and \$265,000 Federal
 3 Funds estimate for state aid, which shall only be used for such purpose.
 4 There is included in the appropriation to this program for FY2018-19
 5 \$316,200 General Funds, \$15,573,273 Cash Funds, and \$265,000 Federal
 6 Funds estimate for state aid, which shall only be used for such purpose.

7 Sec. 237. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENTAL QUALITY

8 Program No. 523 - Wastewater Loan Fund

	FY2017-18	FY2018-19
9		
10 CASH FUND	1,200,000	1,200,000
11 FEDERAL FUND est.	6,940,000	6,940,000
12 PROGRAM TOTAL	8,140,000	8,140,000

13 There is included in the appropriation to this program for FY2017-18
 14 \$1,200,000 Cash Funds and \$6,490,000 Federal Funds estimate for state
 15 aid, which shall only be used for such purpose. There is included in the
 16 appropriation to this program for FY2018-19 \$1,200,000 Cash Funds and
 17 \$6,490,000 Federal Funds estimate for state aid, which shall only be used
 18 for such purpose.

19 Funds set aside for grants to small communities shall not be
 20 commingled with funds deposited in the Wastewater Treatment Facilities
 21 Construction Loan Fund.

22 Sec. 238. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENTAL QUALITY

23 Program No. 528 - Drinking Water Facilities Loan Fund

	FY2017-18	FY2018-19
24		
25 CASH FUND	1,732,000	1,732,000
26 FEDERAL FUND est.	8,500,000	8,500,000
27 PROGRAM TOTAL	10,232,000	10,232,000

28 There is included in the appropriation to this program for FY2017-18
 29 \$1,732,000 Cash Funds and \$8,500,000 Federal Funds estimate for state
 30 aid, which shall only be used for such purpose. There is included in the
 31 appropriation to this program for FY2018-19 \$1,732,000 Cash Funds and

1 \$8,500,000 Federal Funds estimate for state aid, which shall only be used
2 for such purpose.

3 Sec. 239. AGENCY NO. 85 – PUBLIC EMPLOYEES RETIREMENT BOARD

4 Program No. 41 - Administration of Retirement Systems and Deferred
5 Compensation

	FY2017-18	FY2018-19
6		
7 CASH FUND	5,366,318	5,424,035
8 PROGRAM TOTAL	5,366,318	5,424,035
9 SALARY LIMIT	2,357,027	2,379,611

10 Sec. 240. AGENCY NO. 85 – PUBLIC EMPLOYEES RETIREMENT BOARD

11 Program No. 42 - Board Member Expenses

	FY2017-18	FY2018-19
12		
13 CASH FUND	27,612	27,612
14 PROGRAM TOTAL	27,612	27,612
15 SALARY LIMIT	6,000	6,000

16 It is the intent of the Legislature that all expenses of the members
17 of the Public Employees Retirement Board, including conference
18 registration expenses, be paid exclusively from this program.

19 Sec. 241. AGENCY NO. 85 – PUBLIC EMPLOYEES RETIREMENT BOARD

20 Program No. 515 - Public Employees Retirement

	FY2017-18	FY2018-19
21		
22 GENERAL FUND	48,469,886	51,200,000
23 PROGRAM TOTAL	48,469,886	51,200,000

24 There is included in the appropriation to this program for FY2017-18
25 \$38,039,347 General Funds for state aid to provide additional funding to
26 the School Employees Retirement System of the State of Nebraska, which
27 shall only be used for such purpose. There is included in the
28 appropriation to this program for FY2018-19 \$38,300,000 General Funds for
29 state aid to provide additional funding to the School Employees
30 Retirement System of the State of Nebraska, which shall only be used for
31 such purpose.

1 There is included in the appropriation to this program for FY2017-18
 2 \$7,888,981 General Funds for state aid to provide additional funding to
 3 the Class V School Employees Retirement System, which shall only be used
 4 for such purpose. There is included in the appropriation to this program
 5 for FY2018-19 \$8,000,000 General Funds for state aid to provide
 6 additional funding to the Class V School Employees Retirement System,
 7 which shall only be used for such purpose.

8 There is included in the appropriation to this program for FY2017-18
 9 \$2,541,558 General Funds for state aid to provide additional funding to
 10 the Nebraska State Patrol Retirement System, which shall only be used for
 11 such purpose. There is included in the appropriation to this program for
 12 FY2018-19 \$4,900,000 General Funds for state aid to provide additional
 13 funding to the Nebraska State Patrol Retirement System, which shall only
 14 be used for such purpose.

15 Pursuant to section 84-1319.01, each state agency participating in
 16 the State Employees Retirement System of the State of Nebraska shall
 17 contribute an amount to the State Equal Retirement Benefit Fund to
 18 provide all similarly situated male and female members with equal
 19 benefits. It is the intent of the Legislature that the Public Employees
 20 Retirement Board notify each state agency of the amount to be paid to the
 21 fund for FY2017-18 and FY2018-19.

22 Sec. 242. AGENCY NO. 86 – DRY BEAN COMMISSION

23 Program No. 137 - Dry Bean Commission

	FY2017-18	FY2018-19
24		
25 CASH FUND	454,939	455,754
26 PROGRAM TOTAL	454,939	455,754
27 SALARY LIMIT	51,056	51,679

28 Sec. 243. AGENCY NO. 87 – NEBRASKA ACCOUNTABILITY AND DISCLOSURE
 29 COMMISSION

30 Program No. 94 - Nebraska Political Accountability

	FY2017-18	FY2018-19
31		

1	GENERAL FUND	484,907	492,488
2	CASH FUND	240,494	242,405
3	PROGRAM TOTAL	725,401	734,893
4	SALARY LIMIT	468,688	472,919
5	Sec. 244. AGENCY NO. 88 – CORN DEVELOPMENT, UTILIZATION, AND		
6	MARKETING BOARD		
7	Program No. 384 - Corn Development, Utilization, and Marketing Board		
8		FY2017-18	FY2018-19
9	CASH FUND	7,962,173	7,969,295
10	PROGRAM TOTAL	7,962,173	7,969,295
11	SALARY LIMIT	433,281	436,897
12	Sec. 245. AGENCY NO. 91 – NEBRASKA TOURISM COMMISSION		
13	Program No. 618 - Tourism Promotion		
14		FY2017-18	FY2018-19
15	CASH FUND	5,862,491	5,873,884
16	PROGRAM TOTAL	5,862,491	5,873,884
17	SALARY LIMIT	896,795	902,704
18	There is included in the appropriation to this program for FY2017-18		
19	\$852,600 Cash Funds for state aid, which shall only be used for such		
20	purpose. There is included in the appropriation to this program for		
21	FY2018-19 \$852,600 Cash Funds for state aid, which shall only be used for		
22	such purpose.		
23	Sec. 246. AGENCY NO. 92 – GRAIN SORGHUM DEVELOPMENT, UTILIZATION,		
24	AND MARKETING BOARD		
25	Program No. 406 - Grain Sorghum Development		
26		FY2017-18	FY2018-19
27	CASH FUND	288,447	289,036
28	PROGRAM TOTAL	288,447	289,036
29	SALARY LIMIT	51,318	51,832
30	Sec. 247. AGENCY NO. 93 – TAX EQUALIZATION AND REVIEW COMMISSION		

1 Program No. 115 - Operations

	FY2017-18	FY2018-19
2		
3 GENERAL FUND	845,135	858,152
4 CASH FUND	45,294	45,294
5 PROGRAM TOTAL	890,429	903,446
6 SALARY LIMIT	602,503	608,319

7 Sec. 248. AGENCY NO. 94 – COMMISSION ON PUBLIC ADVOCACY

8 Program No. 425 - Operations

	FY2017-18	FY2018-19
9		
10 CASH FUND	1,233,481	1,245,789
11 PROGRAM TOTAL	1,233,481	1,245,789
12 SALARY LIMIT	759,882	767,359

13 Sec. 249. AGENCY NO. 94 – COMMISSION ON PUBLIC ADVOCACY

14 Program No. 426 - Legal Services Aid

	FY2017-18	FY2018-19
15		
16 CASH FUND	3,402,355	3,402,355
17 PROGRAM TOTAL	3,402,355	3,402,355

18 There is included in the appropriation to this program for FY2017-18
 19 \$3,402,355 Cash Funds for state aid, which shall only be used for such
 20 purpose. There is included in the appropriation to this program for
 21 FY2018-19 \$3,402,355 Cash Funds for state aid, which shall only be used
 22 for such purpose.

23 Sec. 250. AGENCY NO. 94 – COMMISSION ON PUBLIC ADVOCACY

24 Program No. 429 - Civil Legal Services

	FY2017-18	FY2018-19
25		
26 CASH FUND	290,000	290,000
27 PROGRAM TOTAL	290,000	290,000

28 There is included in the appropriation to this program for FY2017-18
 29 \$290,000 Cash Funds for state aid, which shall only be used for such
 30 purpose. There is included in the appropriation to this program for

1 FY2018-19 \$290,000 Cash Funds for state aid, which shall only be used for
2 such purpose.

3 Sec. 251. AGENCY NO. 94 – COMMISSION ON PUBLIC ADVOCACY

4 Program No. 455 - DNA Testing

5		FY2017-18	FY2018-19
6	CASH FUND	75,000	75,000
7	PROGRAM TOTAL	75,000	75,000
8	SALARY LIMIT	-0-	-0-

9 Sec. 252. CASH FUNDS.

10 The receipts for FY2017-18 and FY2018-19 inuring to the several Cash
11 Funds, together with any amounts held in account by the State Treasurer
12 on June 30, 2017, are hereby credited to each of the funds respectively.

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

16 (1) Legislative Council: Nebraska Legislative Shared Information
17 System Cash Fund, Donations/Contributions Cash Fund, Nebraska Health Care
18 Cash Fund, Nebraska Statutes Cash Fund, Clerk of the Legislature Cash
19 Fund, Biotechnology Development Cash Fund;

20 (2) Supreme Court: Supreme Court Reports Cash Fund, Court Appointed
21 Special Advocate Fund, Nebraska Statutes Distribution Cash Fund, Supreme
22 Court Attorney Services Cash Fund, Probation Program Cash Fund, Probation
23 Cash Fund, State Probation Contractual Services Cash Fund, Dispute
24 Resolution Cash Fund, Counsel for Discipline Cash Fund, Supreme Court
25 Education Fund, Supreme Court Automation Cash Fund, Parenting Act Fund,
26 Public Guardianship Cash Fund;

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

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

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

2 (6) Attorney General: Motor Vehicle Fraud Cash Fund, Department of
3 Justice Natural Resources Enforcement Fund, State Settlement Cash Fund,
4 Nebraska Health Care Cash Fund, State Medicaid Fraud Control Unit Cash
5 Fund;

6 (7) State Treasurer: State Treasurer Administrative Fund, Unclaimed
7 Property Cash Fund, Mutual Finance Assistance Fund, College Savings Plan
8 Administrative Fund, College Savings Plan Expense Fund, Convention Center
9 Support Fund, State Disbursement Unit Cash Fund, Treasury Management Cash
10 Fund, Sports Arena Facility Support Fund, Political Subdivision Recapture
11 Cash Fund;

12 (8) State Department of Education: State Department of Education
13 Cash Fund, Certification Fund, Professional Practices Commission Fund,
14 Tax Equity and Educational Opportunities Fund, Education Innovation Fund,
15 School Technology Fund, Tuition Recovery Cash Fund, Private Postsecondary
16 Career Schools Cash Fund, Excellence in Teaching Cash Fund, School
17 District Reorganization Fund, Early Childhood Education Endowment Cash
18 Fund, Nebraska Education Improvement Fund, High School Equivalency Grant
19 Fund, Expanded Learning Opportunity Grant Fund;

20 (9) Public Service Commission: Nebraska Grain Warehouse Surveillance
21 Cash Fund, Nebraska Telecommunications Relay System Fund, Public Service
22 Commission Housing and Recreational Vehicle Cash Fund, Nebraska
23 Telecommunications Universal Service Fund, Nebraska Internet Enhancement
24 Fund, Nebraska Competitive Telephone Marketplace Fund, Enhanced Wireless
25 911 Fund, Moisture Testing Examination Fund, Grain Warehouse Auditing
26 Fund, Municipal Rate Negotiations Revolving Loan Fund, Public Service
27 Commission Pipeline Regulation Fund, 911 Service System Fund,
28 Transportation Network Company Regulation Cash Fund;

29 (10) Board of Parole: Parole Program Cash Fund;

30 (11) Department of Revenue: Department of Revenue Enforcement Fund,
31 State Lottery Operation Cash Fund, Marijuana and Controlled Substances

1 Tax Administration Cash Fund, Waste Reduction and Recycling Incentive
2 Fees Collection Fund, Petroleum Release Remedial Action Collection Fund,
3 Litter Fee Collection Fund, Severance Tax Administration Fund, Department
4 of Revenue Miscellaneous Receipts Fund, Charitable Gaming Operations
5 Fund, Tobacco Products Administration Cash Fund, Nebraska Incentives
6 Fund, Motor Fuel Tax Enforcement and Collection Cash Fund, Nebraska
7 Health Care Cash Fund, State Athletic Commissioner's Cash Fund,
8 Department of Revenue Property Assessment Division Cash Fund, Property
9 Tax Credit Cash Fund, Nebraska Advantage Transformational Tourism and
10 Redevelopment Act Cash Fund, Airline and Carline Cash Fund, Compulsive
11 Gamblers Assistance Fund;

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

13 (13) Department of Agriculture: Fertilizers and Soil Conditioners
14 Administrative Fund, Commercial Feed Administration Cash Fund, Pure Milk
15 Cash Fund, Soil and Plant Analysis Laboratory Cash Fund, Livestock
16 Auction Market Fund, Nebraska Potato Development Fund, Graded Egg Fund,
17 Weights and Measures Administrative Fund, Nebraska Poultry and Egg
18 Development, Utilization, and Marketing Fund, Agricultural Products
19 Marketing Information Cash Fund, Manufacturing Milk Cash Fund, Pure Food
20 Cash Fund, Nebraska Agricultural Products Marketing Cash Fund, State
21 Apiary Cash Fund, Pseudorabies Control Cash Fund, Weed Book Cash Fund,
22 Pesticide Administrative Cash Fund, Nebraska Seed Administrative Cash
23 Fund, Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash
24 Fund, Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage
25 Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive Fund,
26 Winery and Grape Producers Promotional Fund, Commercial Dog and Cat
27 Operator Inspection Program Cash Fund, Domesticated Cervine Animal Cash
28 Fund, Anthrax Control Act Cash Fund, Noxious Weed and Invasive Plant
29 Species Assistance Fund, Agricultural Laboratory Testing Services Cash
30 Fund, Agricultural Suppliers Lease Protection Cash Fund, Nebraska Beer
31 Industry Promotional Fund;

1 (14) Department of Banking and Finance: Financial Institution
2 Assessment Cash Fund, Securities Act Cash Fund, Department of Banking and
3 Finance Settlement Cash Fund;

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

7 (16) Department of Insurance: Department of Insurance Cash Fund;

8 (17) Department of Labor: Employment Security Special Contingent
9 Fund, Boiler Inspection Cash Fund, Mechanical Safety Inspection Fund,
10 Nebraska Training and Support Cash Fund, Contractor and Professional
11 Employer Organization Registration Cash Fund, Sector Partnership Program
12 Fund;

13 (18) Department of Motor Vehicles: Motor Carrier Division Cash Fund,
14 Department of Motor Vehicles Cash Fund, Department of Motor Vehicles
15 Ignition Interlock Fund, License Plate Cash Fund;

16 (19) Department of Health and Human Services: Health and Human
17 Services Cash Fund, Veterans' Home Building Fund, Institution Cash Fund,
18 Small Business Enterprises Cash Fund, School District Reimbursement Fund,
19 Nebraska Child Abuse Prevention Fund, Nebraska Health Care Cash Fund,
20 Children's Health Insurance Cash Fund, Childhood Care Cash Fund,
21 University of Nebraska Medical Center Medical Education Revolving Fund,
22 Behavioral Health Services Fund, Health and Human Services Reimbursement
23 Fund, Professional and Occupational Credentialing Cash Fund, Rural Health
24 Professional Incentive Fund, Organ and Tissue Donor Awareness and
25 Education Fund, Tobacco Prevention and Control Cash Fund, Stem Cell
26 Research Cash Fund, Prescription Drug Monitoring Program Fund;

27 (20) Department of Roads: Highway Cash Fund, Grade Crossing
28 Protection Fund, State Recreation Road Fund, Roads Operations Cash Fund,
29 State Highway Capital Improvement Fund, Transportation Infrastructure
30 Bank Fund;

31 (21) Department of Veterans' Affairs: Veteran Cemetery Construction

1 Fund, Nebraska Veteran Cemetery System Operation Fund;

2 (22) Department of Natural Resources: Water Resources Cash Fund,
3 Small Watersheds Flood Control Fund, Nebraska Resources Development Fund,
4 Nebraska Soil and Water Conservation Fund, Natural Resources Water
5 Quality Fund, Water Well Decommissioning Fund, Carbon Sequestration
6 Assessment Cash Fund, Water Resources Trust Fund, Department of Natural
7 Resources Cash Fund, Water Sustainability Fund, Critical Infrastructure
8 Facilities Cash Fund;

9 (23) State Electrical Board: Electrical Division Fund;

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

14 (25) Board of Educational Lands and Funds: Surveyors' Cash Fund,
15 Board of Educational Lands and Funds Cash Fund, Survey Record Repository
16 Fund;

17 (26) Game and Parks Commission: State Game Fund, State Park Cash
18 Revolving Fund, Nebraska Habitat Fund, Nebraska Aquatic Habitat Fund,
19 Nebraska Snowmobile Trail Cash Fund, Nebraska Outdoor Recreation
20 Development Cash Fund, Wildlife Conservation Fund, Nebraska Environmental
21 Trust Fund, Cowboy Trail Fund, Game Law Investigation Cash Fund, Niobrara
22 Council Fund, Nebraska Environmental Endowment Fund, Ferguson House Fund,
23 Nebraska Youth Conservation Program Fund, Hunters Helping the Hungry Cash
24 Fund, Game and Parks Commission Capital Maintenance Fund, Game and Parks
25 State Park Improvement and Maintenance Fund, Game and Parks Commission
26 Educational Fund;

27 (27) Nebraska Library Commission: Nebraska Library Commission Cash
28 Fund;

29 (28) Nebraska Liquor Control Commission: Nebraska Liquor Control
30 Commission Rule and Regulation Cash Fund;

31 (29) State Racing Commission: Racing Commission's Cash Fund, Track

- 1 Distribution Fund;
- 2 (30) Nebraska Workers' Compensation Court: Compensation Court Cash
3 Fund;
- 4 (31) Nebraska Brand Committee: Nebraska Brand Inspection and Theft
5 Prevention Fund;
- 6 (32) Nebraska Motor Vehicle Industry Licensing Board: Nebraska Motor
7 Vehicle Industry Licensing Fund;
- 8 (33) State Real Estate Commission: State Real Estate Commission's
9 Fund;
- 10 (34) Board of Barber Examiners: Board of Barber Examiners Fund;
- 11 (35) Department of Correctional Services: Department of Correctional
12 Services Facility Cash Fund, Reentry Cash Fund, Vocational and Life
13 Skills Programming Fund;
- 14 (36) Nebraska Educational Telecommunications Commission: State
15 Educational Telecommunications Fund, NEB*SAT Cash Fund;
- 16 (37) Coordinating Commission for Postsecondary Education:
17 Coordinating Commission for Postsecondary Education Cash Fund, Nebraska
18 Opportunity Grant Fund;
- 19 (38) Nebraska State Colleges: Chadron Cash Fund, Peru Cash Fund,
20 Wayne Cash Fund, Chadron State College Designated Cash Fund, Peru State
21 College Designated Cash Fund, Wayne State College Designated Cash Fund,
22 Board of Trustees Cash Fund, State Colleges Sport Facilities Cash Fund;
- 23 (39) University of Nebraska: Financial Literacy Cash Fund,
24 University Cash Fund, Temporary University Fund, University of Nebraska
25 at Omaha Cash Fund, University of Nebraska Medical Center Cash Fund,
26 University of Nebraska at Kearney Cash Fund, University of Nebraska
27 Central Administration Designated Cash Fund, University of Nebraska-
28 Lincoln Designated Cash Fund, University of Nebraska at Omaha Designated
29 Cash Fund, University of Nebraska Medical Center Designated Cash Fund,
30 University of Nebraska at Kearney Designated Cash Fund, State Anatomical
31 Board Cash Fund;

1 (40) Nebraska State Fair Board: Nebraska State Fair Support and
2 Improvement Cash Fund;

3 (41) Real Property Appraiser Board: Real Property Appraiser Fund,
4 Appraisal Management Company Fund;

5 (42) Nebraska State Historical Society: Historical Society Fund,
6 Historical Landmark Cash Fund, Nebraska Job Creation and Mainstreet
7 Revitalization Fund, Nebraska 150 Sesquicentennial Plate Proceeds Fund;

8 (43) Nebraska Wheat Development, Utilization, and Marketing Board:
9 Nebraska Wheat Development, Utilization, and Marketing Fund;

10 (44) Nebraska Oil and Gas Conservation Commission: Oil and Gas
11 Conservation Fund;

12 (45) Board of Engineers and Architects: Engineers and Architects
13 Regulation Fund;

14 (46) Board of Geologists: Geologists Regulation Fund;

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

17 (48) Nebraska Dairy Industry Development Board: Nebraska Dairy
18 Industry Development Fund;

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

21 (50) Nebraska State Board of Public Accountancy: Certified Public
22 Accountants Fund;

23 (51) Nebraska State Patrol: Nebraska State Patrol Cash Fund,
24 Investigation Petty Cash Fund, Carrier Enforcement Cash Fund, Nebraska
25 State Patrol Drug Control and Education Cash Fund, Public Safety Cash
26 Fund, Nebraska State Patrol Vehicle Replacement Cash Fund, Nebraska
27 Public Safety Communication System Cash Fund, Combined Law Enforcement
28 Information Network Cash Fund, State DNA Sample and Database Fund,
29 Treasure Agency Forfeitures Cash Fund;

30 (52) Department of Administrative Services: Building Renewal
31 Allocation Fund, State Building Renewal Assessment Fund, University

1 Building Renewal Assessment Fund, State College Building Renewal
2 Assessment Fund, Capitol Restoration Cash Fund, Vacant Building and
3 Excess Land Cash Fund, Resource Recovery Fund, Tort Claims Fund,
4 Information Technology Infrastructure Fund, Health and Life Benefit
5 Administration Cash Fund, World Day on the Mall Cash Fund;

6 (53) Abstracters Board of Examiners: Abstracters Board of Examiners
7 Cash Fund;

8 (54) Commission on Latino-Americans: Hispanic Awareness Cash Fund,
9 Commission on Latino-Americans Cash Fund;

10 (55) Nebraska Arts Council: Nebraska Arts Council Cash Fund,
11 Nebraska Arts and Humanities Cash Fund;

12 (56) Foster Care Review Office: Foster Care Review Office Cash Fund;

13 (57) Nebraska Energy Office: State Energy Office Cash Fund, Clean-
14 burning Motor Fuel Development Fund;

15 (58) Department of Economic Development: Nebraska Agricultural
16 Products Research Fund, Job Training Cash Fund, Administrative Cash Fund,
17 Affordable Housing Trust Fund, Comprehensive Housing Strategy Cash Fund,
18 Economic Development Cash Fund, Civic and Community Center Financing
19 Fund;

20 (59) State Board of Landscape Architects: State Board of Landscape
21 Architects Cash Fund;

22 (60) Nebraska Power Review Board: Nebraska Power Review Fund;

23 (61) Nebraska Investment Council: State Investment Officer's Cash
24 Fund;

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

29 (63) Commission for the Blind and Visually Impaired: Commission for
30 the Blind and Visually Impaired Cash Fund;

31 (64) Commission for the Deaf and Hard of Hearing: Commission for the

1 Deaf and Hard of Hearing Fund;

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

16 (66) Public Employees Retirement Board: School Expense Fund, Judges
17 Expense Fund, State Patrol Expense Fund, Deferred Compensation Expense
18 Fund, State Employees Retirement System Expense Fund, County Employees
19 Retirement System Expense Fund, State Cash Balance Expense Fund, County
20 Cash Balance Expense Fund;

21 (67) Dry Bean Commission: Dry Bean Development, Utilization,
22 Promotion, and Education Fund;

23 (68) Nebraska Accountability and Disclosure Commission: Nebraska
24 Accountability and Disclosure Commission Cash Fund;

25 (69) Corn Development, Utilization, and Marketing Board: Nebraska
26 Corn Development, Utilization, and Marketing Fund;

27 (70) Community College Aid: Nebraska Community College Aid Cash
28 Fund;

29 (71) Grain Sorghum Development, Utilization, and Marketing Board:
30 Grain Sorghum Development, Utilization, and Marketing Fund;

31 (72) Tax Equalization and Review Commission: Tax Equalization and

1 Review Commission Cash Fund;

2 (73) Commission on Public Advocacy: Legal Education for Public
3 Service and Rural Practice Loan Repayment Assistance Fund, Commission on
4 Public Advocacy Operations Cash Fund, Legal Aid and Services Fund, Civil
5 Legal Services Fund;

6 (74) Commission on Indian Affairs: Commission on Indian Affairs Cash
7 Fund, Designated Collection Fund; and

8 (75) Nebraska Tourism Commission: State Visitors Promotion Cash
9 Fund, Tourism Conference Cash Fund.

10 Sec. 253. FEDERAL FUNDS.

11 The receipts for FY2017-18 and FY2018-19 inuring to the several
12 Federal Funds, together with any amounts held in account by the State
13 Treasurer on June 30, 2017, are hereby credited to each of the funds
14 respectively. Expenditure of Federal Funds appropriated in this act shall
15 not be limited to the amount shown.

16 Any Federal Funds, not otherwise appropriated, any additional
17 Federal Funds made available to the credit of the State Treasurer, and
18 any amounts on hand in any such Federal Funds on June 30, 2017, are
19 hereby appropriated to the expending agency designated by the federal
20 government or, if none is designated, to such expending agency as may be
21 designated by the Governor.

22 Sec. 254. REVOLVING FUNDS.

23 The receipts for FY2017-18 and FY2018-19 inuring to the several
24 Revolving Funds, together with any amounts held in account by the State
25 Treasurer on June 30, 2017, are hereby credited to each of the funds
26 respectively. Expenditure of Revolving Funds appropriated in this act
27 shall be limited to the amount shown by program except when specific
28 exceptions are made. The amounts appropriated in this act include the
29 following funds:

30 (1) Governor: Governor's Policy Research Office Revolving Fund;

31 (2) Secretary of State: Records Management Micrographics Services

1 Revolving Fund;

2 (3) Attorney General: Department of Justice Revolving Fund;

3 (4) State Department of Education: State Department of Education
4 Revolving Fund;

5 (5) Department of Agriculture: Management Services Expense Revolving
6 Fund;

7 (6) Department of Correctional Services: Correctional Industries
8 Revolving Fund, Federal Surplus Property Fund, Department of Correctional
9 Services Warehouse Revolving Fund;

10 (7) Nebraska State Colleges: The money accruing to the Auxiliary
11 Enterprise Revolving Funds for student activity fees, dormitory rentals,
12 dormitory operations and maintenance, cafeteria operations, and student
13 union operations at Chadron, Peru, and Wayne State Colleges, and the
14 State College Capital Improvement Fund;

15 (8) University of Nebraska: University of Nebraska-Lincoln Revolving
16 Fund, University of Nebraska at Omaha Revolving Fund, University of
17 Nebraska Medical Center Revolving Fund, University of Nebraska Medical
18 Center Medical Education Revolving Fund, University of Nebraska at
19 Kearney Revolving Fund, University Tractor Test Revolving Fund;

20 (9) Nebraska State Patrol: Capitol Security Revolving Fund; and

21 (10) Department of Administrative Services: Department of
22 Administrative Services Revolving Fund, Materiel Division Revolving Fund,
23 Communications Revolving Fund, Transportation Services Bureau Revolving
24 Fund, Capitol Buildings Parking Revolving Fund, State Building Revolving
25 Fund, Central Stores Revolving Fund, State Surplus Property Revolving
26 Fund, Information Management Revolving Fund, Temporary Employee Pool
27 Revolving Fund, State Insurance Fund, State Self-Insured Indemnification
28 Fund, Accounting Division Revolving Fund, Intergovernmental Data Services
29 Program Revolving Fund, Workers' Compensation Claims Revolving Fund,
30 Personnel Division Revolving Fund, Training Revolving Fund, Nebraska
31 Public Safety Communication System Revolving Fund, Shared Services

1 Revolving Fund.

2 Sec. 255. TRUST FUNDS.

3 The receipts for FY2017-18 and FY2018-19 inuring to the several
4 trust funds, together with any amounts held in account by the State
5 Treasurer on June 30, 2017, are hereby credited to each of the funds
6 respectively, which funds are hereby appropriated for FY2017-18 and
7 FY2018-19:

8 (1) Attorney General: State Settlement Trust Fund;

9 (2) State Treasurer: Highway Trust Fund, Highway Tax Trust Fund,
10 Bessey Memorial Fund, Common School Fund, Highway Revenue Bonds
11 Redemption Trust Fund, Revenue-Sharing Trust Fund, Michael B. Amos
12 Educational Trust Fund, James M. Amos Educational Trust Fund, Excess
13 Liability Fund, Insurance Investments Inc. Trust Fund, Financial
14 Responsibility Act Trust Fund, Importing Dealers Trust Fund, Special Fuel
15 Dealers Trust Fund, Nebraska Cultural Preservation Endowment Fund,
16 College Savings Plan Program Fund, Escheat Trust Fund, life insurance
17 corporation demutualization trust fund, Excess Liability Fund,
18 Agricultural College Endowment Fund;

19 (3) State Department of Education: State Department of Education
20 Trust Fund, temporary school fund;

21 (4) Public Service Commission: Public Service Commission Elevator
22 Trust Fund;

23 (5) Department of Revenue: State Lottery Operation Trust Fund, State
24 Lottery Prize Trust Fund, Municipal Equalization Fund;

25 (6) Department of Aeronautics: Department of Aeronautics Trust Fund;

26 (7) Department of Insurance: Premium and Retaliatory Tax Suspense
27 Fund;

28 (8) Department of Labor: State Unemployment Insurance Trust Fund;

29 (9) Department of Motor Vehicles: Motor Vehicle Responsibility Act
30 Fund;

31 (10) Department of Health and Human Services: Dormant Trust Funds,

1 Institution Canteen Amusement Trust Funds, Alcoholism Contribution Trust
2 Fund, Visual Impairment Trust Fund, Finance and Support Trust Fund, State
3 Wards Accounts Trust Fund, Medically Handicapped Children Trust Fund,
4 Store and Canteen Accounts Trust Fund, Welfare and Club Accounts Trust
5 Fund, Juvenile Trust Fund, Nebraska Tobacco Settlement Trust Fund,
6 Nebraska Medicaid Intergovernmental Trust Fund;

7 (11) Department of Roads: Highway Restoration and Improvement Bond
8 Fund;

9 (12) Department of Veterans' Affairs: Veterans' Aid Income Fund,
10 Nebraska Veteran Cemetery System Endowment Fund;

11 (13) Board of Educational Lands and Funds: Nebraska Veterans' Aid
12 Fund, Permanent University Fund, permanent school fund, Normal School
13 Endowment Investment Fund, Agricultural Endowment Fund, Agricultural and
14 University Land Lease Fund;

15 (14) Nebraska Library Commission: Nebraska Library Commission Trust
16 Fund;

17 (15) Nebraska Workers' Compensation Court: Workers' Compensation
18 Trust Fund;

19 (16) Department of Correctional Services: Store and Canteen Accounts
20 Trust Fund, Welfare and Club Accounts Trust Fund, Inmate Trust Fund;

21 (17) Nebraska Educational Telecommunications Commission: Public
22 Radio Nebraska Foundation Trust Fund, Nebraska Educational
23 Telecommunications Trust Fund;

24 (18) Coordinating Commission for Postsecondary Education:
25 Coordinating Commission for Postsecondary Education Trust Fund, SUN-MART
26 Scholarship Trust Fund;

27 (19) Board of Trustees of the Nebraska State Colleges: State College
28 Endowment Fund, Education Enhancement Trust Fund, LB 1100 Construction
29 Trust Fund, Davis Scholarship Trust Fund;

30 (20) Nebraska State Colleges: Student Activity Trust Funds at
31 Chadron, Peru, and Wayne State Colleges, Wayne State Bequests Trust Fund,

1 Wayne State College Electronic Funds Transfer Loan Trust Fund, Peru State
2 Construction Trust Fund;

3 (21) University of Nebraska: University Trust Fund, University of
4 Nebraska at Omaha Trust Fund, University of Nebraska Medical Center Trust
5 Fund, University of Nebraska at Kearney Trust Fund, University of
6 Nebraska-Lincoln Federal Student Loan Trust Fund, University of Nebraska
7 Medical Center Student Loan Trust Fund, University of Nebraska at Omaha
8 Electronic Funds Transfer Trust Fund, University of Nebraska at Omaha
9 Federal Student Loan Trust Fund, Deferred Maintenance Project Trust Fund,
10 Nebraska College of Technical Agriculture at Curtis Scholarship Trust
11 Fund, UNMC RHOP Loan Trust Fund, UNL Minority Students Scholarship Trust
12 Fund, UNMC Capital and Program Reserve Trust Fund;

13 (22) Nebraska State Historical Society: Hall of Fame Trust Fund,
14 Library Archives Trust Fund, Nebraska State Historical Society
15 Collections Trust Fund, Cheyenne Outbreak Barracks Trust Fund, Bridge
16 Book Sale Trust Fund;

17 (23) Nebraska Oil and Gas Conservation Commission: Oil and Gas
18 Conservation Trust Fund;

19 (24) Department of Administrative Services: Master Lease Program
20 Trust Fund, NIS Operating Trust Fund, Flexible Spending Fund, State
21 Employees Insurance Fund;

22 (25) Nebraska Arts Council: Nebraska Arts Council Trust Fund,
23 Nebraska Cultural Preservation Endowment Fund;

24 (26) Nebraska Energy Office: Nebraska Energy Settlement Fund;

25 (27) Department of Environmental Quality: Hazardous Waste Sites
26 Trust Fund, Leaking Underground Storage Tanks Trust Fund, Wastewater
27 Treatment Facilities Construction Loan Fund, Drinking Water Facilities
28 Loan Fund, Drinking Water State Revolving Fund, Recycled Principal Fund;
29 and

30 (28) Public Employees Retirement Board: Annuity Reserve Fund,
31 Nebraska Retirement Fund for Judges, Contingent Fund, School Employees

1 Savings Fund, State Patrol Retirement Fund, School Employers Deposit
2 Fund, Service Annuity Fund, Retired Teachers Supplementary Benefits Fund,
3 State Equal Retirement Benefit Fund, County Equal Retirement Benefit
4 Fund, County Employees Retirement Fund, Judges Contingent Trust Fund,
5 State Patrol Contingent Trust Fund, School Operating Trust Fund, School
6 Retirement Fund, State Cash Balance Retirement Fund, County Cash Balance
7 Retirement Fund, Class V Retirement System Payment Processing Fund.

8 Sec. 256. REFUND AND DISTRIBUTIVE FUNDS.

9 The receipts for FY2017-18 and FY2018-19 inuring to the several
10 refund and distributive funds, together with any amounts held in account
11 by the State Treasurer on June 30, 2017, are hereby credited to each of
12 the funds respectively, which funds are hereby appropriated for FY2017-18
13 and FY2018-19:

14 (1) State Treasurer: Car Line Refund Fund, Insurance Tax Fund,
15 Highway Allocation Fund, Aircraft Fuel Tax Fund, Severance Tax Fund,
16 Suspense Fund, State Treasurer's Land Sales Distributive Fund;

17 (2) State Department of Education: Public Grazing Fund, Forest
18 Reserve Fund, Flood Control Fund, Insurance Tax Fund;

19 (3) Department of Labor: Income Tax Setoff Fund;

20 (4) Department of Motor Vehicles: International Registration Plan
21 Distributive Fund;

22 (5) Department of Health and Human Services: Child Support
23 Operations Distribution Fund, Supplemental Security Income Distribution
24 Fund, Food Distribution Fund;

25 (6) Department of Roads: State Aid Bridge Fund;

26 (7) Nebraska Library Commission: NEBASE Fund;

27 (8) Coordinating Commission for Postsecondary Education: State
28 Student Incentive Grant Match Fund;

29 (9) Department of Administrative Services: Imprest Payroll
30 Distributive Fund, State Purchasing Card Distributive Fund; and

31 (10) Public Employees Retirement Board: Deferred Compensation Fund.

1 Sec. 257. FUND LAPSES AND TRANSFERS.

2 The State Treasurer shall make the transfers specified in this
3 section between funds, in the amounts indicated. Unless otherwise noted,
4 transfers for FY2017-18 shall occur on July 1, 2017, or as soon
5 thereafter as administratively possible, and transfers for FY2018-19
6 shall occur on July 1, 2018, or as soon thereafter as administratively
7 possible. All agencies with administrative responsibilities for these
8 funds shall assist the State Treasurer as needed in implementing the
9 transfers.

10 (1) Transfers for FY2017-18 shall include:

11 (a) From the General Fund to the Nebraska State Patrol Cash Fund:
12 \$115,000 less the unexpended balance existing on June 30, 2017, in (i)
13 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash
14 Fund, (iii) any special checking account or accounts used by the Nebraska
15 State Patrol, and (iv) the possession of agency personnel involved in
16 investigations, when the unexpended balances resulted from General Fund
17 transfers to the Nebraska State Patrol Cash Fund or from General Fund
18 appropriations. Any transfers made shall be subject to a final
19 reconciliation of available investigation cash fund balances as of June
20 30, 2017, by the Nebraska State Patrol.

21 It is the intent of the Legislature that the Nebraska State Patrol
22 have available a total of \$115,000 from the General Fund for FY2017-18 to
23 be used in making drug purchases, for enforcing Nebraska laws relating to
24 felonies, for enforcing the Nebraska liquor laws, and for payment of
25 investigative expenses;

26 (b) From the Tobacco Products Administration Cash Fund to the
27 General Fund: \$10,000,000 on or before June 15, 2018, on such date as
28 directed by the budget administrator of the budget division of the
29 Department of Administrative Services;

30 (c) From the Charitable Gaming Operations Fund to the General Fund:
31 \$800,000 on or before June 15, 2018, on such date as directed by the

1 budget administrator of the budget division of the Department of
2 Administrative Services;

3 (d) From the Securities Act Cash Fund to the General Fund:
4 \$7,500,000 on or before September 30, 2017, \$7,500,000 on or before
5 December 31, 2017, \$7,500,000 on or before March 31, 2018, and \$7,500,000
6 on or before June 30, 2018, on such dates as directed by the budget
7 administrator of the budget division of the Department of Administrative
8 Services;

9 (e) From the Health and Human Services Cash Fund to the University
10 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases
11 Cash Fund: \$500,000, pursuant to section 81-638;

12 (f) From the Department of Insurance Cash Fund to the General Fund:
13 \$4,125,000 on or before September 30, 2017, and \$4,125,000 on or before
14 March 31, 2018, on such dates as directed by the budget administrator of
15 the budget division of the Department of Administrative Services;

16 (g) From the State Building Renewal Assessment Fund to the General
17 Fund: \$258,000 on or before June 30, 2018, on such date as directed by
18 the budget administrator of the budget division of the Department of
19 Administrative Services;

20 (h) From the Building Renewal Allocation Fund to the General Fund:
21 \$273,000 on or before June 30, 2018, on such date as directed by the
22 budget administrator of the budget division of the Department of
23 Administrative Services;

24 (i) From the Roads Operations Cash Fund to the Carrier Enforcement
25 Cash Fund: \$8,165,761, less the unexpended balance existing on June 30,
26 2017, in the Carrier Enforcement Cash Fund. Transfers shall be made in
27 four equal quarterly amounts on or before July 15, October 15, January
28 15, and April 15;

29 (j) From the Petroleum Release Remedial Action Cash Fund to the
30 Underground Storage Tank Fund: \$50,000 on or before July 5, 2017;

31 (k) From the Petroleum Release Remedial Action Cash Fund to the

1 Superfund Cost Share Cash Fund: Up to a maximum of \$1,500,000. Transfers
2 shall be made as required by the Department of Environmental Quality and
3 used pursuant to subdivision (2)(i) of section 66-1519.

4 (l) From the State Building Revolving Fund to the Capitol Security
5 Revolving Fund: \$750,395. Transfers shall be made in four equal quarterly
6 amounts on or before July 15, October 15, January 15, and April 15.

7 Transfers shall be made to pay non-General-Fund costs associated
8 with the operation of the state capitol security division of the Nebraska
9 State Patrol;

10 (m) From the Highway Trust Fund to the Motor Fuel Tax Enforcement
11 and Collection Cash Fund: \$1,200,000, less the unobligated balance in the
12 Motor Fuel Tax Enforcement and Collection Cash Fund on June 30, 2017.
13 Transfers shall be made in twelve equal monthly amounts;

14 (n) From the Highway Trust Fund to the Motor Carrier Division Cash
15 Fund: Up to a maximum of \$1,200,000. Transfers shall be made as required
16 by the Department of Motor Vehicles to operate the Division of Motor
17 Carrier Services;

18 (o) From the Civic and Community Center Financing Fund to the
19 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2017, or as
20 soon thereafter as administratively possible, as provided for in sections
21 13-2704 and 77-5601;

22 (p) From the Highway Trust Fund to the License Plate Cash Fund:
23 \$3,000,000. Transfers shall be made as required by the Department of
24 Motor Vehicles to meet the expenditures of plate and sticker production;

25 (q) From the Flexible Spending Trust Fund to the Health and Life
26 Benefit Administration Cash Fund: \$140,000, except that if the total
27 available unobligated balance of forfeitures in the Flexible Spending
28 Trust Fund as of June 30, 2017, is less than \$140,000, then the State
29 Treasurer shall transfer the difference, not to exceed \$140,000, from the
30 State Employees Insurance Fund. Transfers shall be made to pay the costs
31 associated with the administration of the Flexible Spending Account

1 program;

2 (r) From the State Employees Insurance Fund to the Health and Life
3 Benefit Administration Cash Fund: \$1,151,814, less the June 30, 2017,
4 unobligated Health and Life Benefit Administration Cash Fund balance;

5 (s) From the Severance Tax Fund to the Municipal Rate Negotiations
6 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

7 (t) From the Severance Tax Fund to the State Energy Office Cash
8 Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in
9 twelve equal monthly amounts;

10 (u) From the Department of Motor Vehicles Ignition Interlock Fund to
11 the General Fund: \$150,000 on or before June 15, 2018, on such date as
12 directed by the budget administrator of the budget division of the
13 Department of Administrative Services;

14 (v) From the Petroleum Release Remedial Action Cash Fund to the
15 General Fund: \$500,000 on or before June 30, 2018, on such date as
16 directed by the budget administrator of the budget division of the
17 Department of Administrative Services;

18 (w) From the Nebraska Litter Reduction and Recycling Fund to the
19 General Fund: \$200,000 on or before June 30, 2018, on such date as
20 directed by the budget administrator of the budget division of the
21 Department of Administrative Services;

22 (x) From the Waste Reduction and Recycling Incentive Fund to the
23 General Fund: \$400,000 on or before June 15, 2018, on such date as
24 directed by the budget administrator of the budget division of the
25 Department of Administrative Services;

26 (y) From the Records Management Cash Fund to the General Fund:
27 \$530,000 on or before June 15, 2018, on such date as directed by the
28 budget administrator of the budget division of the Department of
29 Administrative Services;

30 (z) From the Nebraska Training and Support Cash Fund to the Sector
31 Partnership Program Fund: \$500,000 on or before July 15, 2017, on such

1 date as directed by the budget administrator of the budget division of
2 the Department of Administrative Services;

3 (aa) From the Nebraska Motor Vehicle Industry Licensing Fund to the
4 General Fund: \$200,000 on or before June 30, 2018, on such date as
5 directed by the budget administrator of the budget division of the
6 Department of Administrative Services; and

7 (bb) From the Nebraska Capital Construction Fund to the Capitol
8 Restoration Cash Fund: \$98,417 on or before June 30, 2018, on such date
9 as directed by the budget administrator of the budget division of the
10 Department of Administrative Services.

11 (2) Transfers for FY2018-19 shall include:

12 (a) From the General Fund to the Nebraska State Patrol Cash Fund:
13 \$115,000 less the unexpended balance existing on June 30, 2018, in (i)
14 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash
15 Fund, (iii) any special checking account or accounts used by the Nebraska
16 State Patrol, and (iv) the possession of agency personnel involved in
17 investigations, when the unexpended balances resulted from General Fund
18 transfers to the Nebraska State Patrol Cash Fund or from General Fund
19 appropriations. Any transfers made shall be subject to a final
20 reconciliation of available investigation cash fund balances as of June
21 30, 2018, by the Nebraska State Patrol.

22 It is the intent of the Legislature that the Nebraska State Patrol
23 have available a total of \$115,000 from the General Fund for FY2018-19 to
24 be used in making drug purchases, for enforcing Nebraska laws relating to
25 felonies, for enforcing the Nebraska liquor laws, and for payment of
26 investigative expenses;

27 (b) From the Tobacco Products Administration Cash Fund to the
28 General Fund: \$10,000,000 on or before June 15, 2019, on such date as
29 directed by the budget administrator of the budget division of the
30 Department of Administrative Services;

31 (c) From the Charitable Gaming Operations Fund to the General Fund:

1 \$800,000 on or before June 15, 2019, on such date as directed by the
2 budget administrator of the budget division of the Department of
3 Administrative Services;

4 (d) From the Securities Act Cash Fund to the General Fund:
5 \$7,500,000 on or before September 30, 2018, \$7,500,000 on or before
6 December 31, 2018, \$7,500,000 on or before March 31, 2019, and \$7,500,000
7 on or before June 30, 2019, on such dates as directed by the budget
8 administrator of the budget division of the Department of Administrative
9 Services;

10 (e) From the Health and Human Services Cash Fund to the University
11 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases
12 Cash Fund: \$500,000, pursuant to section 81-638;

13 (f) From the Department of Insurance Cash Fund to the General Fund:
14 \$4,125,000 on or before September 30, 2018, and \$4,125,000 on or before
15 March 31, 2019, on such dates as directed by the budget administrator of
16 the budget division of the Department of Administrative Services;

17 (g) From the State Building Renewal Assessment Fund to the General
18 Fund: \$258,000 on or before June 30, 2019, on such date as directed by
19 the budget administrator of the budget division of the Department of
20 Administrative Services;

21 (h) From the Building Renewal Allocation Fund to the General Fund:
22 \$273,000 on or before June 30, 2019, on such date as directed by the
23 budget administrator of the budget division of the Department of
24 Administrative Services;

25 (i) From the Roads Operations Cash Fund to the Carrier Enforcement
26 Cash Fund: \$8,261,749. Transfers shall be made in four equal quarterly
27 amounts on or before July 15, October 15, January 15, and April 15;

28 (j) From the Petroleum Release Remedial Action Cash Fund to the
29 Underground Storage Tank Fund: \$50,000 on or before July 5, 2018;

30 (k) From the Petroleum Release Remedial Action Cash Fund to the
31 Superfund Cost Share Cash Fund: Up to a maximum of \$1,500,000. Transfers

1 shall be made as required by the Department of Environmental Quality and
2 used pursuant to subdivision (2)(i) of section 66-1519;

3 (l) From the State Building Revolving Fund to the Capitol Security
4 Revolving Fund: \$766,702. Transfers shall be made in four equal quarterly
5 amounts on or before July 15, October 15, January 15, and April 15.
6 Transfers shall be made to pay non-General-Fund costs associated with the
7 operation of the state capitol security division of the Nebraska State
8 Patrol;

9 (m) From the Highway Trust Fund to the Motor Fuel Tax Enforcement
10 and Collection Cash Fund: \$1,200,000, less the unobligated balance in the
11 Motor Fuel Tax Enforcement and Collection Cash Fund on June 30, 2017.
12 Transfers shall be made in twelve equal monthly amounts;

13 (n) From the Highway Trust Fund to the Motor Carrier Division Cash
14 Fund: Up to a maximum of \$1,200,000. Transfers shall be made as required
15 by the Department of Motor Vehicles to operate the Division of Motor
16 Carrier Services;

17 (o) From the Civic and Community Center Financing Fund to the
18 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2018, or as
19 soon thereafter as administratively possible, as provided for in sections
20 13-2704 and 77-5601;

21 (p) From the Highway Trust Fund to the License Plate Cash Fund: Up
22 to a maximum of \$2,400,000. Transfers shall be made as required by the
23 Department of Motor Vehicles to meet the expenditures of plate and
24 sticker production;

25 (q) From the Flexible Spending Trust Fund to the Health and Life
26 Benefit Administration Cash Fund: \$140,000, except that if the total
27 available unobligated balance of forfeitures in the Flexible Spending
28 Trust Fund as of June 30, 2018, is less than \$140,000, then the State
29 Treasurer shall transfer the difference, not to exceed \$140,000, from the
30 State Employees Insurance Fund. Transfers shall be made to pay the costs
31 associated with the administration of the Flexible Spending Account

1 program;

2 (r) From the State Employees Insurance Fund to the Health and Life
3 Benefit Administration Cash Fund: \$967,962;

4 (s) From the Severance Tax Fund to the Municipal Rate Negotiations
5 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

6 (t) From the Severance Tax Fund to the State Energy Office Cash
7 Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in
8 twelve equal monthly amounts;

9 (u) From the Department of Motor Vehicles Ignition Interlock Fund to
10 the General Fund: \$150,000 on or before June 15, 2019, on such date as
11 directed by the budget administrator of the budget division of the
12 Department of Administrative Services;

13 (v) From the Records Management Cash Fund to the General Fund:
14 \$356,000 on or before June 15, 2019, on such date as directed by the
15 budget administrator of the budget division of the Department of
16 Administrative Services;

17 (w) From the Nebraska Training and Support Cash Fund to the Sector
18 Partnership Program Fund: \$500,000 on or before July 15, 2018, on such
19 date as directed by the budget administrator of the budget division of
20 the Department of Administrative Services;

21 (x) From the Nebraska Capital Construction Fund to the Capitol
22 Restoration Cash Fund: \$104,677 on or before June 30, 2019, on such date
23 as directed by the budget administrator of the budget division of the
24 Department of Administrative Services;

25 (y) From the Petroleum Release Remedial Action Cash Fund to the
26 General Fund: \$500,000 on or before June 30, 2019, on such date as
27 directed by the budget administrator of the budget division of the
28 Department of Administrative Services;

29 (z) From the Nebraska Litter Reduction and Recycling Fund to the
30 General Fund: \$200,000 on or before June 30, 2019, on such date as
31 directed by the budget administrator of the budget division of the

1 Department of Administrative Services; and

2 (aa) From the Waste Reduction and Recycling Incentive Fund to the
3 General Fund: \$400,000 on or before June 15, 2019, on such date as
4 directed by the budget administrator of the budget division of the
5 Department of Administrative Services.

6 Sec. 258. REAPPROPRIATION OF STATE AGENCY BYRNE GRANTS.

7 The unexpended General Fund, Cash Fund, and Federal Fund
8 appropriation balances existing on both June 30, 2017, and June 30, 2018,
9 are hereby reappropriated for the following agencies and programs:

10 (1) Agency 11 – Program No. 575;

11 (2) Agency 46 - Program No. 575;

12 (3) Agency 64 – Program No. 575; and

13 (4) Agency 78 – Program No. 575.

14 Sec. 259. GIFTS, BEQUESTS, AND DEVISES.

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

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

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

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

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

28 (4) Sections 81-176 and 81-1108.33 shall govern the acquisition of
29 real property and structures with the proceeds of a gift, bequest, or
30 devise.

31 For purposes of this section, gifts, bequests, and devises shall

1 include, but not be limited to, donations, gifts, bequests, devises, and
2 grants from individuals, organizations, corporations, and similar
3 entities and from nonfederal governmental agencies.

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

19 This section shall not apply to the University of Nebraska.

20 Sec. 260. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

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

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

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

20 (5) The limitation on expenditures for permanent and temporary
21 salaries and per diems for FY2017-18 shall be increased by certified
22 encumbrance amounts from FY2016-17 for permanent and temporary salaries
23 and per diems. The limitation on expenditures for permanent and temporary
24 salaries and per diems for FY2018-19 shall be increased by certified
25 encumbrance amounts from FY2017-18 for permanent and temporary salaries
26 and per diems. Encumbered amounts shall be calculated in accordance with
27 section 81-138.01.

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

1 Sec. 261. The One Hundred Fifth Legislature acknowledges that
2 Article III, section 22, of the Constitution of Nebraska provides that
3 each Legislature shall make appropriations for the expenses of the
4 government. Consistent with this provision, any appropriations enacted by
5 prior Legislatures for fiscal years beginning after June 30, 2017, are
6 null and void unless specifically reaffirmed by this Legislature.

7 Sec. 262. This act becomes operative on July 1, 2017.

8 Sec. 263. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 409

Introduced by Groene, 42; Erdman, 47; Linehan, 39.

Read first time January 13, 2017

Committee: Education

1 A BILL FOR AN ACT relating to school finance; to amend section
2 79-1015.01, Reissue Revised Statutes of Nebraska, and section
3 77-3446, Revised Statutes Cumulative Supplement, 2016; to change
4 provisions relating to the Tax Equity and Educational Opportunities
5 Support Act; to change the base limitation; to change the local
6 effort rate; to eliminate obsolete provisions; to repeal the
7 original sections; and to declare an emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-3446, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 77-3446 Base limitation means the budget limitation rate applicable
4 to school districts and the limitation on growth of restricted funds
5 applicable to other political subdivisions prior to any increases in the
6 rate as a result of special actions taken by a supermajority of any
7 governing board or of any exception allowed by law. The base limitation
8 is two and one-half percent until adjusted, except that the base
9 limitation for school districts for school fiscal years 2017-18 and
10 2018-19 ~~year 2012-13 is one-half of one percent and the base limitation~~
11 ~~for school districts for school fiscal year 2013-14 is zero one and one-~~
12 ~~half percent.~~ The base limitation may be adjusted annually by the
13 Legislature to reflect changes in the prices of services and products
14 used by school districts and political subdivisions.

15 Sec. 2. Section 79-1015.01, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-1015.01 (1) Local system formula resources shall include local
18 effort rate yield which shall be computed as prescribed in this section.

19 (2) For each school fiscal year except school fiscal 2017-18 and
20 2018-19 ~~years 2011-12 through 2013-14:~~ (a) For state aid certified
21 pursuant to section 79-1022, the local effort rate shall be the maximum
22 levy, for the school fiscal year for which aid is being certified,
23 authorized pursuant to subdivision (2)(a) of section 77-3442 less five
24 cents; (b) for the final calculation of state aid pursuant to section
25 79-1065, the local effort rate shall be the rate which, when multiplied
26 by the total adjusted valuation of all taxable property in local systems
27 receiving equalization aid pursuant to the Tax Equity and Educational
28 Opportunities Support Act, will produce the amount needed to support the
29 total formula need of such local systems when added to state aid
30 appropriated by the Legislature and other actual receipts of local
31 systems described in section 79-1018.01; and (c) the local effort rate

1 yield for such school fiscal years shall be determined by multiplying
2 each local system's total adjusted valuation by the local effort rate.

3 ~~(3) For school fiscal years 2011-12 and 2012-13: (a) For state aid~~
4 ~~certified pursuant to section 79-1022, the local effort rate shall be the~~
5 ~~maximum levy, for the school fiscal year for which aid is being~~
6 ~~certified, authorized pursuant to subdivision (2)(a) of section 77-3442~~
7 ~~less one and five-hundredths of one cent; (b) for the final calculation~~
8 ~~of state aid pursuant to section 79-1065, the local effort rate shall be~~
9 ~~the rate which, when multiplied by the total adjusted valuation of all~~
10 ~~taxable property in local systems receiving equalization aid pursuant to~~
11 ~~the Tax Equity and Educational Opportunities Support Act, will produce~~
12 ~~the amount needed to support the total formula need of such local systems~~
13 ~~when added to state aid appropriated by the Legislature and other actual~~
14 ~~receipts of local systems described in section 79-1018.01; and (c) the~~
15 ~~local effort rate yield for such school fiscal years shall be determined~~
16 ~~by multiplying each local system's total adjusted valuation by the local~~
17 ~~effort rate.~~

18 (3) (4) For school fiscal years 2017-18 and 2018-19 year 2013-14:
19 (a) For state aid certified pursuant to section 79-1022, the local effort
20 rate shall be the maximum levy, for the school fiscal year for which aid
21 is being certified, authorized pursuant to subdivision (2)(a) of section
22 77-3442 less four ~~two~~ cents; (b) for the final calculation of state aid
23 pursuant to section 79-1065, the local effort rate shall be the rate
24 which, when multiplied by the total adjusted valuation of all taxable
25 property in local systems receiving equalization aid pursuant to the Tax
26 Equity and Educational Opportunities Support Act, will produce the amount
27 needed to support the total formula need of such local systems when added
28 to state aid appropriated by the Legislature and other actual receipts of
29 local systems described in section 79-1018.01; and (c) the local effort
30 rate yield for such school fiscal years shall be determined by
31 multiplying each local system's total adjusted valuation by the local

1 effort rate.

2 Sec. 3. Original section 79-1015.01, Reissue Revised Statutes of
3 Nebraska, and section 77-3446, Revised Statutes Cumulative Supplement,
4 2016, are repealed.

5 Sec. 4. Since an emergency exists, this act takes effect when
6 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 415

Introduced by Kolterman, 24.

Read first time January 13, 2017

Committee: Nebraska Retirement Systems

1 A BILL FOR AN ACT relating to retirement; to amend sections 23-2320,
2 79-805, 79-901, 79-921, 79-933, 79-951, 79-955, 79-958, 81-2031.05,
3 84-1301, and 84-1322, Reissue Revised Statutes of Nebraska, and
4 sections 23-2301, 79-902, 79-904.01, 79-931, 79-934, 79-978,
5 79-978.01, 79-992, 79-9,100.01, 79-9,105, and 81-2014, Revised
6 Statutes Cumulative Supplement, 2016; to provide and change
7 notification requirements as prescribed; to define and redefine
8 terms; to provide and change duties and benefits for retirement
9 system members who are employed after retirement as prescribed; to
10 change annuity and disability benefit provisions under the Class V
11 School Employees Retirement Act; to provide duties for school
12 districts and the Public Employees Retirement Board; to eliminate
13 obsolete provisions; to harmonize provisions; to repeal the original
14 sections; to outright repeal section 79-923, Reissue Revised
15 Statutes of Nebraska; and to declare an emergency.
16 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-2301, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 23-2301 For purposes of the County Employees Retirement Act, unless
4 the context otherwise requires:

5 (1) Actuarial equivalent means the equality in value of the
6 aggregate amounts expected to be received under different forms of an
7 annuity payment. The mortality assumption used for purposes of converting
8 the member cash balance account shall be the 1994 Group Annuity Mortality
9 Table using a unisex rate that is fifty percent male and fifty percent
10 female. For purposes of converting the member cash balance account
11 attributable to contributions made prior to January 1, 1984, that were
12 transferred pursuant to the act, the 1994 Group Annuity Mortality Table
13 for males shall be used;

14 (2) Annuity means equal monthly payments provided by the retirement
15 system to a member or beneficiary under forms determined by the board
16 beginning the first day of the month after an annuity election is
17 received in the office of the Nebraska Public Employees Retirement
18 Systems or the first day of the month after the employee's termination of
19 employment, whichever is later. The last payment shall be at the end of
20 the calendar month in which the member dies or in accordance with the
21 payment option chosen by the member;

22 (3) Annuity start date means the date upon which a member's annuity
23 is first effective and shall be the first day of the month following the
24 member's termination or following the date the application is received by
25 the board, whichever is later;

26 (4) Cash balance benefit means a member's retirement benefit that is
27 equal to an amount based on annual employee contribution credits plus
28 interest credits and, if vested, employer contribution credits plus
29 interest credits and dividend amounts credited in accordance with
30 subdivision (4)(c) of section 23-2317;

31 (5)(a) Compensation means gross wages or salaries payable to the

1 member for personal services performed during the plan year. Compensation
2 does not include insurance premiums converted into cash payments,
3 reimbursement for expenses incurred, fringe benefits, per diems, or
4 bonuses for services not actually rendered, including, but not limited
5 to, early retirement inducements, cash awards, and severance pay, except
6 for retroactive salary payments paid pursuant to court order,
7 arbitration, or litigation and grievance settlements. Compensation
8 includes overtime pay, member retirement contributions, and amounts
9 contributed by the member to plans under sections 125, 403(b), and 457 of
10 the Internal Revenue Code or any other section of the code which defers
11 or excludes such amounts from income.

12 (b) Compensation in excess of the limitations set forth in section
13 401(a)(17) of the Internal Revenue Code shall be disregarded. For an
14 employee who was a member of the retirement system before the first plan
15 year beginning after December 31, 1995, the limitation on compensation
16 shall not be less than the amount which was allowed to be taken into
17 account under the retirement system as in effect on July 1, 1993;

18 (6) Date of adoption of the retirement system by each county means
19 the first day of the month next following the date of approval of the
20 retirement system by the county board or January 1, 1987, whichever is
21 earlier;

22 (7) Date of disability means the date on which a member is
23 determined by the board to be disabled;

24 (8) Defined contribution benefit means a member's retirement benefit
25 from a money purchase plan in which member benefits equal annual
26 contributions and earnings pursuant to section 23-2309 and, if vested,
27 employer contributions and earnings pursuant to section 23-2310;

28 (9) Disability means an inability to engage in a substantially
29 gainful activity by reason of any medically determinable physical or
30 mental impairment which can be expected to result in death or be of a
31 long and indefinite duration;

1 (10) Employee means all persons or officers who are employed by a
2 county of the State of Nebraska on a permanent basis, persons or officers
3 employed by or serving in a municipal county formed by at least one
4 county participating in the retirement system, persons employed as
5 provided in section 2-1608, all elected officers of a county, and such
6 other persons or officers as are classified from time to time as
7 permanent employees by the county board of the county by which they are
8 employed, except that employee does not include judges, employees or
9 officers of any county having a population in excess of two hundred fifty
10 thousand inhabitants as determined by the most recent federal decennial
11 census, or, except as provided in section 23-2306, persons making
12 contributions to the School Employees Retirement System of the State of
13 Nebraska;

14 (11) Employee contribution credit means an amount equal to the
15 member contribution amount required by section 23-2307;

16 (12) Employer contribution credit means an amount equal to the
17 employer contribution amount required by section 23-2308;

18 (13) Final account value means the value of a member's account on
19 the date the account is either distributed to the member or used to
20 purchase an annuity from the plan, which date shall occur as soon as
21 administratively practicable after receipt of a valid application for
22 benefits, but no sooner than forty-five days after the member's
23 termination;

24 (14) Five-year break in service means a period of five consecutive
25 one-year breaks in service;

26 (15) Full-time employee means an employee who is employed to work
27 one-half or more of the regularly scheduled hours during each pay period;

28 (16) Future service means service following the date of adoption of
29 the retirement system;

30 (17) Guaranteed investment contract means an investment contract or
31 account offering a return of principal invested plus interest at a

1 specified rate. For investments made after July 19, 1996, guaranteed
2 investment contract does not include direct obligations of the United
3 States or its instrumentalities, bonds, participation certificates or
4 other obligations of the Federal National Mortgage Association, the
5 Federal Home Loan Mortgage Corporation, or the Government National
6 Mortgage Association, or collateralized mortgage obligations and other
7 derivative securities. This subdivision shall not be construed to require
8 the liquidation of investment contracts or accounts entered into prior to
9 July 19, 1996;

10 (18) Interest credit rate means the greater of (a) five percent or
11 (b) the applicable federal mid-term rate, as published by the Internal
12 Revenue Service as of the first day of the calendar quarter for which
13 interest credits are credited, plus one and one-half percent, such rate
14 to be compounded annually;

15 (19) Interest credits means the amounts credited to the employee
16 cash balance account and the employer cash balance account at the end of
17 each day. Such interest credit for each account shall be determined by
18 applying the daily portion of the interest credit rate to the account
19 balance at the end of the previous day. Such interest credits shall
20 continue to be credited to the employee cash balance account and the
21 employer cash balance account after a member ceases to be an employee,
22 except that no such credit shall be made with respect to the employee
23 cash balance account and the employer cash balance account for any day
24 beginning on or after the member's date of final account value. If
25 benefits payable to the member's surviving spouse or beneficiary are
26 delayed after the member's death, interest credits shall continue to be
27 credited to the employee cash balance account and the employer cash
28 balance account until such surviving spouse or beneficiary commences
29 receipt of a distribution from the plan;

30 (20) Member cash balance account means an account equal to the sum
31 of the employee cash balance account and, if vested, the employer cash

1 balance account and dividend amounts credited in accordance with
2 subdivision (4)(c) of section 23-2317;

3 (21) One-year break in service means a plan year during which the
4 member has not completed more than five hundred hours of service;

5 (22) Participation means qualifying for and making the required
6 deposits to the retirement system during the course of a plan year;

7 (23) Part-time employee means an employee who is employed to work
8 less than one-half of the regularly scheduled hours during each pay
9 period;

10 (24) Plan year means the twelve-month period beginning on January 1
11 and ending on December 31;

12 (25) Prior service means service prior to the date of adoption of
13 the retirement system;

14 (26) Regular interest means the rate of interest earned each
15 calendar year as determined by the retirement board in conformity with
16 actual and expected earnings on the investments through December 31,
17 1985;

18 (27) Required contribution means the deduction to be made from the
19 compensation of employees as provided in the act;

20 (28) Retirement means qualifying for and accepting the retirement
21 benefit granted under the act after terminating employment;

22 (29) Retirement application means the form approved and provided by
23 the retirement system for acceptance of a member's request for either
24 regular or disability retirement;

25 (30) Retirement board or board means the Public Employees Retirement
26 Board;

27 (31) Retirement date means (a) the first day of the month following
28 the date upon which a member's request for retirement is received on a
29 retirement application if the member is eligible for retirement and has
30 terminated employment or (b) the first day of the month following
31 termination of employment if the member is eligible for retirement and

1 has filed an application but has not yet terminated employment;

2 (32) Retirement system means the Retirement System for Nebraska
3 Counties;

4 (33) Service means the actual total length of employment as an
5 employee and is not deemed to be interrupted by (a) temporary or seasonal
6 suspension of service that does not terminate the employee's employment,
7 (b) leave of absence authorized by the employer for a period not
8 exceeding twelve months, (c) leave of absence because of disability, or
9 (d) military service, when properly authorized by the retirement board.
10 Service does not include any period of disability for which disability
11 retirement benefits are received under section 23-2315;

12 (34) Surviving spouse means (a) the spouse married to the member on
13 the date of the member's death or (b) the spouse or former spouse of the
14 member if survivorship rights are provided under a qualified domestic
15 relations order filed with the board pursuant to the Spousal Pension
16 Rights Act. The spouse or former spouse shall supersede the spouse
17 married to the member on the date of the member's death as provided under
18 a qualified domestic relations order. If the benefits payable to the
19 spouse or former spouse under a qualified domestic relations order are
20 less than the value of benefits entitled to the surviving spouse, the
21 spouse married to the member on the date of the member's death shall be
22 the surviving spouse for the balance of the benefits;

23 ~~(35)(a) (35)~~ Termination of employment occurs on the date on which a
24 county which is a member of the retirement system determines that its
25 employer-employee relationship with an employee is dissolved. The county
26 shall notify the board of the date on which such a termination has
27 occurred.

28 (b) Termination of employment does not occur if an employee whose
29 employer-employee relationship with a county is dissolved (i) enters into
30 an employer-employee relationship in any capacity with the same or
31 another county which participates in the Retirement System for Nebraska

1 Counties and there are less than one hundred twenty days between the date
2 when the employee's employer-employee relationship ceased with the county
3 and the date when the employer-employee relationship commenced in any
4 capacity with the same or another county which qualifies the employee for
5 participation in the plan, (ii) provides service to an employer
6 participating in a retirement system provided for in the Class V School
7 Employees Retirement Act, the Nebraska State Patrol Retirement Act, the
8 School Employees Retirement Act, or the State Employees Retirement Act
9 and there are less than one hundred twenty days between the date when the
10 employee's employer-employee relationship ceased with the county and the
11 date when the service commenced with the other employer which qualifies
12 for participation in the other retirement system, or (iii) if the member
13 accepted an early retirement incentive and, within three years after
14 accepting such incentive and ceasing such employment, subsequently
15 provides service in any capacity to an employer participating in a
16 retirement system provided for in the Class V School Employees Retirement
17 Act, the County Employees Retirement Act, the Nebraska State Patrol
18 Retirement Act, the School Employees Retirement Act, or the State
19 Employees Retirement Act.

20 (c) It is the responsibility of the employer that is involved in the
21 termination of employment to notify the board of such change in
22 employment and provide the board with such information as the board deems
23 necessary.

24 (d) If the board determines that termination of employment has not
25 occurred and a retirement benefit has been paid to a member of the
26 retirement system pursuant to section 23-2319, the board shall require
27 the member who has received such benefit to repay the benefit to the
28 retirement system; and

29 (36) Vesting credit means credit for years, or a fraction of a year,
30 of participation in another Nebraska governmental plan for purposes of
31 determining vesting of the employer account.

1 Sec. 2. Section 23-2320, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 23-2320 (1) Except as otherwise provided in this section, a member
4 of the retirement system who has a five-year break in service shall upon
5 reemployment be considered a new employee with respect to the County
6 Employees Retirement Act and shall not receive credit for service prior
7 to his or her reemployment date.

8 (2)(a) A member who ceases to be an employee before becoming
9 eligible for retirement under section 23-2315 and again becomes a
10 permanent full-time or permanent part-time county employee prior to
11 having a five-year break in service shall immediately be reenrolled in
12 the retirement system and resume making contributions. For purposes of
13 vesting employer contributions made prior to and after the reentry into
14 the retirement system under subsection (3) of section 23-2319, years of
15 participation include years of participation prior to such employee's
16 original termination. For a member who is not vested and has received a
17 termination benefit pursuant to section 23-2319, the years of
18 participation prior to such employee's original termination shall be
19 limited in a ratio equal to the amount that the member repays divided by
20 the termination benefit withdrawn pursuant to section 23-2319.

21 (b) The reemployed member may repay the value of, or a portion of
22 the value of, the termination benefit withdrawn pursuant to section
23 23-2319. A reemployed member who elects to repay all or a portion of the
24 value of the termination benefit withdrawn pursuant to section 23-2319
25 shall repay the actual earnings on such value. Repayment of the
26 termination benefit shall commence within three years of reemployment and
27 shall be completed within five years of reemployment or prior to
28 termination of employment, whichever occurs first, through (i) direct
29 payments to the retirement system, (ii) installment payments made
30 pursuant to a binding irrevocable payroll deduction authorization made by
31 the member, (iii) an eligible rollover distribution as provided under the

1 Internal Revenue Code, or (iv) a direct rollover distribution made in
2 accordance with section 401(a)(31) of the Internal Revenue Code.

3 (c) The value of the member's forfeited employer account or employer
4 cash balance account, as of the date of forfeiture, shall be restored in
5 a ratio equal to the amount of the benefit that the member has repaid
6 divided by the termination benefit received. The employer account or
7 employer cash balance account shall be restored first out of the current
8 forfeiture amounts and then by additional employer contributions.

9 (3) Except as provided in subsection (4) of this section, for ~~For~~ a
10 member who retired pursuant to section 23-2315 and becomes a permanent
11 full-time employee or permanent part-time employee with a county under
12 the County Employees Retirement Act more than one hundred twenty days
13 after his or her retirement date, the member shall continue receiving
14 retirement benefits. Such a retired member or a retired member who
15 received a lump-sum distribution of his or her benefit shall be
16 considered a new employee as of the date of reemployment and shall not
17 receive credit for any service prior to the member's retirement for
18 purposes of the act.

19 (4)(a) On or after July 1, 2017, a retired member of the retirement
20 system who is hired or rehired in any capacity by an employer
21 participating in a retirement system provided for in the Class V School
22 Employees Retirement Act, the County Employees Retirement Act, the
23 Nebraska State Patrol Retirement Act, the School Employees Retirement
24 Act, or the State Employees Retirement Act:

25 (i) Shall certify under oath or affirmation that, prior to
26 retirement, he or she did not have a prearranged agreement to work after
27 retirement with any such employer; and

28 (ii) Shall meet the requirements for termination of employment as
29 defined in section 23-2301 in order to commence such employment or
30 reemployment after retirement.

31 (b) A retired member who complies with subdivision (a) of this

1 subsection and returns to employment shall participate in the retirement
2 system as a new member and shall make contributions to the retirement
3 system commencing upon reemployment. The retirement benefit of a retired
4 member who returns to employment shall continue to be paid by the
5 retirement system. A retired member who returns to employment as an
6 employee shall receive vesting credit only for service performed after
7 his or her return to employment. In no event shall vesting credit which
8 accrues or the compensation paid to the member after such return to
9 employment after retirement increase the amount of the member's original
10 retirement benefit.

11 (c) Upon termination of employment of a retired member described in
12 subdivision (b) of this subsection, the member shall receive in addition
13 to the retirement benefit which commenced at the time of the previous
14 retirement:

15 (i) If the member has accrued ten years or more of vesting credit
16 after his or her return to employment, excluding years of vesting credit
17 acquired, a retirement benefit as provided in section 23-2315, 23-2317,
18 or 23-2319, as applicable, shall be calculated solely on the basis of
19 vesting credit accrued and earned after the member's return to employment
20 described in subdivision (b) of this subsection and as adjusted to
21 reflect any payment in other than the normal form; or

22 (ii) If the member has not accrued ten years or more of vesting
23 credit after his or her return to employment, a refund equal to the
24 member's accumulated contributions which were credited to the member
25 after the member's return to employment described in subdivision (b) of
26 this subsection. In no event shall the member's vesting credit which
27 accrued prior to a previous retirement be considered as part of the
28 member's vesting credit after his or her return to employment for any
29 purpose of the County Employees Retirement Act.

30 (d) A member shall not be eligible to subsequently retire on account
31 of disability pursuant to section 23-2315.01.

1 (5) ~~(4)~~ A member who is reinstated as an employee pursuant to a
2 grievance or appeal of his or her termination by the county shall be a
3 member upon reemployment and shall not be considered to have a break in
4 service for such period of time that the grievance or appeal was pending.
5 Following reinstatement, the member shall repay the value of the amount
6 received from his or her employee account or member cash balance account
7 under subdivision (2)(b) of section 23-2319.01.

8 (6) The retirement board may adopt and promulgate rules and
9 regulations and prescribe forms necessary to carry out this section.

10 Sec. 3. Section 79-805, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-805 (1) The school board or board of education shall be
13 personally liable for all public money paid to teachers or administrators
14 who are not qualified under sections 79-806 to 79-815 or not reported as
15 required under subsection (2) of this section. A teacher or administrator
16 violating such sections 79-806 to 79-815 shall not recover any money for
17 services while teaching during the time that such contract and
18 certificate are invalid. Any person having knowledge of the employment by
19 a school district of an uncertified teacher or administrator may prefer
20 charges against the board.

21 (2)(a) The employer as defined in section 79-902 or board of
22 education as defined in section 79-978 shall notify the State Department
23 of Education:

24 (i) Within fifteen calendar days after the date upon which a
25 termination of employment as defined in section 79-902 or 79-978, as
26 applicable, has occurred; and

27 (ii) Within fifteen calendar days after the date upon which a
28 retired member of a retirement system provided for in either the Class V
29 School Employees Retirement Act or the School Employees Retirement Act
30 has been hired or rehired following such retirement.

31 (b) The department shall forward such information to the Public

1 Employees Retirement Board or its designee within fifteen calendar days
2 after receipt of the information from the employer.

3 Sec. 4. Section 79-901, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-901 Sections 79-901 to 79-977.03 and section 8 of this act shall
6 be known and may be cited as the School Employees Retirement Act.

7 Sec. 5. Section 79-902, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 79-902 For purposes of the School Employees Retirement Act, unless
10 the context otherwise requires:

11 (1) Accumulated contributions means the sum of all amounts deducted
12 from the compensation of a member and credited to his or her individual
13 account in the School Retirement Fund together with regular interest
14 thereon, compounded monthly, quarterly, semiannually, or annually;

15 (2) Actuarial equivalent means the equality in value of the
16 aggregate amounts expected to be received under different forms of
17 payment. The determinations shall be based on the 1994 Group Annuity
18 Mortality Table reflecting sex-distinct factors blended using twenty-five
19 percent of the male table and seventy-five percent of the female table.
20 An interest rate of eight percent per annum shall be reflected in making
21 these determinations except when a lump-sum settlement is made to an
22 estate. If the lump-sum settlement is made to an estate, the interest
23 rate will be determined by the Moody's Triple A Bond Index as of the
24 prior June 30, rounded to the next lower quarter percent;

25 (3) Beneficiary means any person in receipt of a school retirement
26 allowance or other benefit provided by the act;

27 (4)(a) Compensation means gross wages or salaries payable to the
28 member for personal services performed during the plan year and includes
29 (i) overtime pay, (ii) member retirement contributions, (iii) retroactive
30 salary payments paid pursuant to court order, arbitration, or litigation
31 and grievance settlements, and (iv) amounts contributed by the member to

1 plans under sections 125, 403(b), and 457 of the Internal Revenue Code as
2 defined in section 49-801.01 or any other section of the code which
3 defers or excludes such amounts from income.

4 (b) Compensation does not include (i) fraudulently obtained amounts
5 as determined by the retirement board, (ii) amounts for unused sick leave
6 or unused vacation leave converted to cash payments, (iii) insurance
7 premiums converted into cash payments, (iv) reimbursement for expenses
8 incurred, (v) fringe benefits, (vi) per diems paid as expenses, (vii)
9 bonuses for services not actually rendered, including, but not limited
10 to, early retirement inducements, cash awards, and severance pay, or
11 (viii) beginning on September 4, 2005, employer contributions made for
12 the purposes of separation payments made at retirement and early
13 retirement inducements as provided for in section 79-514.

14 (c) Compensation in excess of the limitations set forth in section
15 401(a)(17) of the Internal Revenue Code as defined in section 49-801.01
16 shall be disregarded. For an employee who was a member of the retirement
17 system before the first plan year beginning after December 31, 1995, the
18 limitation on compensation shall not be less than the amount which was
19 allowed to be taken into account under the retirement system as in effect
20 on July 1, 1993;

21 (5) County school official means (a) until July 1, 2000, the county
22 superintendent or district superintendent and any person serving in his
23 or her office who is required by law to have a teacher's certificate and
24 (b) on or after July 1, 2000, the county superintendent, county school
25 administrator, or district superintendent and any person serving in his
26 or her office who is required by law to have a teacher's certificate;

27 (6) Creditable service means prior service for which credit is
28 granted under sections 79-926 to 79-929, service credit purchased under
29 sections 79-933.03 to 79-933.06 and 79-933.08, and all service rendered
30 while a contributing member of the retirement system. Creditable service
31 includes working days, sick days, vacation days, holidays, and any other

1 leave days for which the employee is paid regular wages as part of the
2 employee's agreement with the employer. Creditable service does not
3 include lump-sum payments to the employee upon termination or retirement
4 in lieu of accrued benefits for such days, eligibility and vesting
5 credit, nor service years for which member contributions are withdrawn
6 and not repaid. Creditable service also does not include service rendered
7 by a member for which the retirement board determines that the member was
8 paid less in compensation than the minimum wage as provided in the Wage
9 and Hour Act or service which the board determines was rendered with the
10 intent to defraud the retirement system;

11 (7) Current benefit means the initial benefit increased by all
12 adjustments made pursuant to the School Employees Retirement Act;

13 (8) Disability means an inability to engage in a substantially
14 gainful activity by reason of any medically determinable physical or
15 mental impairment which can be expected to result in death or be of a
16 long and indefinite duration;

17 (9) Disability retirement allowance means the annuity paid to a
18 person upon retirement for disability under section 79-952;

19 (10) Disability retirement date means the first day of the month
20 following the date upon which a member's request for disability
21 retirement is received on a retirement application provided by the
22 retirement system if the member has terminated employment in the school
23 system and has complied with sections 79-951 to 79-954 as such sections
24 refer to disability retirement;

25 (11) Eligibility and vesting credit means credit for years, or a
26 fraction of a year, of participation in a Nebraska government plan for
27 purposes of determining eligibility for benefits under the School
28 Employees Retirement Act. Such credit shall not be included as years of
29 creditable service in the benefit calculation;

30 (12) Emeritus member means a person (a) who has entered retirement
31 under the provisions of the act, including those persons who have retired

1 since July 1, 1945, under any other regularly established retirement or
2 pension system as contemplated by section 79-916, (b) who has thereafter
3 been reemployed in any capacity by a public school, a Class V school
4 district, or a school under the control and management of the Board of
5 Trustees of the Nebraska State Colleges, the Board of Regents of the
6 University of Nebraska, or a community college board of governors or has
7 become a state school official or county school official subsequent to
8 such retirement, and (c) who has applied to the board for emeritus
9 membership in the retirement system. The school district or agency shall
10 certify to the retirement board on forms prescribed by the retirement
11 board that the annuitant was reemployed, rendered a service, and was paid
12 by the district or agency for such services;

13 (13) Employer means the State of Nebraska or any subdivision thereof
14 or agency of the state or subdivision authorized by law to hire school
15 employees or to pay their compensation;

16 (14)(a) Final average compensation means:

17 (i) Except as provided in subdivision (ii) of this subdivision:

18 (A) The sum of the member's total compensation during the three
19 twelve-month periods of service as a school employee in which such
20 compensation was the greatest divided by thirty-six; or

21 (B) If a member has such compensation for less than thirty-six
22 months, the sum of the member's total compensation in all months divided
23 by the total number of months of his or her creditable service therefor;
24 and

25 (ii) For an employee who became a member on or after July 1, 2013:

26 (A) The sum of the member's total compensation during the five
27 twelve-month periods of service as a school employee in which such
28 compensation was the greatest divided by sixty; or

29 (B) If a member has such compensation for less than sixty months,
30 the sum of the member's total compensation in all months divided by the
31 total number of months of his or her creditable service therefor.

1 (b) Payments under the Retirement Incentive Plan pursuant to section
2 79-855 and Staff Development Assistance pursuant to section 79-856 shall
3 not be included in the determination of final average compensation;

4 (15) Fiscal year means any year beginning July 1 and ending June 30
5 next following;

6 (16) Initial benefit means the retirement benefit calculated at the
7 time of retirement;

8 (17) Member means any person who has an account in the School
9 Retirement Fund;

10 (18) Participation means qualifying for and making required deposits
11 to the retirement system during the course of a plan year;

12 (19) Plan year means the twelve-month period beginning on July 1 and
13 ending on June 30 of the following year;

14 (20) Prior service means service rendered as a school employee in
15 the public schools of the State of Nebraska prior to July 1, 1945;

16 (21) Public school means any and all schools offering instruction in
17 elementary or high school grades, as defined in section 79-101, which
18 schools are supported by public funds and are wholly under the control
19 and management of the State of Nebraska or any subdivision thereof,
20 including (a) schools or other entities established, maintained, and
21 controlled by the school boards of local school districts, except Class V
22 school districts, (b) any educational service unit, and (c) any other
23 educational institution wholly supported by public funds, except schools
24 under the control and management of the Board of Trustees of the Nebraska
25 State Colleges, the Board of Regents of the University of Nebraska, or
26 the community college boards of governors for any community college
27 areas;

28 (22) Regular employee means an employee hired by a public school or
29 under contract in a regular full-time or part-time position who works a
30 full-time or part-time schedule on an ongoing basis for twenty or more
31 hours per week. An employee hired as described in this subdivision to

1 provide service for less than twenty hours per week but who provides
2 service for an average of twenty hours or more per week in each calendar
3 month of any three calendar months of a plan year shall, beginning with
4 the next full payroll period, commence contributions and shall be deemed
5 a regular employee for all future employment with the same employer;

6 (23) Regular interest means interest fixed at a rate equal to the
7 daily treasury yield curve for one-year treasury securities, as published
8 by the Secretary of the Treasury of the United States, that applies on
9 July 1 of each year, which may be credited monthly, quarterly,
10 semiannually, or annually as the board may direct;

11 (24) Relinquished creditable service means, with respect to a member
12 who has withdrawn his or her accumulated contributions under section
13 79-955, the total amount of creditable service which such member has
14 given up as a result of his or her election not to remain a member of the
15 retirement system;

16 (25) Required deposit means the deduction from a member's
17 compensation as provided for in section 79-958 which shall be deposited
18 in the School Retirement Fund;

19 (26) Retirement means qualifying for and accepting a school or
20 disability retirement allowance granted under the School Employees
21 Retirement Act;

22 (27) Retirement application means the form approved and provided by
23 the retirement system for acceptance of a member's request for either
24 regular or disability retirement;

25 (28) Retirement board or board means the Public Employees Retirement
26 Board;

27 (29) Retirement date means (a) if the member has terminated
28 employment, the first day of the month following the date upon which a
29 member's request for retirement is received on a retirement application
30 provided by the retirement system or (b) if the member has filed a
31 retirement application but has not yet terminated employment, the first

1 day of the month following the date on which the member terminates
2 employment. An application may be filed no more than one hundred twenty
3 days prior to the effective date of the member's initial benefit;

4 (30) Retirement system means the School Employees Retirement System
5 of the State of Nebraska;

6 (31) Savings annuity means payments for life, made in equal monthly
7 payments, derived from the accumulated contributions of a member;

8 (32) School employee means a contributing member who earns service
9 credit pursuant to section 79-927. For purposes of this section,
10 contributing member means the following persons who receive compensation
11 from a public school: (a) Regular employees; (b) regular employees having
12 retired pursuant to the School Employees Retirement Act who subsequently
13 provide compensated service on a regular basis in any capacity; and (c)
14 regular employees hired by a public school on an ongoing basis to assume
15 the duties of other regular employees who are temporarily absent.
16 Substitute employees, temporary employees, and employees who have not
17 attained the age of eighteen years shall not be considered school
18 employees;

19 (33) School year means one fiscal year which includes not less than
20 one thousand instructional hours or, in the case of service in the State
21 of Nebraska prior to July 1, 1945, not less than seventy-five percent of
22 the then legal school year;

23 (34) School retirement allowance means the total of the savings
24 annuity and the service annuity or formula annuity paid a person who has
25 retired under sections 79-931 to 79-935. The monthly payments shall be
26 payable at the end of each calendar month during the life of a retired
27 member. The first payment shall include all amounts accrued since the
28 effective date of the award of annuity. The last payment shall be at the
29 end of the calendar month in which such member dies or in accordance with
30 the payment option chosen by the member;

31 (35) Service means employment as a school employee and shall not be

1 deemed interrupted by (a) termination at the end of the school year of
2 the contract of employment of an employee in a public school if the
3 employee enters into a contract of employment in any public school,
4 except a school in a Class V school district, for the following school
5 year, (b) temporary or seasonal suspension of service that does not
6 terminate the employee's employment, (c) leave of absence authorized by
7 the employer for a period not exceeding twelve months, (d) leave of
8 absence because of disability, or (e) military service when properly
9 authorized by the retirement board. Service does not include any period
10 of disability for which disability retirement benefits are received under
11 sections 79-951 to 79-953;

12 (36) Service annuity means payments for life, made in equal monthly
13 installments, derived from appropriations made by the State of Nebraska
14 to the retirement system;

15 (37) State deposit means the deposit by the state in the retirement
16 system on behalf of any member;

17 (38) State school official means the Commissioner of Education and
18 his or her professional staff who are required by law or by the State
19 Department of Education to hold a certificate as such term is defined in
20 section 79-807;

21 (39) Substitute employee means a person hired by a public school as
22 a temporary employee to assume the duties of regular employees due to a
23 temporary absence of any regular employees. Substitute employee does not
24 mean a person hired as a regular employee on an ongoing basis to assume
25 the duties of other regular employees who are temporarily absent;

26 (40) Surviving spouse means (a) the spouse married to the member on
27 the date of the member's death or (b) the spouse or former spouse of the
28 member if survivorship rights are provided under a qualified domestic
29 relations order filed with the board pursuant to the Spousal Pension
30 Rights Act. The spouse or former spouse shall supersede the spouse
31 married to the member on the date of the member's death as provided under

1 a qualified domestic relations order. If the benefits payable to the
2 spouse or former spouse under a qualified domestic relations order are
3 less than the value of benefits entitled to the surviving spouse, the
4 spouse married to the member on the date of the member's death shall be
5 the surviving spouse for the balance of the benefits;

6 (41) Temporary employee means an employee hired by a public school
7 who is not a regular employee and who is hired to provide service for a
8 limited period of time to accomplish a specific purpose or task. When
9 such specific purpose or task is complete, the employment of such
10 temporary employee shall terminate and in no case shall the temporary
11 employment period exceed one year in duration; and

12 (42)(a) (42) Termination of employment occurs on the date on which
13 the member experiences a bona fide separation from service of employment
14 with the member's employer, the date of which separation is determined by
15 the end of the member's contractual agreement or, if there is no contract
16 or only partial fulfillment of a contract, by the employer.

17 (b) A member shall not be deemed to have terminated employment if
18 the member subsequently provides service in any capacity within one
19 hundred eighty days after ceasing employment (i) to any employer
20 participating in the retirement system provided for in the School
21 Employees Retirement Act or (ii) to an employer participating in a
22 retirement system provided for in the Class V School Employees Retirement
23 Act, the County Employees Retirement Act, the Nebraska State Patrol
24 Retirement Act, or the State Employees Retirement Act. within one hundred
25 eighty days after ceasing employment unless such service:

26 (c) A member who accepted an early retirement incentive pursuant to
27 section 79-855 shall not be deemed to have terminated employment if the
28 member subsequently provides service, within three years after accepting
29 such incentive and ceasing such employment, to an employer participating
30 in a retirement system provided for in the Class V School Employees
31 Retirement Act, the County Employees Retirement Act, the Nebraska State

1 Patrol Retirement Act, the School Employees Retirement Act, or the State
2 Employees Retirement Act.

3 ~~(a) Is bona fide unpaid voluntary service or substitute service,~~
4 ~~provided on an intermittent basis; or~~

5 ~~(b) Is as provided in subsection (2) of section 79-920.~~

6 ~~Nothing in this subdivision precludes an employer from adopting a~~
7 ~~policy which limits or denies employees who have terminated employment~~
8 ~~from providing voluntary or substitute service within one hundred eighty~~
9 ~~days after termination.~~

10 (d) A member shall not be deemed to have terminated employment if
11 the board determines that a claimed termination was not a bona fide
12 separation from service with the employer or that a member was
13 compensated for a full contractual period when the member terminated
14 prior to the end date of the contract.

15 Sec. 6. Section 79-904.01, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 79-904.01 (1)(a) If the board determines that the retirement system
18 has previously received contributions or distributed benefits which for
19 any reason are not in accordance with the statutory provisions of the
20 School Employees Retirement Act, the board may refund contributions,
21 require additional contributions, adjust benefits, or require repayment
22 of benefits paid. In the event of an overpayment of a benefit, the board
23 may, in addition to other remedies, offset future benefit payments by the
24 amount of the prior overpayment, together with regular interest thereon.
25 In the event of a material underpayment of a benefit, the board shall
26 immediately make payment equal to the deficit amount plus regular
27 interest.

28 (b) The board shall have the power, through the director of the
29 Nebraska Public Employees Retirement Systems or the director's designee,
30 to make a thorough investigation of any overpayment of a benefit, when in
31 the judgment of the retirement system such investigation is necessary,

1 including, but not limited to, circumstances in which benefit payments
2 are made after the death of a member or beneficiary and the retirement
3 system is not made aware of such member's or beneficiary's death. In
4 connection with any such investigation, the board, through the director
5 or the director's designee, shall have the power to compel the attendance
6 of witnesses and the production of books, papers, records, and documents,
7 whether in hardcopy, electronic form, or otherwise, and issue subpoenas
8 for such purposes. Such subpoenas shall be served in the same manner and
9 have the same effect as subpoenas from district courts.

10 (2) If the board determines that termination of employment has not
11 occurred and a retirement benefit has been paid to a member of the
12 retirement system pursuant to section 79-933, such member shall repay the
13 benefit to the retirement system.

14 (3) The board shall adopt and promulgate rules and regulations
15 implementing this section, which shall include, but not be limited to,
16 the following: (a) The procedures for refunding contributions, adjusting
17 future contributions or benefit payments, and requiring additional
18 contributions or repayment of benefits; (b) the process for a member,
19 member's beneficiary, employee, or employer to dispute an adjustment of
20 contributions or benefits; and (c) notice provided to all affected
21 persons. All notices shall be sent at the time of or prior to an
22 adjustment and shall describe the process for disputing an adjustment of
23 contributions or benefits.

24 (4) The board shall not refund contributions made on compensation in
25 excess of the limitations imposed by subdivision (4) of section 79-902 or
26 subsection (9) ~~(7)~~ of section 79-934.

27 Sec. 7. Section 79-921, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 79-921 (1) The membership of any person in the retirement system
30 shall cease only if he or she (a) withdraws his or her accumulated
31 contributions under section 79-955 or receives a refund of his or her

1 contributions under section 8 of this act, (b) retires on a school or
2 formula or disability retirement allowance, (c) retires under section 8
3 of this act, or (d) ~~(e)~~ dies.

4 (2) The employer shall notify the board and the State Department of
5 Education of the date upon which a termination of employment has
6 occurred. It is the responsibility of the employer that is involved in
7 the termination of employment to notify the board of such change in
8 employment and provide the board with such information as the board deems
9 necessary which shall include, but not be limited to, certification by
10 the employer and the member under penalty of prosecution pursuant to
11 section 79-949 that, prior to the member's retirement, there was no
12 prearranged agreement to return to work in any capacity, including, but
13 not limited to, acceptance of employment under a personal services
14 contract as an independent contractor, as a consultant, or with a private
15 leasing company, a temporary staffing agency, or any other company. The
16 member shall also certify that, prior to his or her retirement, there was
17 no prearranged agreement to commence employment in any capacity, as
18 described in this subsection, with an employer participating in a
19 retirement system provided for in the Class V School Employees Retirement
20 Act, the County Employees Retirement Act, the Nebraska State Patrol
21 Retirement Act, or the State Employees Retirement Act.

22 (3)(a) A former member of the retirement system who has withdrawn
23 his or her accumulated contributions under section 79-955 shall be
24 reinstated to membership in the retirement system if such person again
25 becomes a school employee.

26 (b) The date of such membership shall relate back to the beginning
27 of his or her original membership in the retirement system only if such
28 school employee has repaid all amounts required in accordance with
29 subsection (4) of this section. Unless and until all such amounts are
30 repaid, the school employee shall be considered a new member, effective
31 as of the date he or she again becomes a school employee.

1 (4)(a) With respect to any person who is reinstated to membership in
2 the retirement system pursuant to subdivision (3)(a) of this section
3 prior to April 17, 2014, and who files a valid and complete one-time
4 application with the retirement board for the restoration of part or all
5 of his or her relinquished creditable service prior to six years after
6 April 17, 2014, but prior to termination, the following shall apply:

7 (i) Such member shall pay to the retirement system an amount equal
8 to the previously withdrawn contributions for the creditable service to
9 be restored, plus an amount equal to the actuarial assumed rate of return
10 on such amount to the date of repayment; and

11 (ii) Payment for restoration of such relinquished creditable service
12 must be completed within six years of April 17, 2014, or prior to
13 termination, whichever is earlier.

14 (b) With respect to any person who is reinstated to membership in
15 the retirement system pursuant to subdivision (3)(a) of this section on
16 and after April 17, 2014, and who files a valid and complete one-time
17 application with the retirement board for the restoration of part or all
18 of his or her relinquished creditable service within five years after the
19 date of such member's reinstatement to membership in the retirement
20 system but prior to termination, the following shall apply:

21 (i) Such member shall pay to the retirement system an amount equal
22 to the previously withdrawn contributions for the creditable service to
23 be restored, plus an amount equal to the actuarial assumed rate of return
24 on such amount to the date of repayment; and

25 (ii) Payment for restoration of such relinquished creditable service
26 must be completed within five years of the date of such member's
27 reinstatement to membership in the retirement system or prior to
28 termination, whichever is earlier.

29 (5) If less than full payment is made by the member, relinquished
30 creditable service shall be restored in proportion to the amounts repaid.
31 Repayment may be made through direct payment, installment payments, an

1 irrevocable payroll deduction authorization, cash rollover contributions
2 pursuant to section 79-933.02, or trustee-to-trustee transfers pursuant
3 to section 79-933.09.

4 Sec. 8. (1) On or after July 1, 2017, a retired member of the
5 retirement system who is hired or rehired by an employer participating in
6 a retirement system provided for in the Class V School Employees
7 Retirement Act, the County Employees Retirement Act, the Nebraska State
8 Patrol Retirement Act, or the State Employees Retirement Act:

9 (a) Shall certify under oath or affirmation as required in section
10 79-921 that, prior to retirement, he or she did not have a prearranged
11 agreement to work after retirement with any such employer; and

12 (b) Shall meet the requirements for termination of employment as
13 defined in section 79-902 in order to commence such employment or
14 reemployment after retirement.

15 (2) A retired member who complies with subsection (1) of this
16 section and returns to employment shall participate in the retirement
17 system as a new member and shall make contributions to the retirement
18 system commencing upon reemployment. The retirement annuity of a retired
19 member who returns to employment shall continue to be paid by the
20 retirement system. A retired member who returns to employment as an
21 employee shall receive creditable service only for service performed
22 after his or her return to employment. In no event shall creditable
23 service which accrues or the compensation paid to the member after such
24 return to employment after retirement increase the amount of the member's
25 original retirement annuity.

26 (3) Upon termination of employment of a retired member described in
27 subsection (2) of this section, the member shall receive in addition to
28 the retirement annuity which commenced at the time of the previous
29 retirement:

30 (a) If the member has accrued ten years or more of creditable
31 service after his or her return to employment, excluding years of prior

1 service acquired, a retirement annuity as provided in section 79-934, as
2 applicable, shall be calculated solely on the basis of creditable service
3 and final average compensation accrued and earned after the member's
4 return to employment described in subsection (2) of this section and as
5 adjusted to reflect any payment in other than the normal form; or

6 (b) If the member has not accrued ten years or more of creditable
7 service after his or her return to employment, a refund equal to the
8 member's accumulated contributions which were credited to the member
9 after the member's return to employment described in subsection (2) of
10 this section. In no event shall the member's creditable service which
11 accrued prior to a previous retirement be considered as part of the
12 member's creditable service after his or her return to employment for any
13 purpose under the School Employees Retirement Act.

14 The member shall not be eligible to subsequently retire on account
15 of disability pursuant to sections 79-951 to 79-954.

16 (4) The retirement board may adopt and promulgate rules and
17 regulations and prescribe forms necessary to carry out this section.

18 Sec. 9. Section 79-931, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 79-931 (1) A member hired prior to July 1, 2016, upon filing a
21 retirement application with the retirement system, may retire (a) at any
22 age if the member has completed thirty-five years of creditable service,
23 (b) if the member has completed at least five years of creditable service
24 plus eligibility and vesting credit and is at least sixty years of age,
25 (c) if the member is at least sixty-five years of age upon termination,
26 or (d) if the member is at least fifty-five years of age, has acquired
27 the equivalent of one-half year of service as a public school employee
28 under the retirement system following July 1, 1997, was a school employee
29 on or after March 4, 1998, and the sum of the member's attained age and
30 creditable service totals eighty-five.

31 (2) A member hired on or after July 1, 2016, or a member who has

1 taken a refund or retirement and is rehired or hired by a separate
2 employer covered by the retirement system on or after July 1, 2016, upon
3 filing a retirement application with the retirement system, may retire
4 (a) at any age if the member has completed thirty-five years of
5 creditable service, (b) if the member is at least fifty-five years of age
6 and the sum of the member's attained age and creditable service totals
7 eighty-five, or (c) if the member is at least sixty years of age and has
8 completed at least five years of creditable service.

9 (3) A member hired on or after July 1, 2017, or a member who has
10 taken a refund or retirement and is rehired or hired by any employer
11 covered by the retirement system on or after July 1, 2017, upon filing a
12 retirement application with the retirement system, may retire (a) if the
13 member is at least sixty years of age and the sum of the member's
14 attained age and creditable service totals ninety, or (b) if the member
15 is at least sixty-five years of age and has completed at least five years
16 of creditable service.

17 Sec. 10. Section 79-933, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 79-933 (1) Upon retirement under section 79-931 and except as
20 provided in section 8 of this act, a member or emeritus member shall
21 receive a school retirement allowance which shall consist of the sum of:
22 (a) A savings annuity which shall be the actuarial equivalent, as
23 determined by the retirement board, of the member's accumulated
24 contributions at the time of his or her retirement or, in the case of an
25 emeritus member, the savings annuity fixed by the retirement board at the
26 time of his or her original retirement; and (b) a service annuity to be
27 paid by the State of Nebraska.

28 (2) The amount of any individual service annuity for (a) a full-time
29 school employee hired on or before April 1, 1988, who retires with
30 thirty-five or more years of service or who retires under the provisions
31 of disability retirement, (b) a full-time school employee who provided

1 compensated service after April 1, 1988, but prior to July 19, 1996, if
2 the service annuity commences on or after the member's sixty-fifth
3 birthday, who retires with thirty-five or more years of service or who
4 retires under the provisions of disability retirement, or (c) an emeritus
5 member shall be three dollars and fifty cents per month for each year of
6 creditable service commencing with his or her retirement on or after May
7 19, 1981. For employees not enumerated in subdivision (a) or (b) of this
8 subsection or for employees hired on or after July 19, 1996, if the
9 service annuity commences prior to the member's sixty-fifth birthday, it
10 shall be on an actuarially reduced basis. Each school employee or
11 emeritus member who retired before July 1, 1973, and who is receiving a
12 service annuity as of that date shall have such service annuity adjusted
13 by the increase in the cost of living as determined by the difference
14 between the Consumer Price Index for Urban Wage Earners and Clerical
15 Workers from the date the service annuity commenced and July 1, 1973,
16 except that such annuity shall not exceed three dollars and fifty cents
17 monthly per year of service based on the same number of years of service
18 that is currently being used to determine his or her service annuity.
19 Such increased service annuity shall commence on July 1, 1973.

20 Sec. 11. Section 79-934, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 79-934 (1) In lieu of the school retirement allowance provided by
23 section 79-933, any member who is not an employee of a Class V school
24 district and who becomes eligible to make application for and receive a
25 school retirement allowance under section 79-931 may receive a formula
26 annuity retirement allowance if it is greater than the school retirement
27 allowance provided by section 79-933.

28 (2) Subject to the other provisions of this section, the monthly
29 formula annuity in the normal form shall be determined by multiplying the
30 number of years of creditable service for which such member would
31 otherwise receive the service annuity provided by section 79-933 by (a)

1 one and one-quarter percent of his or her final average compensation for
2 a member who has acquired the equivalent of one-half year of service or
3 more as a school employee under the retirement system following August
4 24, 1975, (b) one and one-half percent of his or her final average
5 compensation for a member who has acquired the equivalent of one-half
6 year of service or more as a school employee under the retirement system
7 following July 17, 1982, (c) one and sixty-five hundredths percent of his
8 or her final average compensation for a member who has acquired the
9 equivalent of one-half year of service or more as a school employee under
10 the retirement system following July 1, 1984, (d) one and seventy-three
11 hundredths percent of his or her final average compensation for a member
12 actively employed as a school employee under the retirement system or
13 under contract with an employer on or after June 5, 1993, (e) one and
14 eight-tenths percent of his or her final average compensation for a
15 member who has acquired the equivalent of one-half year of service or
16 more as a school employee under the retirement system following July 1,
17 1995, and was employed as a school employee under the retirement system
18 or under contract with an employer on or after April 10, 1996, (f) one
19 and nine-tenths percent of his or her final average compensation for a
20 member who has acquired the equivalent of one-half year of service or
21 more as a school employee under the retirement system following July 1,
22 1998, and was employed as a school employee under the retirement system
23 or under contract with an employer on or after April 29, 1999, (g) two
24 percent of his or her final average compensation for a member who has
25 acquired the equivalent of one-half year of service or more as a school
26 employee under the retirement system following July 1, 2000, who was
27 employed as a school employee under the retirement system or under
28 contract with an employer on or after May 2, 2001, and hired prior to
29 July 1, 2016, and who has not retired prior to May 2, 2001, or (h) two
30 percent of his or her final average compensation for a member initially
31 hired on or after July 1, 2016, or a member who has taken a refund or

1 retirement and is rehired or hired by a separate employer covered by the
2 retirement system on or after July 1, 2016, and has acquired the
3 equivalent of five years of service or more as a school employee under
4 the retirement system or under contract with an employer on or after July
5 1, 2016. Subdivision (2)(f) of this section shall not apply to a member
6 who is retired prior to April 29, 1999. Subdivision (2)(g) of this
7 section shall not apply to a member who is retired prior to May 2, 2001.

8 (3) If the annuity begins on or after the sixty-fifth birthday of a
9 member, the annuity shall not be reduced.

10 (4) For a member who is retired prior to March 4, 1998, and for
11 retirement for a member hired on or after July 1, 2017, or for a member
12 who has taken a refund or retirement and is rehired or hired by an
13 employer covered by the retirement system on or after July 1, 2017, if If
14 the annuity begins prior to the sixty-fifth birthday of the member and
15 the member has completed thirty or more years of creditable service and
16 is at least sixty years of age, the annuity shall not be reduced. ~~If the~~
17 ~~annuity begins prior to the sixtieth birthday of the member and the~~
18 ~~member has completed thirty-five or more years of creditable service, the~~
19 ~~annuity shall be actuarially reduced on the basis of age sixty-five.~~

20 (5) If the annuity begins on or after the sixtieth birthday of the
21 member and the member has completed at least a total of five years of (a)
22 creditable service plus (b) eligibility and vesting credit but less than
23 thirty years of creditable service, the annuity shall be reduced by three
24 percent for each year by which the member's age is less than the age at
25 which the member's age plus years of creditable service would have
26 totaled ninety or three percent for each year after the member's sixtieth
27 birthday and prior to his or her sixty-fifth birthday, whichever provides
28 the greater annuity.

29 (6)(a) ~~(4)(a)~~ For retirements on or after March 4, 1998, for a
30 member hired prior to July 1, 2016, if the annuity begins at a time when
31 the sum of the member's attained age and creditable service totals

1 eighty-five and the member is at least fifty-five years of age, the
2 annuity shall not be reduced. This subdivision shall only apply to a
3 member who has acquired the equivalent of one-half year of service or
4 more as a public school employee under the retirement system following
5 July 1, 1997, and who was a school employee on or after March 4, 1998.
6 This subdivision shall not apply to a member who is retired prior to
7 March 4, 1998.

8 (b) For retirements for a member hired on or after July 1, 2016, and
9 prior to July 1, 2017, or for a member who has taken a refund or
10 retirement and is rehired or hired by a separate employer covered by the
11 retirement system on or after July 1, 2016, and prior to July 1, 2017, if
12 the annuity begins at a time when the sum of the member's attained age
13 and creditable service totals eighty-five and the member is at least
14 fifty-five years of age, the annuity shall not be reduced. This
15 subdivision shall only apply to a member who has acquired the equivalent
16 of five years of service or more as a school employee under the
17 retirement system.

18 (c) For retirements for a member hired on or after July 1, 2017, or
19 for a member who has taken a refund or retirement and is rehired or hired
20 by any employer covered by the retirement system on or after July 1,
21 2017, if the annuity begins at a time when the sum of the member's
22 attained age and creditable service totals ninety and the member is at
23 least sixty years of age, the annuity shall not be reduced. This
24 subdivision shall only apply to a member who has acquired the equivalent
25 of five years of service or more as a school employee under the
26 retirement system.

27 (7) ~~(5)~~ Except as provided in section 42-1107, the normal form of
28 the formula annuity shall be an annuity payable monthly during the
29 remainder of the member's life with the provision that in the event of
30 his or her death before sixty monthly payments have been made the monthly
31 payments will be continued to his or her estate or to the beneficiary he

1 or she has designated until sixty monthly payments have been made. Except
2 as provided in section 42-1107, a member may elect to receive in lieu of
3 the normal form of annuity an actuarially equivalent annuity in any
4 optional form provided by section 79-938.

5 (8) ~~(6)~~ All formula annuities shall be paid from the School
6 Retirement Fund.

7 (9)(a)(i) ~~(7)(a)(i)~~ For purposes of this section, in the
8 determination of compensation for members on or after July 1, 2005, that
9 part of a member's compensation for the plan year which exceeds the
10 member's compensation with the same employer for the preceding plan year
11 by more than seven percent of the compensation base during the sixty
12 months preceding the member's retirement shall be excluded unless (A) the
13 member experienced a substantial change in employment position, (B) as
14 verified by the school board, the excess compensation above seven percent
15 occurred as the result of a collective-bargaining agreement between the
16 employer and a recognized collective-bargaining unit or category of
17 school employee, and the percentage increase in compensation above seven
18 percent shall not be excluded for employees outside of a collective-
19 bargaining unit or within the same category of school employee, or (C)
20 the excess compensation occurred as the result of a districtwide
21 permanent benefit change made by the employer for a category of school
22 employee in accordance with subdivision (4)(a)(iv) of section 79-902.

23 (ii) For purposes of subdivision (9)(a) ~~(7)(a)~~ of this section:

24 (A) Category of school employee means either all employees of the
25 employer who are administrators or certificated teachers, or all
26 employees of the employer who are not administrators or certificated
27 teachers, or both;

28 (B) Compensation base means (I) for current members, employed with
29 the same employer, the member's compensation for the plan year ending
30 June 30, 2005, or (II) for members newly hired or hired by a separate
31 employer on or after July 1, 2005, the member's compensation for the

1 first full plan year following the member's date of hiring. Thereafter,
2 the member's compensation base shall be increased each plan year by the
3 lesser of seven percent of the member's preceding plan year's
4 compensation base or the member's actual annual compensation increase
5 during the preceding plan year; and

6 (C) Recognized collective-bargaining unit means a group of employees
7 similarly situated with a similar community of interest appropriate for
8 bargaining recognized as such by a school board.

9 (b)(i) In the determination of compensation for members whose
10 retirement date is on or after July 1, 2012, through June 30, 2013, that
11 part of a member's compensation for the plan year which exceeds the
12 member's compensation with the same employer for the preceding plan year
13 by more than nine percent of the compensation base shall be excluded.

14 (ii) For purposes of subdivision (9)(b) ~~(7)(b)~~ of this section,
15 compensation base means (A) for current members employed with the same
16 employer, the member's compensation for the plan year ending June 30,
17 2012, or (B) for members newly hired or hired by a separate employer on
18 or after July 1, 2012, the member's compensation for the first full plan
19 year following the member's date of hiring.

20 (c)(i) In the determination of compensation for members whose
21 retirement date is on or after July 1, 2013, that part of a member's
22 compensation for the plan year which exceeds the member's compensation
23 for the preceding plan year by more than eight percent during the capping
24 period shall be excluded. Such member's compensation for the first plan
25 year of the capping period shall be compared to the member's compensation
26 received for the plan year immediately preceding the capping period.

27 (ii) For purposes of subdivision (9)(c) ~~(7)(c)~~ of this section:

28 (A) Capping period means the five plan years preceding the later of
29 (I) such member's retirement date or (II) such member's final
30 compensation date; and

31 (B) Final compensation date means the later of (I) the date on which

1 a retiring member's final compensation is actually paid or (II) if a
2 retiring member's final compensation is paid in advance as a lump sum,
3 the date on which such final compensation would have been paid to the
4 member in the absence of such advance payment.

5 Sec. 12. Section 79-951, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 79-951 (1) Except as provided in section 8 of this act, a A member
8 shall be retired on account of disability, either upon his or her own
9 application or the application of his or her employer or a person acting
10 in his or her behalf, if a medical examination, made at the expense of
11 the retirement system and conducted by a competent disinterested
12 physician legally authorized to practice medicine under the laws of the
13 state in which he or she practices, selected by the retirement board,
14 shows and the physician certifies to the retirement board that the member
15 is unable to engage in a substantially gainful activity by reason of any
16 medically determinable physical or mental impairment which began while
17 the member was a participant in the plan and which can be expected to
18 result in death or be of a long and indefinite duration. The medical
19 examination may be waived if, in the judgment of the retirement board,
20 extraordinary circumstances exist which preclude substantial gainful
21 activity by the member. Such circumstances shall include hospice
22 placement or similar confinement for a terminal illness or injury.

23 (2) The member shall have five years from the date he or she
24 terminates employment in a public school located in Nebraska in which to
25 make application for disability retirement benefits if the disability is
26 related to employment in a public school located in Nebraska. If the
27 disability is not related to a public school located in Nebraska, the
28 member shall have one year from the date he or she terminates employment
29 in which to make application for disability retirement benefits. Any
30 application for retirement on account of disability shall be made on a
31 retirement application provided by the retirement system. Upon approval

1 by the board, benefits shall begin on the disability retirement date.

2 Sec. 13. Section 79-955, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-955 Upon termination of employment for any cause, other than
5 death, ~~or~~ retirement, or retirement after retirement pursuant to section
6 8 of this act, the retirement board shall, upon the member's demand,
7 terminate his or her membership in the retirement system and cause to be
8 paid to such member the accumulated contributions standing to the credit
9 of his or her individual account in the School Retirement Fund. Any
10 member who attains or has attained membership in another Nebraska state
11 or school retirement system authorized by the Legislature and who elects
12 not to be or remain a member of the School Employees Retirement System of
13 the State of Nebraska shall have his or her accumulated contributions
14 returned to him or her forthwith.

15 Sec. 14. Section 79-958, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-958 (1) Beginning on September 1, 2012, for the purpose of
18 providing the funds to pay for formula annuities, every employee shall be
19 required to deposit in the School Retirement Fund nine and seventy-eight
20 hundredths percent of compensation. Such deposits shall be transmitted at
21 the same time and in the same manner as required employer contributions.

22 (2) For the purpose of providing the funds to pay for formula
23 annuities, every employer shall be required to deposit in the School
24 Retirement Fund one hundred one percent of the required contributions of
25 the school employees of each employer. Such deposits shall be transmitted
26 to the retirement board at the same time and in the same manner as such
27 required employee contributions.

28 (3) The employer shall pick up the member contributions required by
29 this section for all compensation paid on or after January 1, 1986, and
30 the contributions so picked up shall be treated as employer contributions
31 pursuant to section 414(h)(2) of the Internal Revenue Code in determining

1 federal tax treatment under the code and shall not be included as gross
2 income of the member until such time as they are distributed or made
3 available. The contributions, although designated as member
4 contributions, shall be paid by the employer in lieu of member
5 contributions. The employer shall pay these member contributions from the
6 same source of funds which is used in paying earnings to the member. The
7 employer shall pick up these contributions by a compensation deduction
8 through a reduction in the cash compensation of the member. Member
9 contributions picked up shall be treated for all purposes of the School
10 Employees Retirement Act in the same manner and to the same extent as
11 member contributions made prior to the date picked up.

12 (4) The employer shall pick up the member contributions made through
13 irrevocable payroll deduction authorizations pursuant to sections 79-921,
14 79-933.03 to 79-933.06, and 79-933.08 and section 8 of this act, and the
15 contributions so picked up shall be treated as employer contributions in
16 the same manner as contributions picked up under subsection (3) of this
17 section.

18 Sec. 15. Section 79-978, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 79-978 For purposes of the Class V School Employees Retirement Act,
21 unless the context otherwise requires:

22 (1) Accumulated contributions means the sum of amounts contributed
23 by a member of the system together with regular interest credited
24 thereon;

25 (2) Actuarial equivalent means the equality in value of the
26 retirement allowance for early retirement or the retirement allowance for
27 an optional form of annuity, or both, with the normal form of the annuity
28 to be paid, as determined by the application of the appropriate actuarial
29 table, except that use of such actuarial tables shall not effect a
30 reduction in benefits accrued prior to September 1, 1985, as determined
31 by the actuarial tables in use prior to such date;

1 (3) Actuarial tables means:

2 (a) For determining the actuarial equivalent of any annuities other
3 than joint and survivorship annuities, a unisex mortality table using
4 twenty-five percent of the male mortality and seventy-five percent of the
5 female mortality from the 1994 Group Annuity Mortality Table with a One
6 Year Setback and using an interest rate of eight percent compounded
7 annually; and

8 (b) For joint and survivorship annuities, a unisex retiree mortality
9 table using sixty-five percent of the male mortality and thirty-five
10 percent of the female mortality from the 1994 Group Annuity Mortality
11 Table with a One Year Setback and using an interest rate of eight percent
12 compounded annually and a unisex joint annuitant mortality table using
13 thirty-five percent of the male mortality and sixty-five percent of the
14 female mortality from the 1994 Group Annuity Mortality Table with a One
15 Year Setback and using an interest rate of eight percent compounded
16 annually;

17 (4) Annuitant means any member receiving an allowance;

18 (5) Annuity means annual payments, for both prior service and
19 membership service, for life as provided in the Class V School Employees
20 Retirement Act;

21 (6) Audit year means the period beginning January 1 in any year and
22 ending on December 31 of that same year except for the initial audit year
23 which will begin September 1, 2016, and end on December 31, 2016.
24 Beginning September 1, 2016, the audit year will be the period of time
25 used in the preparation of the annual actuarial analysis and valuation
26 and a financial audit of the investments of the retirement system;

27 (7) Beneficiary means any person entitled to receive or receiving a
28 benefit by reason of the death of a member;

29 (8) Board of education means the board of education of the school
30 district;

31 (9)(a) Compensation means gross wages or salaries payable to the

1 member during a fiscal year and includes (i) overtime pay, (ii) member
2 contributions to the retirement system that are picked up under section
3 414(h) of the Internal Revenue Code, as defined in section 49-801.01,
4 (iii) retroactive salary payments paid pursuant to court order,
5 arbitration, or litigation and grievance settlements, and (iv) amounts
6 contributed by the member to plans under sections 125, 403(b), and 457 of
7 the Internal Revenue Code, as defined in section 49-801.01, or any other
8 section of the code which defers or excludes such amounts from income.

9 (b) Compensation does not include (i) fraudulently obtained amounts
10 as determined by the board, (ii) amounts for unused sick leave or unused
11 vacation leave converted to cash payments, (iii) insurance premiums
12 converted into cash payments, (iv) reimbursement for expenses incurred,
13 (v) fringe benefits, (vi) per diems paid as expenses, (vii) bonuses for
14 services not actually rendered, including, but not limited to, early
15 retirement inducements, cash awards, and severance pay, or (viii)
16 employer contributions made for the purposes of separation payments made
17 at retirement and early retirement inducements as provided for in section
18 79-514.

19 (c) Compensation in excess of the limitations set forth in section
20 401(a)(17) of the Internal Revenue Code, as defined in section 49-801.01,
21 shall be disregarded;

22 (10) Council means the Nebraska Investment Council created and
23 acting pursuant to section 72-1237;

24 (11) Creditable service means the sum of the membership service and
25 the prior service, measured in one-tenth-year increments;

26 (12) Early retirement date means, for members hired prior to July 1,
27 2016, who have attained age fifty-five, that month and year selected by a
28 member having at least ten years of creditable service which includes a
29 minimum of five years of membership service. Early retirement date means,
30 for members hired on or after July 1, 2016, that month and year selected
31 by a member having at least five years of creditable service and who has

1 attained age sixty;

2 (13) Employee means the following enumerated persons receiving
3 compensation from the school district: (a) Regular teachers and
4 administrators employed on a written contract basis; and (b) regular
5 employees, not included in subdivision (13)(a) of this section, hired
6 upon a full-time basis, which basis shall contemplate a workweek of not
7 less than thirty hours;

8 (14) Employer means the school district;

9 (15) (14) Fiscal year means the period beginning September 1 in any
10 year and ending on August 31 of the next succeeding year;

11 (16) (15) Interest means, for the purchase of service credit, the
12 purchase of prior service credit, restored refunds, and delayed payments,
13 the investment return assumption used in the most recent actuarial
14 valuation;

15 (17) (16) Member means any employee included in the membership of
16 the retirement system or any former employee who has made contributions
17 to the system and has not received a refund;

18 (18) (17) Membership service means service on or after September 1,
19 1951, as an employee of the school district and a member of the system
20 for which compensation is paid by the school district. Credit for more
21 than one year of membership service shall not be allowed for service
22 rendered in any fiscal year. Beginning September 1, 2005, a member shall
23 be credited with a year of membership service for each fiscal year in
24 which the member performs one thousand or more hours of compensated
25 service as an employee of the school district. An hour of compensated
26 service shall include any hour for which the member is compensated by the
27 school district during periods where no service is performed due to
28 vacation or approved leave. If a member performs less than one thousand
29 hours of compensated service during a fiscal year, one-tenth of a year of
30 membership service shall be credited for each one hundred hours of
31 compensated service by the member in such fiscal year. In determining a

1 member's total membership service, all periods of membership service,
2 including fractional years of membership service in one-tenth-year
3 increments, shall be aggregated;

4 (19) ~~(18)~~ Military service means service in the uniformed services
5 as defined in 38 U.S.C. 4301 et seq., as such provision existed on March
6 27, 1997;

7 (20) ~~(19)~~ Normal retirement date means the end of the month during
8 which the member attains age sixty-five and has completed at least five
9 years of membership service;

10 (21) ~~(20)~~ Primary beneficiary means the person or persons entitled
11 to receive or receiving a benefit by reason of the death of a member;

12 (22) ~~(21)~~ Prior service means service rendered prior to September 1,
13 1951, for which credit is allowed under section 79-999, service rendered
14 by retired employees receiving benefits under preexisting systems, and
15 service for which credit is allowed under sections 79-990, 79-991,
16 79-994, 79-995, and 79-997;

17 (23) ~~(22)~~ Regular interest means interest (a) on the total
18 contributions of the member prior to the close of the last preceding
19 fiscal year, (b) compounded annually, and (c)(i) beginning September 1,
20 2016, at a rate equal to the daily treasury yield curve for one-year
21 treasury securities, as published by the Secretary of the Treasury of the
22 United States, that applies on September 1 of each year and (ii) prior to
23 September 1, 2016, at rates to be determined annually by the board, which
24 shall have the sole, absolute, and final discretionary authority to make
25 such determination, except that the rate for any given year in no event
26 shall exceed the actual percentage of net earnings of the system during
27 the last preceding fiscal year;

28 (24) ~~(23)~~ Retirement allowance means the total annual retirement
29 benefit payable to a member for service or disability;

30 (25) ~~(24)~~ Retirement date means the date of retirement of a member
31 for service or disability as fixed by the board of trustees;

1 (26) ~~(25)~~ Retirement system or system means the School Employees'
2 Retirement System of (corporate name of the school district as described
3 in section 79-405) as provided for by the act;

4 (27) ~~(26)~~ Secondary beneficiary means the person or persons entitled
5 to receive or receiving a benefit by reason of the death of all primary
6 beneficiaries prior to the death of the member. If no primary beneficiary
7 survives the member, secondary beneficiaries shall be treated in the same
8 manner as primary beneficiaries;

9 (28) ~~(27)~~ State investment officer means the state investment
10 officer appointed pursuant to section 72-1240 and acting pursuant to the
11 Nebraska State Funds Investment Act; ~~and~~

12 (29)(a) Termination of employment occurs on the date on which the
13 member experiences a bona fide separation from service of employment with
14 the employer, the date of which separation is determined by the end of
15 the member's contractual agreement or, if there is no contract or only
16 partial fulfillment of a contract, by the employer. A member shall not be
17 deemed to have terminated employment if:

18 (i) The member subsequently provides service in any capacity to the
19 same employer or to an employer participating in a retirement system
20 provided for in the County Employees Retirement Act, the Nebraska State
21 Patrol Retirement Act, the School Employees Retirement Act, or the State
22 Employees Retirement Act within one hundred eighty days after he or she
23 ceases such employment; or

24 (ii) The member accepted an early retirement incentive pursuant to
25 section 79-855 and, within three years after accepting such incentive and
26 ceasing such employment, subsequently provides service in any capacity to
27 an employer participating in a retirement system provided for in the
28 Class V School Employees Retirement Act, the County Employees Retirement
29 Act, the Nebraska State Patrol Retirement Act, the School Employees
30 Retirement Act, or the State Employees Retirement Act.

31 (b) If the board of trustees determines that termination of

1 employment has not occurred and a retirement benefit has been paid to a
2 member of the retirement system pursuant to section 79-999, 79-9,100, or
3 79-9,100.01, the board of trustees shall require the member who has
4 received such benefit to repay the benefit to the retirement system; and

5 (30) (28) Trustee means a trustee provided for in section 79-980.

6 Sec. 16. Section 79-978.01, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 79-978.01 Sections 79-978 to 79-9,118 and section 18 of this act
9 shall be known and may be cited as the Class V School Employees
10 Retirement Act.

11 Sec. 17. Section 79-992, Revised Statutes Cumulative Supplement,
12 2016, is amended to read:

13 79-992 (1) A member who has five years or more of creditable
14 service, excluding years of prior service acquired pursuant to section
15 79-990, 79-991, 79-994, 79-995, or 79-997, and who terminates ~~severs~~ his
16 or her employment may elect to leave his or her contributions in the
17 retirement system, in which event he or she shall receive a retirement
18 allowance at normal retirement age based on the annuity earned to the
19 date of such termination of employment ~~severance~~. Such member may elect
20 to receive a retirement allowance at early retirement age if such member
21 retires at an early retirement date. Such annuity shall be adjusted in
22 accordance with section 79-9,100. Upon termination ~~the severance~~ of
23 employment, except on account of retirement, a member shall be entitled
24 to receive refunds as follows: (a) An amount equal to the accumulated
25 contributions to the retirement system by the member; and (b) any
26 contributions made to a previously existing system which were refundable
27 under the terms of that system. Any member receiving a refund of
28 contributions shall thereby forfeit and relinquish all accrued rights in
29 the retirement system including all accumulated creditable service,
30 except that if any member who has withdrawn his or her contributions as
31 provided in this section reenters the service of the district and again

1 becomes a member of the retirement system, he or she may restore any or
2 all money previously received by him or her as a refund, including the
3 interest on the amount of the restored refund for the period of his or
4 her absence from the district's service as determined using the interest
5 rate for interest on such restored refunds, and he or she shall then
6 again receive credit for that portion of service which the restored money
7 represents. Such restoration may be made as the board of trustees may
8 direct through direct payments to the system or on an installment basis
9 pursuant to a binding irrevocable payroll deduction authorized between
10 the member and the school district over a period of not to exceed five
11 years from the date of reemployment. Interest on delayed payments shall
12 be at the rate of interest for determining interest on delayed payments
13 by members to the retirement system. Creditable service may be purchased
14 only in one-tenth-year increments, starting with the most recent years'
15 salary.

16 (2) Except as provided in section 18 of this act:

17 (a) {2} A retired member who returns to employment as an employee of
18 the school district shall again participate in the retirement system as a
19 new member and shall make contributions to the retirement system
20 commencing upon reemployment. The retirement annuity of a retired member
21 who returns to employment with the school district shall continue to be
22 paid by the retirement system. A retired member who returns to employment
23 as an employee of the school district shall receive creditable service
24 only for service performed after his or her return to employment and in
25 no event shall creditable service which accrues or the compensation paid
26 to the member after such return to employment after retirement increase
27 the amount of the member's original retirement annuity; and -

28 (b) {3} Upon termination of employment of the reemployed member, the
29 member shall receive in addition to the retirement annuity which
30 commenced at the time of the previous retirement (i) {a} if the member
31 has accrued five years or more of creditable service after his or her

1 return to employment, excluding years of prior service acquired pursuant
2 to section 79-990, 79-991, 79-994, 79-995, or 79-997, a retirement
3 annuity as provided in section 79-999 or 79-9,100, as applicable,
4 calculated solely on the basis of creditable service and final average
5 compensation accrued and earned after the member's return to employment
6 after his or her original retirement, and as adjusted to reflect any
7 payment in other than the normal form or (ii) ~~(b)~~ if the member has not
8 accrued five years or more of creditable service after his or her return
9 to employment, a refund equal to the member's accumulated contributions
10 which were credited to the member after the member's return to
11 employment. In no event shall the member's creditable service which
12 accrued prior to a previous retirement be considered as part of the
13 member's creditable service after his or her return to employment for any
14 purpose of the Class V School Employees Retirement Act.

15 (3) ~~(4)~~ In the event a member is entitled to receive a refund of
16 contributions pursuant to subsection (1) or subdivision (2)(b)(ii) ~~(3)(b)~~
17 of this section in an amount greater than one thousand dollars, if the
18 member does not elect to have the refund paid directly to himself or
19 herself or transferred to an eligible retirement plan designated by the
20 member as a direct rollover pursuant to section 79-998, then the refund
21 of contributions shall be paid in a direct rollover to an individual
22 retirement plan designated by the board of trustees.

23 Sec. 18. (1) On or after July 1, 2017, a retired member of the
24 retirement system who is hired or rehired by an employer participating in
25 a retirement system provided for in the Class V School Employees
26 Retirement Act, the County Employees Retirement Act, the Nebraska State
27 Patrol Retirement Act, the School Employees Retirement Act, or the State
28 Employees Retirement Act:

29 (a) Shall certify under oath or affirmation that, prior to
30 retirement, he or she did not have a prearranged agreement to work after
31 retirement with any such employer; and

1 (b) Shall meet the requirements for termination of employment as
2 defined in section 79-978 in order to commence such employment or
3 reemployment after retirement.

4 (2) A retired member who complies with subsection (1) of this
5 section and returns to employment shall participate in the retirement
6 system as a new member and shall make contributions to the retirement
7 system commencing upon reemployment. The retirement annuity of a retired
8 member who returns to employment shall continue to be paid by the
9 retirement system. A retired member who returns to employment as an
10 employee shall receive creditable service only for service performed
11 after his or her return to employment. In no event shall creditable
12 service which accrues or the compensation paid to the member after such
13 return to employment after retirement increase the amount of the member's
14 original retirement annuity.

15 (3) Upon termination of employment of a retired member described in
16 subsection (2) of this section, the member shall receive in addition to
17 the retirement annuity which commenced at the time of the previous
18 retirement:

19 (a) If the member has accrued ten years or more of creditable
20 service after his or her return to employment, excluding years of prior
21 service acquired prior to retirement, a retirement annuity as provided in
22 section 79-999, 79-9,100, or 79-9,100.01, as applicable, shall be
23 calculated solely on the basis of creditable service and final average
24 compensation accrued and earned after the member's return to employment
25 described in subsection (2) of this section and as adjusted to reflect
26 any payment in other than the normal form; or

27 (b) If the member has not accrued ten years or more of creditable
28 service after his or her return to employment, a refund equal to the
29 member's accumulated contributions which were credited to the member
30 after the member's return to employment described in subsection (2) of
31 this section. In no event shall the member's creditable service which

1 accrued prior to a previous retirement be considered as part of the
2 member's creditable service after his or her return to employment for any
3 purpose under the Class V School Employees Retirement Act.

4 The member shall not be eligible to subsequently retire on account
5 of disability pursuant to section 79-9,105.

6 (4) The employer shall notify the State Department of Education of
7 the date upon which a member terminates employment.

8 (5) The employer and member shall certify under oath or affirmation
9 that, prior to the member's retirement, there was no prearranged
10 agreement to return to work in any capacity, including, but not limited
11 to, acceptance of employment under a personal services contract as an
12 independent contractor, as a consultant, or with a private leasing
13 company, a temporary staffing agency, or any other company. The member
14 shall also certify that, prior to his or her retirement, there was no
15 prearranged agreement to commence employment in any capacity, as
16 described in this subsection, with an employer participating in a
17 retirement system provided for in the Class V School Employees Retirement
18 Act, the County Employees Retirement Act, the Nebraska State Patrol
19 Retirement Act, the School Employees Retirement Act, or the State
20 Employees Retirement Act.

21 (6) The retirement board may adopt and promulgate rules and
22 regulations and prescribe forms necessary to carry out this section.

23 Sec. 19. Section 79-9,100.01, Revised Statutes Cumulative
24 Supplement, 2016, is amended to read:

25 79-9,100.01 Except as provided in subdivision (1)(b) of this
26 section, for For employees who become members on or after July 1, 2016:

27 (1)(a) ~~(1)~~ If the annuity begins at a time when the sum of the
28 member's attained age and creditable service totals eighty-five and the
29 member is at least fifty-five years of age, the annuity shall not be
30 reduced;

31 (b) For employees who become members on or after July 1, 2017, if

1 the annuity begins at a time when the sum of the member's attained age
2 and creditable service totals ninety and the member is at least sixty
3 years of age, the annuity shall not be reduced;

4 (2) If the annuity begins on or after the sixtieth birthday of the
5 member and the member has completed at least a total of five years of
6 creditable service, the annuity shall be reduced by twenty-five
7 hundredths percent for each month or partial month between the date the
8 annuity begins and the member's sixty-fifth birthday;

9 (3) A member's attained age shall be measured in one-half-year
10 increments;

11 (4) Except as provided in section 42-1107, the normal form of the
12 formula retirement annuity based on final average compensation shall be
13 an annuity payable monthly during the remainder of the member's life with
14 the provision that, in the event of his or her death before sixty monthly
15 payments have been made, the monthly payments will be continued to his or
16 her estate or to the beneficiary he or she has designated until a total
17 of sixty monthly payments have been made. A member may elect to receive,
18 in lieu of the normal form of annuity, an actuarially equivalent annuity
19 in any optional form provided by section 79-9,101; and

20 (5) All formula annuities shall be paid from the Class V School
21 Employees Retirement Fund.

22 Sec. 20. Section 79-9,105, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 79-9,105 (1) Any member with five or more years of creditable
25 service, excluding years of prior service acquired pursuant to section
26 79-990, 79-991, 79-994, 79-995, or 79-997, who becomes totally disabled
27 for further performance of duty on or after March 22, 2000, may be
28 approved for deferred disability retirement by the board of trustees. In
29 the case of such deferred disability retirement, the member, during the
30 period specified in subsection (3) of this section, shall be credited
31 with creditable service for each year or portion thereof, to be

1 determined in accordance with policies of the board of trustees governing
2 creditable service, that the member defers retirement, up to a maximum of
3 thirty-five years of total creditable service, including creditable
4 service accrued before the member became totally disabled. The member
5 approved for deferred disability retirement may at any time of the
6 member's choosing request the deferral to end and retirement annuity
7 payments to begin. The retirement annuity of such member shall be based
8 on the total number of years of the member's creditable service,
9 including the years credited to the member during his or her total
10 disability under this section, and the member's final average salary as
11 of the date that the member became totally disabled and as adjusted from
12 such date by a percentage equal to the cumulative percentage cost-of-
13 living adjustments that were made or declared for annuities in pay status
14 pursuant to section 79-9,103 after the date of the approval of the board
15 of trustees for deferred disability retirement and before the cessation
16 of the accrual of additional creditable service pursuant to subsection
17 (3) of this section. Except as provided in subsection (4) of this
18 section, the retirement annuity so determined for the member shall be
19 payable to the member without reduction due to any early commencement of
20 benefits, except that the retirement annuity shall be reduced by the
21 amount of any periodic payments to such employee as workers' compensation
22 benefits. Additional creditable service acquired through deferred
23 disability retirement shall apply to the service requirements specified
24 in section 79-9,106. The board of trustees shall consider a member to be
25 totally disabled when it has received an application by the member and a
26 statement by at least two licensed and practicing physicians designated
27 by the board of trustees certifying that the member is totally and
28 presumably permanently disabled and unable to perform his or her duties
29 as a consequence thereof.

30 (2) Notwithstanding the provisions of subsection (1) of this
31 section, the payment of the retirement annuity of a member may not be

1 deferred later than the member's required beginning date as defined in
2 section 401(a)(9) of the Internal Revenue Code, as defined in section
3 49-801.01. If the payment of a disabled member's retirement annuity is
4 required to commence before the member has elected to end his or her
5 deferred disability retirement, the amount of benefit that would have
6 accrued pursuant to subsection (1) of this section in the fiscal year of
7 the member's required beginning date, and in each subsequent fiscal year
8 through the year of the member's election to end the deferred disability
9 retirement period, shall be reduced, but not below zero, by the actuarial
10 equivalent of the payments which were paid to the member during each such
11 fiscal year and after the member's required beginning date. The
12 retirement annuity of any member that commences before the end of the
13 member's deferred disability retirement shall be adjusted as of each
14 September 1 pursuant to the requirements of this subsection.

15 (3) The accrual of creditable service and any adjustment of final
16 average salary provided in subsection (1) of this section shall begin
17 from the first day of the month following the date of the first of the
18 two examinations by which the member is determined by the board of
19 trustees to be totally disabled, shall continue only so long as the
20 member does not receive any wages or compensation for services, and shall
21 end at the earlier of (a) the time total disability ceases as determined
22 by the board of trustees or (b) the date the member elects to end the
23 deferred disability retirement and begin to receive his or her retirement
24 annuity. The board of trustees may require periodic proof of disability
25 but not more frequently than semiannually.

26 (4)(a) For an employee hired prior to July 1, 2017, the ~~(4)~~ The
27 payment of any retirement annuity to a disabled member, which begins to
28 be paid under this section (i) ~~(a)~~ before the member's sixty-second
29 birthday or (ii) ~~(b)~~ at a time before the sum of the member's attained
30 age and creditable service is eighty-five or more, shall be suspended if
31 the board of trustees determines at any time before the member's sixty-

1 second birthday that the member's total disability has ceased.

2 (b) For an employee hired on or after July 1, 2017, the payment of
3 any retirement annuity to a disabled member, which begins to be paid
4 under this section (i) before the member's sixty-fifth birthday or (ii)
5 at a time before the sum of the member's attained age and creditable
6 service is ninety or more, shall be suspended if the board of trustees
7 determines at any time before the member's sixty-fifth birthday that the
8 member's total disability has ceased.

9 (c) Payment of the retirement annuity of such member as determined
10 under this section shall recommence at the member's early retirement date
11 or normal retirement date but shall be subject to reduction at such time
12 as specified in section 79-9,100.

13 Sec. 21. Section 81-2014, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 81-2014 For purposes of the Nebraska State Patrol Retirement Act:

16 (1) Actuarial equivalent means the equality in value of the
17 aggregate amounts expected to be received under different forms of
18 payment or to be received at an earlier retirement age than the normal
19 retirement age. The determinations shall be based on the 1994 Group
20 Annuity Mortality Table reflecting sex-distinct factors blended using
21 seventy-five percent of the male table and twenty-five percent of the
22 female table. An interest rate of eight percent per annum shall be
23 reflected in making the determinations until such percent is amended by
24 the Legislature;

25 (2) Board means the Public Employees Retirement Board;

26 (3)(a)(i) Compensation means gross wages or salaries payable to the
27 member for personal services performed during the plan year. Compensation
28 does not include insurance premiums converted into cash payments,
29 reimbursement for expenses incurred, fringe benefits, per diems, or
30 bonuses for services not actually rendered, including, but not limited
31 to, early retirement inducements, cash awards, and severance pay, except

1 for retroactive salary payments paid pursuant to court order,
2 arbitration, or litigation and grievance settlements. Compensation
3 includes overtime pay, member retirement contributions, and amounts
4 contributed by the member to plans under sections 125 and 457 of the
5 Internal Revenue Code as defined in section 49-801.01 or any other
6 section of the code which defers or excludes such amounts from income.

7 (ii) For any officer employed on or prior to January 4, 1979,
8 compensation includes compensation for unused sick leave or unused
9 vacation leave converted to cash payments.

10 (iii) For any officer employed after January 4, 1979, and prior to
11 July 1, 2016, compensation does not include compensation for unused sick
12 leave or unused vacation leave converted to cash payments and includes
13 compensation for unused holiday compensatory time and unused compensatory
14 time converted to cash payments.

15 (iv) For any officer employed on or after July 1, 2016, compensation
16 does not include compensation for unused sick leave, unused vacation
17 leave, unused holiday compensatory time, unused compensatory time, or any
18 other type of unused leave, compensatory time, or similar benefits,
19 converted to cash payments.

20 (b) Compensation in excess of the limitations set forth in section
21 401(a)(17) of the Internal Revenue Code as defined in section 49-801.01
22 shall be disregarded. For an employee who was a member of the retirement
23 system before the first plan year beginning after December 31, 1995, the
24 limitation on compensation shall not be less than the amount which was
25 allowed to be taken into account under the retirement system as in effect
26 on July 1, 1993;

27 (4) Creditable service means service granted pursuant to section
28 81-2034 and all service rendered while a contributing member of the
29 retirement system. Creditable service includes working days, sick days,
30 vacation days, holidays, and any other leave days for which the officer
31 is paid regular wages except as specifically provided in the Nebraska

1 State Patrol Retirement Act. Creditable service does not include
2 eligibility and vesting credit nor service years for which member
3 contributions are withdrawn and not repaid;

4 (5) Current benefit means the initial benefit increased by all
5 adjustments made pursuant to the Nebraska State Patrol Retirement Act;

6 (6) DROP means the deferred retirement option plan as provided in
7 section 81-2041;

8 (7) DROP account means an individual DROP participant's defined
9 contribution account under section 414(k) of the Internal Revenue Code;

10 (8) DROP period means the amount of time the member elects to
11 participate in DROP which shall be for a period not to exceed five years
12 from and after the date of the member's DROP election;

13 (9) Eligibility and vesting credit means credit for years, or a
14 fraction of a year, of participation in a Nebraska government plan for
15 purposes of determining eligibility for benefits under the Nebraska State
16 Patrol Retirement Act. Such credit shall be used toward the vesting
17 percentage pursuant to subsection (2) of section 81-2031 but shall not be
18 included as years of service in the benefit calculation;

19 (10) Initial benefit means the retirement benefit calculated at the
20 time of retirement;

21 (11) Officer means an officer provided for in sections 81-2001 to
22 81-2009;

23 (12) Plan year means the twelve-month period beginning on July 1 and
24 ending on June 30 of the following year;

25 (13) Regular interest means interest fixed at a rate equal to the
26 daily treasury yield curve for one-year treasury securities, as published
27 by the Secretary of the Treasury of the United States, that applies on
28 July 1 of each year, which may be credited monthly, quarterly,
29 semiannually, or annually as the board may direct;

30 (14) Retirement application means the form approved and provided by
31 the retirement system for acceptance of a member's request for either

1 regular or disability retirement;

2 (15) Retirement date means (a) the first day of the month following
3 the date upon which a member's request for retirement is received on a
4 retirement application if the member is eligible for retirement and has
5 terminated employment or (b) the first day of the month following
6 termination of employment if the member is eligible for retirement and
7 has filed an application but has not yet terminated employment;

8 (16) Retirement system or system means the Nebraska State Patrol
9 Retirement System as provided in the act;

10 (17) Service means employment as a member of the Nebraska State
11 Patrol and shall not be deemed to be interrupted by (a) temporary or
12 seasonal suspension of service that does not terminate the employee's
13 employment, (b) leave of absence authorized by the employer for a period
14 not exceeding twelve months, (c) leave of absence because of disability,
15 or (d) military service, when properly authorized by the board. Service
16 does not include any period of disability for which disability retirement
17 benefits are received under subsection (1) of section 81-2025;

18 (18) Surviving spouse means (a) the spouse married to the member on
19 the date of the member's death if married for at least one year prior to
20 death or if married on the date of the member's retirement or (b) the
21 spouse or former spouse of the member if survivorship rights are provided
22 under a qualified domestic relations order filed with the board pursuant
23 to the Spousal Pension Rights Act. The spouse or former spouse shall
24 supersede the spouse married to the member on the date of the member's
25 death as provided under a qualified domestic relations order. If the
26 benefits payable to the spouse or former spouse under a qualified
27 domestic relations order are less than the value of benefits entitled to
28 the surviving spouse, the spouse married to the member on the date of the
29 member's death shall be the surviving spouse for the balance of the
30 benefits; and

31 (19)(a) ~~(19)~~ Termination of employment occurs on the date on which

1 the Nebraska State Patrol determines that the officer's employer-employee
2 relationship with the patrol is dissolved. The Nebraska State Patrol
3 shall notify the board of the date on which such a termination has
4 occurred.

5 (b) Termination of employment does not include ceasing employment
6 with the Nebraska State Patrol if the officer returns to regular
7 employment in any capacity with the Nebraska State Patrol or another
8 agency of the State of Nebraska or provides service in any capacity to
9 any employer participating in a retirement system provided for in the
10 Class V School Employees Retirement Act, the County Employees Retirement
11 Act, or the School Employees Retirement Act and there are less than one
12 hundred twenty days between the date when the employee's employer-
13 employee relationship ceased and the date when the employer-employee
14 relationship commenced with the Nebraska State Patrol or an employer
15 participating in a retirement system provided for in the Class V School
16 Employees Retirement Act, the County Employees Retirement Act, the School
17 Employees Retirement Act, or the State Employees Retirement Act or
18 another state agency.

19 (c) Termination does not occur if an officer accepted an early
20 retirement incentive and, within three years after accepting such
21 incentive and ceasing such employment, subsequently provides service in
22 any capacity to an employer participating in a retirement system provided
23 for in the Class V School Employees Retirement Act, the County Employees
24 Retirement Act, the Nebraska State Patrol Retirement Act, the School
25 Employees Retirement Act, or the State Employees Retirement Act.

26 (d) Termination of employment does not occur upon an officer's
27 participation in DROP pursuant to section 81-2041.

28 (e) It is the responsibility of the employer that is involved in the
29 termination of employment to notify the board of such change in
30 employment and provide the board with such information as the board deems
31 necessary, including, but not limited to, certification as required in

1 subdivision (f) of this subsection. If the board determines that
2 termination of employment has not occurred and a retirement benefit has
3 been paid to a member of the retirement system pursuant to section
4 81-2026, the board shall require the member who has received such benefit
5 to repay the benefit to the retirement system.

6 (f) The employer involved in the termination of employment and the
7 officer shall certify under oath or affirmation that, prior to the
8 officer's retirement, there was no prearranged agreement to return to
9 work in any capacity, including, but not limited to, acceptance of
10 employment under a personal services contract as an independent
11 contractor, as a consultant, or with a private leasing company, a
12 temporary staffing agency, or any other company. The officer shall also
13 certify that, prior to his or her retirement, there was no prearranged
14 agreement to commence employment in any capacity, as described in this
15 subdivision, with an employer participating in a retirement system
16 provided for in the Class V School Employees Retirement Act, the County
17 Employees Retirement Act, the School Employees Retirement Act, or the
18 State Employees Retirement Act.

19 Sec. 22. Section 81-2031.05, Reissue Revised Statutes of Nebraska,
20 is amended to read:

21 81-2031.05 (1) Except as provided in this section, a A retired
22 officer of the Nebraska State Patrol who becomes a member of the Nebraska
23 State Patrol shall continue receiving retirement benefits and shall be
24 treated for all purposes of the Nebraska State Patrol Retirement Act as a
25 new member of the system.

26 (2) On or after July 1, 2017, a retired member of the Nebraska State
27 Patrol who is hired or rehired in any capacity by the Nebraska State
28 Patrol or by an employer participating in a retirement system provided
29 for in the Class V School Employees Retirement Act, the County Employees
30 Retirement Act, the School Employees Retirement Act, or the State
31 Employees Retirement Act:

1 (a) Shall certify under oath or affirmation that, prior to
2 retirement, he or she did not have a prearranged agreement to work after
3 retirement in any capacity with the Nebraska State Patrol or any such
4 employer; and

5 (b) Shall meet the requirements for termination of employment as
6 defined in section 81-2014 in order to commence such employment or
7 reemployment after retirement.

8 (3) A retired officer who complies with subsection (2) of this
9 section and returns to employment as an officer shall again participate
10 in the retirement system as a new member and shall make contributions to
11 the retirement system commencing upon reemployment. The retirement
12 annuity of a retired officer who returns to employment shall continue to
13 be paid by the retirement system. A retired officer who returns to
14 employment as an officer shall receive creditable service only for
15 service performed after his or her return to employment. In no event
16 shall creditable service which accrues or the compensation paid to the
17 officer after such return to employment after retirement increase the
18 amount of the officer's original retirement annuity.

19 (4) Upon termination of employment of a retired officer described in
20 subsection (3) of this section, the officer shall receive in addition to
21 the retirement annuity which commenced at the time of the previous
22 retirement:

23 (a) If the officer has accrued ten years or more of creditable
24 service after his or her return to employment, excluding years of prior
25 service acquired prior to retirement, a retirement annuity as provided in
26 section 81-2026, as applicable, shall be calculated solely on the basis
27 of creditable service and final average compensation accrued and earned
28 after the officer's return to employment described in subsection (3) of
29 this section and as adjusted to reflect any payment in other than the
30 normal form; or

31 (b) If the officer has not accrued ten years or more of creditable

1 service after his or her return to employment, a refund equal to the
2 officer's accumulated contributions which were credited to the officer
3 after the officer's return to employment described in subsection (3) of
4 this section. In no event shall the officer's creditable service which
5 accrued prior to a previous retirement be considered as part of the
6 officer's creditable service after his or her return to employment for
7 any purpose under the Nebraska State Patrol Retirement Act.

8 The member shall not be eligible to subsequently retire on account
9 of disability pursuant to sections 81-2028 to 81-2030.

10 (5) The retirement board may adopt and promulgate rules and
11 regulations and prescribe forms necessary to carry out this section.

12 Sec. 23. Section 84-1301, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 84-1301 For purposes of the State Employees Retirement Act, unless
15 the context otherwise requires:

16 (1) Actuarial equivalent means the equality in value of the
17 aggregate amounts expected to be received under different forms of an
18 annuity payment. The mortality assumption used for purposes of converting
19 the member cash balance account shall be the 1994 Group Annuity Mortality
20 Table using a unisex rate that is fifty percent male and fifty percent
21 female. For purposes of converting the member cash balance account
22 attributable to contributions made prior to January 1, 1984, that were
23 transferred pursuant to the act, the 1994 Group Annuity Mortality Table
24 for males shall be used;

25 (2) Annuity means equal monthly payments provided by the retirement
26 system to a member or beneficiary under forms determined by the board
27 beginning the first day of the month after an annuity election is
28 received in the office of the Nebraska Public Employees Retirement
29 Systems or the first day of the month after the employee's termination of
30 employment, whichever is later. The last payment shall be at the end of
31 the calendar month in which the member dies or in accordance with the

1 payment option chosen by the member;

2 (3) Annuity start date means the date upon which a member's annuity
3 is first effective and shall be the first day of the month following the
4 member's termination or following the date the application is received by
5 the board, whichever is later;

6 (4) Cash balance benefit means a member's retirement benefit that is
7 equal to an amount based on annual employee contribution credits plus
8 interest credits and, if vested, employer contribution credits plus
9 interest credits and dividend amounts credited in accordance with
10 subdivision (4)(c) of section 84-1319;

11 (5)(a) Compensation means gross wages or salaries payable to the
12 member for personal services performed during the plan year. Compensation
13 does not include insurance premiums converted into cash payments,
14 reimbursement for expenses incurred, fringe benefits, per diems, or
15 bonuses for services not actually rendered, including, but not limited
16 to, early retirement inducements, cash awards, and severance pay, except
17 for retroactive salary payments paid pursuant to court order,
18 arbitration, or litigation and grievance settlements. Compensation
19 includes overtime pay, member retirement contributions, and amounts
20 contributed by the member to plans under sections 125, 403(b), and 457 of
21 the Internal Revenue Code or any other section of the code which defers
22 or excludes such amounts from income.

23 (b) Compensation in excess of the limitations set forth in section
24 401(a)(17) of the Internal Revenue Code shall be disregarded. For an
25 employee who was a member of the retirement system before the first plan
26 year beginning after December 31, 1995, the limitation on compensation
27 shall not be less than the amount which was allowed to be taken into
28 account under the retirement system as in effect on July 1, 1993;

29 (6) Date of disability means the date on which a member is
30 determined to be disabled by the board;

31 (7) Defined contribution benefit means a member's retirement benefit

1 from a money purchase plan in which member benefits equal annual
2 contributions and earnings pursuant to section 84-1310 and, if vested,
3 employer contributions and earnings pursuant to section 84-1311;

4 (8) Disability means an inability to engage in a substantially
5 gainful activity by reason of any medically determinable physical or
6 mental impairment which can be expected to result in death or to be of
7 long-continued and indefinite duration;

8 (9) Employee means any employee of the State Board of Agriculture
9 who is a member of the state retirement system on July 1, 1982, and any
10 person or officer employed by the State of Nebraska whose compensation is
11 paid out of state funds or funds controlled or administered by a state
12 department through any of its executive or administrative officers when
13 acting exclusively in their respective official, executive, or
14 administrative capacities. Employee does not include (a) judges as
15 defined in section 24-701, (b) members of the Nebraska State Patrol,
16 except for those members of the Nebraska State Patrol who elected
17 pursuant to section 60-1304 to remain members of the State Employees
18 Retirement System of the State of Nebraska, (c) employees of the
19 University of Nebraska, (d) employees of the state colleges, (e)
20 employees of community colleges, (f) employees of the Department of Labor
21 employed prior to July 1, 1984, and paid from funds provided pursuant to
22 Title III of the federal Social Security Act or funds from other federal
23 sources, except that if the contributory retirement plan or contract let
24 pursuant to section 48-609 is terminated, such employees shall become
25 employees for purposes of the State Employees Retirement Act on the first
26 day of the first pay period following the termination of such
27 contributory retirement plan or contract, (g) employees of the State
28 Board of Agriculture who are not members of the state retirement system
29 on July 1, 1982, (h) the Nebraska National Guard air and army
30 technicians, (i) persons eligible for membership under the School
31 Employees Retirement System of the State of Nebraska who have not elected

1 to become members of the retirement system pursuant to section 79-920 or
2 been made members of the system pursuant to such section, except that
3 those persons so eligible and who as of September 2, 1973, are
4 contributing to the State Employees Retirement System of the State of
5 Nebraska shall continue as members of such system, or (j) employees of
6 the Coordinating Commission for Postsecondary Education who are eligible
7 for and have elected to become members of a qualified retirement program
8 approved by the commission which is commensurate with retirement programs
9 at the University of Nebraska. Any individual appointed by the Governor
10 may elect not to become a member of the State Employees Retirement System
11 of the State of Nebraska;

12 (10) Employee contribution credit means an amount equal to the
13 member contribution amount required by section 84-1308;

14 (11) Employer contribution credit means an amount equal to the
15 employer contribution amount required by section 84-1309;

16 (12) Final account value means the value of a member's account on
17 the date the account is either distributed to the member or used to
18 purchase an annuity from the plan, which date shall occur as soon as
19 administratively practicable after receipt of a valid application for
20 benefits, but no sooner than forty-five days after the member's
21 termination;

22 (13) Five-year break in service means five consecutive one-year
23 breaks in service;

24 (14) Full-time employee means an employee who is employed to work
25 one-half or more of the regularly scheduled hours during each pay period;

26 (15) Fund means the State Employees Retirement Fund created by
27 section 84-1309;

28 (16) Guaranteed investment contract means an investment contract or
29 account offering a return of principal invested plus interest at a
30 specified rate. For investments made after July 19, 1996, guaranteed
31 investment contract does not include direct obligations of the United

1 States or its instrumentalities, bonds, participation certificates or
2 other obligations of the Federal National Mortgage Association, the
3 Federal Home Loan Mortgage Corporation, or the Government National
4 Mortgage Association, or collateralized mortgage obligations and other
5 derivative securities. This subdivision shall not be construed to require
6 the liquidation of investment contracts or accounts entered into prior to
7 July 19, 1996;

8 (17) Interest credit rate means the greater of (a) five percent or
9 (b) the applicable federal mid-term rate, as published by the Internal
10 Revenue Service as of the first day of the calendar quarter for which
11 interest credits are credited, plus one and one-half percent, such rate
12 to be compounded annually;

13 (18) Interest credits means the amounts credited to the employee
14 cash balance account and the employer cash balance account at the end of
15 each day. Such interest credit for each account shall be determined by
16 applying the daily portion of the interest credit rate to the account
17 balance at the end of the previous day. Such interest credits shall
18 continue to be credited to the employee cash balance account and the
19 employer cash balance account after a member ceases to be an employee,
20 except that no such credit shall be made with respect to the employee
21 cash balance account and the employer cash balance account for any day
22 beginning on or after the member's date of final account value. If
23 benefits payable to the member's surviving spouse or beneficiary are
24 delayed after the member's death, interest credits shall continue to be
25 credited to the employee cash balance account and the employer cash
26 balance account until such surviving spouse or beneficiary commences
27 receipt of a distribution from the plan;

28 (19) Member cash balance account means an account equal to the sum
29 of the employee cash balance account and, if vested, the employer cash
30 balance account and dividend amounts credited in accordance with
31 subdivision (4)(c) of section 84-1319;

1 (20) One-year break in service means a plan year during which the
2 member has not completed more than five hundred hours of service;

3 (21) Participation means qualifying for and making the required
4 deposits to the retirement system during the course of a plan year;

5 (22) Part-time employee means an employee who is employed to work
6 less than one-half of the regularly scheduled hours during each pay
7 period;

8 (23) Plan year means the twelve-month period beginning on January 1
9 and ending on December 31;

10 (24) Prior service means service before January 1, 1964;

11 (25) Regular interest means the rate of interest earned each
12 calendar year commencing January 1, 1975, as determined by the retirement
13 board in conformity with actual and expected earnings on the investments
14 through December 31, 1984;

15 (26) Required contribution means the deduction to be made from the
16 compensation of employees as provided in section 84-1308;

17 (27) Retirement means qualifying for and accepting the retirement
18 benefit granted under the State Employees Retirement Act after
19 terminating employment;

20 (28) Retirement application means the form approved and provided by
21 the retirement system for acceptance of a member's request for either
22 regular or disability retirement;

23 (29) Retirement board or board means the Public Employees Retirement
24 Board;

25 (30) Retirement date means (a) the first day of the month following
26 the date upon which a member's request for retirement is received on a
27 retirement application if the member is eligible for retirement and has
28 terminated employment or (b) the first day of the month following
29 termination of employment if the member is eligible for retirement and
30 has filed an application but has not yet terminated employment;

31 (31) Retirement system means the State Employees Retirement System

1 of the State of Nebraska;

2 (32) Service means the actual total length of employment as an
3 employee and shall not be deemed to be interrupted by (a) temporary or
4 seasonal suspension of service that does not terminate the employee's
5 employment, (b) leave of absence authorized by the employer for a period
6 not exceeding twelve months, (c) leave of absence because of disability,
7 or (d) military service, when properly authorized by the retirement
8 board. Service does not include any period of disability for which
9 disability retirement benefits are received under section 84-1317;

10 (33) State department means any department, bureau, commission, or
11 other division of state government not otherwise specifically defined or
12 exempted in the act, the employees and officers of which are not already
13 covered by a retirement plan;

14 (34) Surviving spouse means (a) the spouse married to the member on
15 the date of the member's death or (b) the spouse or former spouse of the
16 member if survivorship rights are provided under a qualified domestic
17 relations order filed with the board pursuant to the Spousal Pension
18 Rights Act. The spouse or former spouse shall supersede the spouse
19 married to the member on the date of the member's death as provided under
20 a qualified domestic relations order. If the benefits payable to the
21 spouse or former spouse under a qualified domestic relations order are
22 less than the value of benefits entitled to the surviving spouse, the
23 spouse married to the member on the date of the member's death shall be
24 the surviving spouse for the balance of the benefits;

25 (35)(a) ~~(35)~~ Termination of employment occurs on the date on which
26 the agency which employs the member determines that the member's
27 employer-employee relationship with the State of Nebraska is dissolved.
28 The agency which employs the member shall notify the board of the date on
29 which such a termination has occurred.

30 (b) Termination of employment does not occur if an employee whose
31 employer-employee relationship with the State of Nebraska is dissolved

1 (i) enters into an employer-employee relationship in any capacity with
2 the same or another agency of the State of Nebraska and there are less
3 than one hundred twenty days between the date when the employee's
4 employer-employee relationship ceased with the state and the date when
5 the employer-employee relationship commenced with the same or another
6 agency, (ii) provides service in any capacity to an employer
7 participating in a retirement system provided for in the Class V School
8 Employees Retirement Act, the County Employees Retirement Act, the
9 Nebraska State Patrol Retirement Act, or the School Employees Retirement
10 Act and there are less than one hundred twenty days between the date when
11 the employee's employer-employee relationship ceased with the state and
12 the date when the service commenced with the other employer which
13 qualified for participation in the other retirement system, or (iii) if
14 the member accepted an early retirement incentive and within three years
15 after accepting such incentive and ceasing such employment, subsequently
16 provides service in any capacity to an employer participating in a
17 retirement system provided for in the Class V School Employees Retirement
18 Act, the County Employees Retirement Act, the Nebraska State Patrol
19 Retirement Act, the School Employees Retirement Act, or the State
20 Employees Retirement Act.

21 (c) It is the responsibility of the employer that is involved in the
22 termination of employment to notify the board of such change in
23 employment and provide the board with such information as the board deems
24 necessary.

25 (d) If the board determines that termination of employment has not
26 occurred and a retirement benefit has been paid to a member of the
27 retirement system pursuant to section 84-1321, the board shall require
28 the member who has received such benefit to repay the benefit to the
29 retirement system; and

30 (36) Vesting credit means credit for years, or a fraction of a year,
31 of participation in another Nebraska governmental plan for purposes of

1 determining vesting of the employer account.

2 Sec. 24. Section 84-1322, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 84-1322 (1) Except as otherwise provided in this section, a member
5 of the retirement system who has a five-year break in service shall upon
6 reemployment be considered a new employee with respect to the State
7 Employees Retirement Act and shall not receive credit for service prior
8 to his or her reemployment date.

9 (2)(a) A member who ceases to be an employee before becoming
10 eligible for retirement under section 84-1317 and again becomes a
11 permanent full-time or permanent part-time state employee prior to having
12 a five-year break in service shall immediately be reenrolled in the
13 retirement system and resume making contributions. For purposes of
14 vesting employer contributions made prior to and after reentry into the
15 retirement system under subsection (3) of section 84-1321, years of
16 participation include years of participation prior to such employee's
17 original termination. For a member who is not vested and has received a
18 termination benefit pursuant to section 84-1321, the years of
19 participation prior to such employee's original termination shall be
20 limited in a ratio equal to the amount that the member repays divided by
21 the termination benefit withdrawn pursuant to section 84-1321. This
22 subsection shall apply whether or not the person was a state employee on
23 April 20, 1986, or July 17, 1986.

24 (b) The reemployed member may repay the value of, or a portion of
25 the value of, the termination benefit withdrawn pursuant to section
26 84-1321. A reemployed member who elects to repay all or a portion of the
27 value of the termination benefit withdrawn pursuant to section 84-1321
28 shall repay the actual earnings on such value. Repayment of the
29 termination benefit shall commence within three years after reemployment
30 and shall be completed within five years after reemployment or prior to
31 termination of employment, whichever occurs first, through (i) direct

1 payments to the retirement system, (ii) installment payments made
2 pursuant to a binding irrevocable payroll deduction authorization made by
3 the member, (iii) an eligible rollover distribution as provided under the
4 Internal Revenue Code, or (iv) a direct rollover distribution made in
5 accordance with section 401(a)(31) of the Internal Revenue Code.

6 (c) The value of the member's forfeited employer account or employer
7 cash balance account, as of the date of forfeiture, shall be restored in
8 a ratio equal to the amount of the benefit that the member has repaid
9 divided by the termination benefit received. The employer account or
10 employer cash balance account shall be restored first out of the current
11 forfeiture amounts and then by additional employer contributions.

12 (3) Except as provided in subsection (4) of this section, for ~~For~~ a
13 member who retired pursuant to section 84-1317 and becomes a permanent
14 full-time employee or permanent part-time employee with the state more
15 than one hundred twenty days after his or her retirement date, the member
16 shall continue receiving retirement benefits. Such a retired member or a
17 retired member who received a lump-sum distribution of his or her benefit
18 shall be considered a new employee as of the date of reemployment and
19 shall not receive credit for any service prior to the member's retirement
20 for purposes of the act.

21 (4)(a) On or after July 1, 2017, a retired member of the retirement
22 system who is hired or rehired in any capacity by an employer
23 participating in a retirement system provided for in the Class V School
24 Employees Retirement Act, the County Employees Retirement Act, the
25 Nebraska State Patrol Retirement Act, the School Employees Retirement
26 Act, or the State Employees Retirement Act:

27 (i) Shall certify under oath that, prior to retirement, he or she
28 did not have a prearranged agreement to work after retirement in any
29 capacity with any such employer; and

30 (ii) Shall meet the requirements for termination of employment as
31 defined in section 84-1301 in order to commence such employment or

1 reemployment after retirement.

2 (b) A retired member who complies with subdivision (a) of this
3 subsection and returns to employment in any capacity as an employee with
4 an employer in the State Employees Retirement Act shall again participate
5 in the retirement system as a new member and shall make contributions to
6 the retirement system commencing upon reemployment. The retirement
7 benefit of a retired member who returns to employment shall continue to
8 be paid by the retirement system. A retired member who returns to
9 employment as an employee shall receive vesting credit only for service
10 performed after his or her return to employment. In no event shall
11 vesting credit which accrues or the compensation paid to the member after
12 such return to employment after retirement increase the amount of the
13 member's original retirement benefit.

14 (c) Upon termination of employment of a retired member described in
15 subdivision (b) of this subsection, the member shall receive in addition
16 to the retirement benefit which commenced at the time of the previous
17 retirement:

18 (i) If the member has accrued ten years or more of vesting credit
19 after his or her return to employment, excluding years of vesting credit
20 acquired prior to retirement, as applicable, shall be calculated solely
21 on the basis of vesting credit accrued and earned after the member's
22 return to employment described in subdivision (b) of this subsection and
23 as adjusted to reflect any payment in other than the normal form; or

24 (ii) If the member has not accrued ten years or more of vesting
25 credit after his or her return to employment, a refund equal to the
26 member's accumulated contributions which were credited to the member
27 after the member's return to employment described in subdivision (b) of
28 this subsection. In no event shall the member's vesting credit which
29 accrued prior to a previous retirement be considered as part of the
30 member's vesting credit after his or her return to employment for any
31 purpose of the State Employees Retirement Act.

1 The member shall not be eligible to subsequently retire on account
2 of disability pursuant to section 84-1323.01.

3 (5) (4) A member who is reinstated as an employee pursuant to a
4 grievance or appeal of his or her termination by the state shall be a
5 member upon reemployment and shall not be considered to have a break in
6 service for such period of time that the grievance or appeal was pending.
7 Following reinstatement, the member shall repay the value of the amount
8 received from his or her employee account or member cash balance account
9 under subdivision (2)(b) of section 84-1321.01.

10 (6) The retirement board may adopt and promulgate rules and
11 regulations and prescribe forms necessary to carry out this section.

12 Sec. 25. Original sections 23-2320, 79-805, 79-901, 79-921, 79-933,
13 79-951, 79-955, 79-958, 81-2031.05, 84-1301, and 84-1322, Reissue Revised
14 Statutes of Nebraska, and sections 23-2301, 79-902, 79-904.01, 79-931,
15 79-934, 79-978, 79-978.01, 79-992, 79-9,100.01, 79-9,105, and 81-2014,
16 Revised Statutes Cumulative Supplement, 2016, are repealed.

17 Sec. 26. The following section is outright repealed: Section
18 79-923, Reissue Revised Statutes of Nebraska.

19 Sec. 27. Since an emergency exists, this act takes effect when
20 passed and approved according to law.

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB431

Chairperson: Senator John Murante

Committee: Government, Military and Veterans Affairs

Date of Hearing: January 26, 2017

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of this bill is to correct the relationship between taxes levied and cash reserved. LB431 intends to cap cash reserves at 50% of the total amount received from personal and real property taxes, instead of through projected budgeting. Furthermore, the bill intends to strip governing bodies from their ability to build-up exorbitant cash reserves which exceed 50% of their total tax asking ability.

LB431 will accomplish this goal by changing the wording of Nebraska State Statute 13-504(b) and (c). The bill will strike the words, "budget adopted" from these two sections of the statute and replace them with the words, "amount received from personal and real property taxation." This change in the wording of Nebraska State Statute 13-504(b) and (c) shall limit incoming cash reserves to 50% of the governing body's tax asking ability and cap the total amount of these cash reserves at this same amount. There is simply no reason for any governing body within the State to hold more than 50% of its operating costs in cash reserves.

Principal Introducer: _____

Senator Steve Erdman

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 484

Introduced by Kolowski, 31.

Read first time January 17, 2017

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to create and provide duties for
- 2 the School Financing Review Commission; to state intent relating to
- 3 appropriations; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The School Financing Review Commission is created.
2 The commission shall consist of twenty members, including: (a) Three
3 members of the Legislature, including one member of the Revenue Committee
4 of the Legislature, one member of the Education Committee of the
5 Legislature, and one member of the Appropriations Committee of the
6 Legislature, appointed by the Executive Board of the Legislative Council;
7 (b) the Property Tax Administrator or his or her designee, who shall be a
8 nonvoting, ex officio member; (c) the council director of the Educational
9 Service Unit Coordinating Council; (d) the Commissioner of Education or
10 his or her designee; (e) a representative of the Governor selected by the
11 Governor; (f) two members representing postsecondary education with
12 expertise in the area of school finance; (g) two members who reside in a
13 Class II school district, one of whom shall be a school administrator and
14 one of whom shall be a school board member; (h) two members who reside in
15 a Class III school district, one of whom shall be a school administrator
16 and one of whom shall be a school board member; (i) two members who
17 reside in a Class IV school district, one of whom shall be a school
18 administrator and one of whom shall be a school board member; (j) two
19 members who reside in a Class V school district, one of whom shall be a
20 school administrator and one of whom shall be a school board member; and
21 (k) three members from the state at large, one from each congressional
22 district, who reside in school districts of varied sizes and with varying
23 percentages of limited English proficiency students and poverty students.
24 At least one of the members appointed pursuant to this subdivision shall
25 have experience in the teaching profession in public schools, at least
26 one shall have experience in business, and at least one shall have
27 experience in agriculture-related business.

28 (2) The members described in subdivisions (1)(f) through (k) of this
29 section shall be appointed by the Commissioner of Education to serve
30 through December 31, 2026. To the extent possible, the membership of the
31 commission shall be diverse in terms of race, gender, and other

1 demographic factors. Vacancies shall be filled by the Commissioner of
2 Education for the remainder of the term. The Commissioner of Education or
3 his or her designee shall be the chairperson of the commission, and the
4 commission shall elect a vice-chairperson from among its members. Members
5 of the commission shall not receive any compensation for their services
6 but shall be reimbursed for their actual and necessary expenses incurred
7 as members of the commission as provided in sections 81-1174 to 81-1177.

8 (3) The commission shall cease to exist on December 31, 2026, unless
9 extended by the Legislature.

10 (4) For administrative purposes, the commission shall be housed
11 within the State Department of Education.

12 Sec. 2. (1) The School Financing Review Commission shall conduct an
13 in-depth review of the financing of the public elementary and secondary
14 schools. The commission shall:

15 (a) Examine the option of using income as a component in the
16 financing of schools;

17 (b) Examine the option of using sales tax as a component in the
18 financing of schools, including, but not limited to, an examination of
19 the experience of any other states with such option;

20 (c) Examine financing methods used in other states which offer
21 alternatives to heavy reliance on property tax;

22 (d) Examine financing issues as they relate to the quality and
23 performance of the schools;

24 (e) Examine options for funding expanded prekindergarten services;

25 (f) Examine options for funding college-readiness and career-
26 readiness programs, including, but not limited to, programs of
27 excellence, dual-enrollment courses, and career academies;

28 (g) Examine the costs and resources necessary to educate poverty
29 students and limited English proficiency students;

30 (h) Examine methods used by other states to fund kindergarten
31 through twelfth grade infrastructure needs;

1 (i) Examine other issues related to public elementary and secondary
2 school finance as necessary and as determined by the chairperson;

3 (j) Prepare a report on the progress of the work of the commission
4 and submit it electronically to the Legislature on or before December 31,
5 2017; and

6 (k) Prepare a preliminary report and present it to the Legislative
7 Council in November 2018. A final report with recommendations on
8 maintaining adequate and equitable funding for public schools in light of
9 information gathered through the review shall be presented to the
10 Governor, the State Board of Education, and electronically to the
11 Legislature by December 1, 2018.

12 (2) On and after December 1, 2018, to assure that every Nebraskan is
13 educated for success, the commission shall:

14 (a) Review the mission of providing Nebraskans the opportunity to
15 acquire the necessary skills and knowledge to be productive individuals;

16 (b) Review, make recommendations on, and report on the progress of
17 the goals established by the Legislature and the State Department of
18 Education. The committee may solicit comments, concerns, and case studies
19 from all sizes of schools in Nebraska and develop best practices for
20 implementing and achieving such goals; and

21 (c) Review the implementation of the Tax Equity and Educational
22 Opportunities Support Act and the implementation of any recommendations
23 contained in reports issued under section 3 of this act.

24 Sec. 3. On or before July 1 of each even-numbered year beginning in
25 2020, the School Financing Review Commission shall report to the
26 Governor, to the State Board of Education, and electronically to the
27 Legislature on the adequacy of school funding sources. The State
28 Department of Education and the staff of the Revenue Committee, the
29 Education Committee, and the Appropriations Committee of the Legislature,
30 with the consent of the chairpersons of such committees, may assist as
31 needed and requested by the chairperson of the commission in accordance

1 with guidelines developed by the commission.

2 Sec. 4. The School Financing Review Commission may:

3 (1) Hire staff, including, but not limited to, consultants; and

4 (2) Obtain assistance from the State Department of Education and the

5 Department of Revenue in acquiring data needed to carry out its duties.

6 Sec. 5. It is the intent of the Legislature to appropriate at least

7 one hundred thousand dollars from the General Fund to the School

8 Financing Review Commission to carry out its duties.

9 Sec. 6. Since an emergency exists, this act takes effect when
10 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 521

Introduced by Walz, 15.

Read first time January 18, 2017

Committee: Education

1 A BILL FOR AN ACT relating to the Tax Equity and Educational
2 Opportunities Support Act; to amend sections 79-1001, 79-1003,
3 79-1007.11, and 79-1017.01, Revised Statutes Cumulative Supplement,
4 2016; to change provisions related to early childhood education aid;
5 to provide a new allowance; to provide aid; to harmonize provisions;
6 and to repeal the original sections.

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

1 Section 1. Section 79-1001, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 79-1001 Sections 79-1001 to 79-1033 and section 3 of this act shall
4 be known and may be cited as the Tax Equity and Educational Opportunities
5 Support Act.

6 Sec. 2. Section 79-1003, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 79-1003 For purposes of the Tax Equity and Educational Opportunities
9 Support Act:

10 (1) Adjusted general fund operating expenditures means (a) for
11 school fiscal years 2013-14 through 2015-16, the difference of the
12 general fund operating expenditures as calculated pursuant to subdivision
13 (23) of this section increased by the cost growth factor calculated
14 pursuant to section 79-1007.10, minus the transportation allowance,
15 special receipts allowance, poverty allowance, limited English
16 proficiency allowance, distance education and telecommunications
17 allowance, elementary site allowance, summer school allowance,
18 instructional time allowance, teacher education allowance, and focus
19 school and program allowance, (b) for school fiscal years 2016-17 through
20 2017-18 ~~2018-19~~, the difference of the general fund operating
21 expenditures as calculated pursuant to subdivision (23) of this section
22 increased by the cost growth factor calculated pursuant to section
23 79-1007.10, minus the transportation allowance, special receipts
24 allowance, poverty allowance, limited English proficiency allowance,
25 distance education and telecommunications allowance, elementary site
26 allowance, summer school allowance, best practices allowance, and focus
27 school and program allowance, ~~and~~ (c) for school fiscal year 2018-19, the
28 difference of the general fund operating expenditures as calculated
29 pursuant to subdivision (23) of this section increased by the cost growth
30 factor calculated pursuant to section 79-1007.10, minus the
31 transportation allowance, special receipts allowance, poverty allowance,

1 limited English proficiency allowance, distance education and
2 telecommunications allowance, elementary site allowance, summer school
3 allowance, early childhood education allowance, best practices allowance,
4 and focus school and program allowance, and (d) for school fiscal year
5 2019-20 and each school fiscal year thereafter, the difference of the
6 general fund operating expenditures as calculated pursuant to subdivision
7 (23) of this section increased by the cost growth factor calculated
8 pursuant to section 79-1007.10, minus the transportation allowance,
9 special receipts allowance, poverty allowance, limited English
10 proficiency allowance, distance education and telecommunications
11 allowance, elementary site allowance, summer school allowance, early
12 childhood education allowance, best practices allowance, community
13 achievement plan allowance, and focus school and program allowance;

14 (2) Adjusted valuation means the assessed valuation of taxable
15 property of each local system in the state, adjusted pursuant to the
16 adjustment factors described in section 79-1016. Adjusted valuation means
17 the adjusted valuation for the property tax year ending during the school
18 fiscal year immediately preceding the school fiscal year in which the aid
19 based upon that value is to be paid. For purposes of determining the
20 local effort rate yield pursuant to section 79-1015.01, adjusted
21 valuation does not include the value of any property which a court, by a
22 final judgment from which no appeal is taken, has declared to be
23 nontaxable or exempt from taxation;

24 (3) Allocated income tax funds means the amount of assistance paid
25 to a local system pursuant to section 79-1005.01 as adjusted, for school
26 fiscal years prior to school fiscal year 2017-18, by the minimum levy
27 adjustment pursuant to section 79-1008.02;

28 (4) Average daily membership means the average daily membership for
29 grades kindergarten through twelve attributable to the local system, as
30 provided in each district's annual statistical summary, and includes the
31 proportionate share of students enrolled in a public school instructional

1 program on less than a full-time basis;

2 (5) Base fiscal year means the first school fiscal year following
3 the school fiscal year in which the reorganization or unification
4 occurred;

5 (6) Board means the school board of each school district;

6 (7) Categorical funds means funds limited to a specific purpose by
7 federal or state law, including, but not limited to, Title I funds, Title
8 VI funds, federal vocational education funds, federal school lunch funds,
9 Indian education funds, Head Start funds, and funds from the Education
10 Innovation Fund;

11 (8) Consolidate means to voluntarily reduce the number of school
12 districts providing education to a grade group and does not include
13 dissolution pursuant to section 79-498;

14 (9) Converted contract means an expired contract that was in effect
15 for at least fifteen school years beginning prior to school year 2012-13
16 for the education of students in a nonresident district in exchange for
17 tuition from the resident district when the expiration of such contract
18 results in the nonresident district educating students, who would have
19 been covered by the contract if the contract were still in effect, as
20 option students pursuant to the enrollment option program established in
21 section 79-234;

22 (10) Converted contract option student means a student who will be
23 an option student pursuant to the enrollment option program established
24 in section 79-234 for the school fiscal year for which aid is being
25 calculated and who would have been covered by a converted contract if the
26 contract were still in effect and such school fiscal year is the first
27 school fiscal year for which such contract is not in effect;

28 (11) Department means the State Department of Education;

29 (12) District means any Class I, II, III, IV, V, or VI school
30 district and, beginning with the calculation of state aid for school
31 fiscal year 2011-12 and each school fiscal year thereafter, a unified

1 system as defined in section 79-4,108;

2 (13) Ensuing school fiscal year means the school fiscal year
3 following the current school fiscal year;

4 (14) Equalization aid means the amount of assistance calculated to
5 be paid to a local system pursuant to sections 79-1007.11 to 79-1007.23,
6 79-1007.25, 79-1008.01 to 79-1022, and 79-1022.02;

7 (15) Fall membership means the total membership in kindergarten
8 through grade twelve attributable to the local system as reported on the
9 fall school district membership reports for each district pursuant to
10 section 79-528;

11 (16) Fiscal year means the state fiscal year which is the period
12 from July 1 to the following June 30;

13 (17) Formula students means:

14 (a) For state aid certified pursuant to section 79-1022, the sum of
15 the product of fall membership from the school fiscal year immediately
16 preceding the school fiscal year in which the aid is to be paid
17 multiplied by the average ratio of average daily membership to fall
18 membership for the second school fiscal year immediately preceding the
19 school fiscal year in which the aid is to be paid and the prior two
20 school fiscal years plus ~~sixty percent~~ of the qualified early childhood
21 education fall membership plus tuitioned students from the school fiscal
22 year immediately preceding the school fiscal year in which aid is to be
23 paid minus the product of the number of students enrolled in kindergarten
24 that is not full-day kindergarten from the fall membership multiplied by
25 0.5; and

26 (b) For the final calculation of state aid pursuant to section
27 79-1065, the sum of average daily membership plus ~~sixty percent~~ of the
28 qualified early childhood education average daily membership plus
29 tuitioned students minus the product of the number of students enrolled
30 in kindergarten that is not full-day kindergarten from the average daily
31 membership multiplied by 0.5 from the school fiscal year immediately

1 preceding the school fiscal year in which aid was paid;

2 (18) Free lunch and free milk calculated students means, using the
3 most recent data available on November 1 of the school fiscal year
4 immediately preceding the school fiscal year in which aid is to be paid,
5 (a) for schools that did not provide free meals to all students pursuant
6 to the community eligibility provision, students who individually
7 qualified for free lunches or free milk pursuant to the federal Richard
8 B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq., and the
9 federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq., as such acts
10 and sections existed on January 1, 2015, and rules and regulations
11 adopted thereunder, plus (b) for schools that provided free meals to all
12 students pursuant to the community eligibility provision, (i) for school
13 fiscal year 2016-17, the product of the students who attended such school
14 multiplied by the identified student percentage calculated pursuant to
15 such federal provision or (ii) for school fiscal year 2017-18 and each
16 school fiscal year thereafter, the greater of the number of students in
17 such school who individually qualified for free lunch or free milk using
18 the most recent school fiscal year for which the school did not provide
19 free meals to all students pursuant to the community eligibility
20 provision or one hundred ten percent of the product of the students who
21 qualified for free meals at such school pursuant to the community
22 eligibility provision multiplied by the identified student percentage
23 calculated pursuant to such federal provision, except that the free lunch
24 and free milk students calculated for any school pursuant to subdivision
25 (18)(b)(ii) of this section shall not exceed one hundred percent of the
26 students qualified for free meals at such school pursuant to the
27 community eligibility provision;

28 (19) Free lunch and free milk student means, for school fiscal years
29 prior to school fiscal year 2016-17, a student who qualified for free
30 lunches or free milk from the most recent data available on November 1 of
31 the school fiscal year immediately preceding the school fiscal year in

1 which aid is to be paid;

2 (20) Full-day kindergarten means kindergarten offered by a district
3 for at least one thousand thirty-two instructional hours;

4 (21) General fund budget of expenditures means the total budget of
5 disbursements and transfers for general fund purposes as certified in the
6 budget statement adopted pursuant to the Nebraska Budget Act, except that
7 for purposes of the limitation imposed in section 79-1023 and the
8 calculation pursuant to subdivision (2) of section 79-1027.01, the
9 general fund budget of expenditures does not include any special grant
10 funds, exclusive of local matching funds, received by a district;

11 (22) General fund expenditures means all expenditures from the
12 general fund;

13 (23) General fund operating expenditures means for state aid
14 calculated for school fiscal years 2012-13 and each school fiscal year
15 thereafter, as reported on the annual financial report for the second
16 school fiscal year immediately preceding the school fiscal year in which
17 aid is to be paid, the total general fund expenditures minus (a) the
18 amount of all receipts to the general fund, to the extent that such
19 receipts are not included in local system formula resources, from early
20 childhood education tuition, summer school tuition, educational entities
21 as defined in section 79-1201.01 for providing distance education courses
22 through the Educational Service Unit Coordinating Council to such
23 educational entities, private foundations, individuals, associations,
24 charitable organizations, the textbook loan program authorized by section
25 79-734, federal impact aid, and levy override elections pursuant to
26 section 77-3444, (b) the amount of expenditures for categorical funds,
27 tuition paid, transportation fees paid to other districts, adult
28 education, community services, redemption of the principal portion of
29 general fund debt service, retirement incentive plans authorized by
30 section 79-855, and staff development assistance authorized by section
31 79-856, (c) the amount of any transfers from the general fund to any bond

1 fund and transfers from other funds into the general fund, (d) any legal
2 expenses in excess of fifteen-hundredths of one percent of the formula
3 need for the school fiscal year in which the expenses occurred, (e)
4 expenditures to pay for sums agreed to be paid by a school district to
5 certificated employees in exchange for a voluntary termination occurring
6 prior to July 1, 2009, occurring on or after the last day of the 2010-11
7 school year and prior to the first day of the 2013-14 school year, or, to
8 the extent that a district has demonstrated to the State Board of
9 Education pursuant to section 79-1028.01 that the agreement will result
10 in a net savings in salary and benefit costs to the school district over
11 a five-year period, occurring on or after the first day of the 2013-14
12 school year, (f)(i) expenditures to pay for employer contributions
13 pursuant to subsection (2) of section 79-958 to the School Employees
14 Retirement System of the State of Nebraska to the extent that such
15 expenditures exceed the employer contributions under such subsection that
16 would have been made at a contribution rate of seven and thirty-five
17 hundredths percent or (ii) expenditures to pay for school district
18 contributions pursuant to subdivision (1)(c)(i) of section 79-9,113 to
19 the retirement system established pursuant to the Class V School
20 Employees Retirement Act to the extent that such expenditures exceed the
21 school district contributions under such subdivision that would have been
22 made at a contribution rate of seven and thirty-seven hundredths percent,
23 and (g) any amounts paid by the district for lobbyist fees and expenses
24 reported to the Clerk of the Legislature pursuant to section 49-1483.

25 For purposes of this subdivision (23) of this section, receipts from
26 levy override elections shall equal ninety-nine percent of the difference
27 of the total general fund levy minus a levy of one dollar and five cents
28 per one hundred dollars of taxable valuation multiplied by the assessed
29 valuation for school districts that have voted pursuant to section
30 77-3444 to override the maximum levy provided pursuant to section
31 77-3442;

1 (24) High school district means a school district providing
2 instruction in at least grades nine through twelve;

3 (25) Income tax liability means the amount of the reported income
4 tax liability for resident individuals pursuant to the Nebraska Revenue
5 Act of 1967 less all nonrefundable credits earned and refunds made;

6 (26) Income tax receipts means the amount of income tax collected
7 pursuant to the Nebraska Revenue Act of 1967 less all nonrefundable
8 credits earned and refunds made;

9 (27) Limited English proficiency students means the number of
10 students with limited English proficiency in a district from the most
11 recent data available on November 1 of the school fiscal year preceding
12 the school fiscal year in which aid is to be paid plus the difference of
13 such students with limited English proficiency minus the average number
14 of limited English proficiency students for such district, prior to such
15 addition, for the three immediately preceding school fiscal years if such
16 difference is greater than zero;

17 (28) Local system means a learning community for purposes of
18 calculation of state aid for each school fiscal year prior to school
19 fiscal year 2017-18, a unified system, a Class VI district and the
20 associated Class I districts, or a Class II, III, IV, or V district and
21 any affiliated Class I districts or portions of Class I districts. The
22 membership, expenditures, and resources of Class I districts that are
23 affiliated with multiple high school districts will be attributed to
24 local systems based on the percent of the Class I valuation that is
25 affiliated with each high school district;

26 (29) Low-income child means (a) for school fiscal years prior to
27 2016-17, a child under nineteen years of age living in a household having
28 an annual adjusted gross income for the second calendar year preceding
29 the beginning of the school fiscal year for which aid is being calculated
30 equal to or less than the maximum household income that would allow a
31 student from a family of four people to be a free lunch and free milk

1 student during the school fiscal year immediately preceding the school
2 fiscal year for which aid is being calculated and (b) for school fiscal
3 year 2016-17 and each school fiscal year thereafter, a child under
4 nineteen years of age living in a household having an annual adjusted
5 gross income for the second calendar year preceding the beginning of the
6 school fiscal year for which aid is being calculated equal to or less
7 than the maximum household income pursuant to sections 9(b)(1) and 17(c)
8 (4) of the Richard B. Russell National School Lunch Act, 42 U.S.C.
9 1758(b)(1) and 42 U.S.C. 1766(c)(4), respectively, and sections 3(a)(6)
10 and 4(e)(1)(A) of the Child Nutrition Act of 1966, 42 U.S.C. 1772(a)(6)
11 and 42 U.S.C. 1773(e)(1)(A), respectively, as such acts and sections
12 existed on January 1, 2015, for a household of that size that would have
13 allowed the child to meet the income qualifications for free meals during
14 the school fiscal year immediately preceding the school fiscal year for
15 which aid is being calculated;

16 (30) Low-income students means the number of low-income children
17 within the district multiplied by the ratio of the formula students in
18 the district divided by the total children under nineteen years of age
19 residing in the district as derived from income tax information;

20 (31) Most recently available complete data year means the most
21 recent single school fiscal year for which the annual financial report,
22 fall school district membership report, annual statistical summary,
23 Nebraska income tax liability by school district for the calendar year in
24 which the majority of the school fiscal year falls, and adjusted
25 valuation data are available;

26 (32) Poverty students means (a) for school fiscal years prior to
27 2016-17, the number of low-income students or the number of students who
28 are free lunch and free milk students in a district plus the difference
29 of the number of low-income students or the number of students who are
30 free lunch and free milk students in a district, whichever is greater,
31 minus the average number of poverty students for such district, prior to

1 such addition, for the three immediately preceding school fiscal years if
2 such difference is greater than zero and (b) for school fiscal year
3 2016-17 and each school fiscal year thereafter, the unadjusted poverty
4 students plus the difference of such unadjusted poverty students minus
5 the average number of poverty students for such district, prior to such
6 addition, for the three immediately preceding school fiscal years if such
7 difference is greater than zero;

8 (33) Qualified early childhood education average daily membership
9 means (a) for aid calculated for school fiscal years prior to school
10 fiscal year 2018-19, the product of sixty percent of the average daily
11 membership for school fiscal year 2006-07 and each school fiscal year
12 thereafter of students who will be eligible to attend kindergarten the
13 following school year and are enrolled in an early childhood education
14 program approved by the department pursuant to section 79-1103 for such
15 school district for such school year multiplied by the ratio of the
16 actual instructional hours of the program divided by one thousand thirty-
17 two if: (i) (a) The program is receiving a grant pursuant to such section
18 for the third year; (ii) (b) the program has already received grants
19 pursuant to such section for three years; or (iii) (c) the program has
20 been approved pursuant to subsection (5) of section 79-1103 for such
21 school year and the two preceding school years, including any such
22 students in portions of any of such programs receiving an expansion grant
23 and (b) for aid calculated for school fiscal year 2018-19 and each school
24 fiscal year thereafter, the product of eighty percent of the average
25 daily membership of students who will be eligible to attend kindergarten
26 in one of the two immediately following school years and are enrolled in
27 an early childhood education program approved by the department pursuant
28 to section 79-1103 for such school district for such school year
29 multiplied by the ratio of the actual instructional hours of the program
30 divided by one thousand thirty-two if: (i) The program is receiving a
31 grant pursuant to such section for the third year; (ii) the program has

1 already received grants pursuant to such section for three years; or
2 (iii) the program has been approved pursuant to subsection (5) of section
3 79-1103 for such school year and the two preceding school years,
4 including any such students in portions of any of such programs receiving
5 an expansion grant;

6 (34) Qualified early childhood education fall membership means (a)
7 for aid calculated for school fiscal years prior to school fiscal year
8 2018-19, the product of sixty percent of the membership on the last
9 Friday in September 2006 and each year thereafter of students who will be
10 eligible to attend kindergarten the following school year and are
11 enrolled in an early childhood education program approved by the
12 department pursuant to section 79-1103 for such school district for such
13 school year multiplied by the ratio of the planned instructional hours of
14 the program divided by one thousand thirty-two if: (i) ~~(a)~~ The program is
15 receiving a grant pursuant to such section for the third year; (ii) ~~(b)~~
16 the program has already received grants pursuant to such section for
17 three years; or (iii) ~~(c)~~ the program has been approved pursuant to
18 subsection (5) of section 79-1103 for such school year and the two
19 preceding school years, including any such students in portions of any of
20 such programs receiving an expansion grant and (b) for aid calculated for
21 school fiscal year 2018-19 and each school fiscal year thereafter, the
22 product of eighty percent of the membership on the last Friday in
23 September of students who will be eligible to attend kindergarten in one
24 of the two immediately following school years and are enrolled in an
25 early childhood education program approved by the department pursuant to
26 section 79-1103 for such school district for such school year multiplied
27 by the ratio of the planned instructional hours of the program divided by
28 one thousand thirty-two if: (i) The program is receiving a grant pursuant
29 to such section for the third year; (ii) the program has already received
30 grants pursuant to such section for three years; or (iii) the program has
31 been approved pursuant to subsection (5) of section 79-1103 for such

1 school year and the two preceding school years, including any such
2 students in portions of any of such programs receiving an expansion
3 grant;

4 (35) Regular route transportation means the transportation of
5 students, including early childhood education students, on regularly
6 scheduled daily routes to and from the attendance center;

7 (36) Reorganized district means any district involved in a
8 consolidation and currently educating students following consolidation;

9 (37) School year or school fiscal year means the fiscal year of a
10 school district as defined in section 79-1091;

11 (38) Sparse local system means a local system that is not a very
12 sparse local system but which meets the following criteria:

13 (a)(i) Less than two students per square mile in the county in which
14 each high school is located, based on the school district census, (ii)
15 less than one formula student per square mile in the local system, and
16 (iii) more than ten miles between each high school attendance center and
17 the next closest high school attendance center on paved roads;

18 (b)(i) Less than one and one-half formula students per square mile
19 in the local system and (ii) more than fifteen miles between each high
20 school attendance center and the next closest high school attendance
21 center on paved roads;

22 (c)(i) Less than one and one-half formula students per square mile
23 in the local system and (ii) more than two hundred seventy-five square
24 miles in the local system; or

25 (d)(i) Less than two formula students per square mile in the local
26 system and (ii) the local system includes an area equal to ninety-five
27 percent or more of the square miles in the largest county in which a high
28 school attendance center is located in the local system;

29 (39) Special education means specially designed kindergarten through
30 grade twelve instruction pursuant to section 79-1125, and includes
31 special education transportation;

1 (40) Special grant funds means the budgeted receipts for grants,
2 including, but not limited to, categorical funds, reimbursements for
3 wards of the court, short-term borrowings including, but not limited to,
4 registered warrants and tax anticipation notes, interfund loans,
5 insurance settlements, and reimbursements to county government for
6 previous overpayment. The state board shall approve a listing of grants
7 that qualify as special grant funds;

8 (41) State aid means the amount of assistance paid to a district
9 pursuant to the Tax Equity and Educational Opportunities Support Act;

10 (42) State board means the State Board of Education;

11 (43) State support means all funds provided to districts by the
12 State of Nebraska for the general fund support of elementary and
13 secondary education;

14 (44) Statewide average basic funding per formula student means the
15 statewide total basic funding for all districts divided by the statewide
16 total formula students for all districts;

17 (45) Statewide average general fund operating expenditures per
18 formula student means the statewide total general fund operating
19 expenditures for all districts divided by the statewide total formula
20 students for all districts;

21 (46) Teacher has the definition found in section 79-101;

22 (47) Temporary aid adjustment factor means (a) for school fiscal
23 years before school fiscal year 2007-08, one and one-fourth percent of
24 the sum of the local system's transportation allowance, the local
25 system's special receipts allowance, and the product of the local
26 system's adjusted formula students multiplied by the average formula cost
27 per student in the local system's cost grouping and (b) for school fiscal
28 year 2007-08, one and one-fourth percent of the sum of the local system's
29 transportation allowance, special receipts allowance, and distance
30 education and telecommunications allowance and the product of the local
31 system's adjusted formula students multiplied by the average formula cost

1 per student in the local system's cost grouping;

2 (48) Tuition receipts from converted contracts means tuition
3 receipts received by a district from another district in the most
4 recently available complete data year pursuant to a converted contract
5 prior to the expiration of the contract;

6 (49) Tuitioned students means students in kindergarten through grade
7 twelve of the district whose tuition is paid by the district to some
8 other district or education agency;

9 (50) Unadjusted poverty students means, for school fiscal year
10 2016-17 and each school fiscal year thereafter, the greater of the number
11 of low-income students or the free lunch and free milk calculated
12 students in a district; and

13 (51) Very sparse local system means a local system that has:

14 (a)(i) Less than one-half student per square mile in each county in
15 which each high school attendance center is located based on the school
16 district census, (ii) less than one formula student per square mile in
17 the local system, and (iii) more than fifteen miles between the high
18 school attendance center and the next closest high school attendance
19 center on paved roads; or

20 (b)(i) More than four hundred fifty square miles in the local
21 system, (ii) less than one-half student per square mile in the local
22 system, and (iii) more than fifteen miles between each high school
23 attendance center and the next closest high school attendance center on
24 paved roads.

25 Sec. 3. (1) For school fiscal year 2018-19 and each school fiscal
26 year thereafter, the department shall calculate an early childhood
27 education allowance for each district as follows:

28 (a) For state aid certified pursuant to section 79-1022, the early
29 childhood education allowance for each school district shall equal the
30 product of the qualified early childhood education fall membership
31 multiplied by the statewide average general fund operating expenditures

1 per formula student; and

2 (b) For the final calculation of state aid certified pursuant to
3 section 79-1065, the early childhood education allowance for each school
4 district shall equal the product of the qualified early childhood
5 education average daily membership multiplied by the statewide average
6 general fund operating expenditures per formula student.

7 (2) For school fiscal year 2018-19 and each school fiscal year
8 thereafter, the department shall calculate early childhood education
9 transportation costs for each district which shall equal the sum of:

10 (a) The number of miles included in the calculation of the
11 transportation allowance that were traveled by vehicles owned, leased, or
12 contracted by the district or the districts in the local system for the
13 purpose of regular route transportation for routes used exclusively to
14 transport early childhood education students multiplied by four hundred
15 percent of the mileage rate established by the Department of
16 Administrative Services pursuant to section 81-1176 as of January 1 of
17 the most recently available complete data year; plus

18 (b) The in lieu of transportation expenditures pursuant to section
19 79-611 included in the calculation for the transportation allowance that
20 were paid exclusively to transport early childhood education students.

21 (3) Fifty percent of the sum of the early childhood education
22 allowance calculated pursuant to this section plus the early childhood
23 education transportation costs calculated pursuant to this section shall
24 be paid to such school district as early childhood education aid for the
25 school fiscal year for which aid is being calculated.

26 (4) For purposes of the Tax Equity and Educational Opportunities
27 Support Act, if an educational service unit provides an early childhood
28 education program approved by the department pursuant to section 79-1103
29 for one or more school districts, the early childhood education students
30 and the associated expenditures of a school district shall continue to be
31 attributable to such school district.

1 Sec. 4. Section 79-1007.11, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 79-1007.11 (1) Except as otherwise provided in this section, for
4 school fiscal years 2013-14 through 2015-16, each school district's
5 formula need shall equal the difference of the sum of the school
6 district's basic funding, poverty allowance, limited English proficiency
7 allowance, focus school and program allowance, summer school allowance,
8 special receipts allowance, transportation allowance, elementary site
9 allowance, instructional time allowance, teacher education allowance,
10 distance education and telecommunications allowance, averaging
11 adjustment, new learning community transportation adjustment, student
12 growth adjustment, any positive student growth adjustment correction, and
13 new school adjustment, minus the sum of the limited English proficiency
14 allowance correction, poverty allowance correction, and any negative
15 student growth adjustment correction.

16 (2) Except as otherwise provided in this section, for school fiscal
17 year 2016-17, each school district's formula need shall equal the
18 difference of the sum of the school district's basic funding, poverty
19 allowance, limited English proficiency allowance, focus school and
20 program allowance, summer school allowance, special receipts allowance,
21 transportation allowance, elementary site allowance, best practices
22 allowance, distance education and telecommunications allowance, averaging
23 adjustment, new learning community transportation adjustment, student
24 growth adjustment, any positive student growth adjustment correction, and
25 new school adjustment, minus the sum of the limited English proficiency
26 allowance correction, poverty allowance correction, and any negative
27 student growth adjustment correction.

28 (3) Except as otherwise provided in this section, for school fiscal
29 year years 2017-18 ~~and 2018-19~~, each school district's formula need shall
30 equal the difference of the sum of the school district's basic funding,
31 poverty allowance, poverty allowance adjustment, limited English

1 proficiency allowance, focus school and program allowance, summer school
2 allowance, special receipts allowance, transportation allowance,
3 elementary site allowance, best practices allowance, distance education
4 and telecommunications allowance, averaging adjustment, new community
5 achievement plan adjustment, student growth adjustment, any positive
6 student growth adjustment correction, and new school adjustment minus the
7 sum of the limited English proficiency allowance correction, poverty
8 allowance correction, and any negative student growth adjustment
9 correction.

10 (4) Except as otherwise provided in this section, for school fiscal
11 year 2018-19, each school district's formula need shall equal the
12 difference of the sum of the school district's basic funding, poverty
13 allowance, poverty allowance adjustment, limited English proficiency
14 allowance, focus school and program allowance, summer school allowance,
15 early childhood education allowance, special receipts allowance,
16 transportation allowance, elementary site allowance, best practices
17 allowance, distance education and telecommunications allowance, averaging
18 adjustment, new community achievement plan adjustment, student growth
19 adjustment, any positive student growth adjustment correction, and new
20 school adjustment minus the sum of the limited English proficiency
21 allowance correction, poverty allowance correction, and any negative
22 student growth adjustment correction.

23 (5) (4) Except as otherwise provided in this section, for school
24 fiscal year 2019-20 and each school fiscal year thereafter, each school
25 district's formula need shall equal the difference of the sum of the
26 school district's basic funding, poverty allowance, limited English
27 proficiency allowance, focus school and program allowance, summer school
28 allowance, early childhood education allowance, special receipts
29 allowance, transportation allowance, elementary site allowance, best
30 practices allowance, distance education and telecommunications allowance,
31 community achievement plan allowance, averaging adjustment, new community

1 achievement plan adjustment, student growth adjustment, any positive
2 student growth adjustment correction, and new school adjustment minus the
3 sum of the limited English proficiency allowance correction, poverty
4 allowance correction, and any negative student growth adjustment
5 correction.

6 (6) ~~(5)~~ If the formula need calculated for a school district
7 pursuant to subsections (1) through (5) ~~(4)~~ of this section is less than
8 one hundred percent of the formula need for such district for the school
9 fiscal year immediately preceding the school fiscal year for which aid is
10 being calculated, the formula need for such district shall equal one
11 hundred percent of the formula need for such district for the school
12 fiscal year immediately preceding the school fiscal year for which aid is
13 being calculated.

14 (7) ~~(6)~~ If the formula need calculated for a school district
15 pursuant to subsections (1) through (5) ~~(4)~~ of this section is more than
16 one hundred twelve percent of the formula need for such district for the
17 school fiscal year immediately preceding the school fiscal year for which
18 aid is being calculated, the formula need for such district shall equal
19 one hundred twelve percent of the formula need for such district for the
20 school fiscal year immediately preceding the school fiscal year for which
21 aid is being calculated, except that the formula need shall not be
22 reduced pursuant to this subsection for any district receiving a student
23 growth adjustment for the school fiscal year for which aid is being
24 calculated.

25 (8) ~~(7)~~ For purposes of subsections (6) ~~(5)~~ and (7) ~~(6)~~ of this
26 section, the formula need for the school fiscal year immediately
27 preceding the school fiscal year for which aid is being calculated shall
28 be the formula need used in the final calculation of aid pursuant to
29 section 79-1065 and for districts that were affected by a reorganization
30 with an effective date in the calendar year preceding the calendar year
31 in which aid is certified for the school fiscal year for which aid is

1 being calculated, the formula need for the school fiscal year immediately
2 preceding the school fiscal year for which aid is being calculated shall
3 be attributed to the affected school districts based on information
4 provided to the department by the school districts or proportionally
5 based on the adjusted valuation transferred if sufficient information has
6 not been provided to the department.

7 Sec. 5. Section 79-1017.01, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 79-1017.01 (1) For state aid calculated for school fiscal years
10 2014-15 and 2015-16, local system formula resources includes other actual
11 receipts determined pursuant to section 79-1018.01, net option funding
12 determined pursuant to section 79-1009, teacher education aid determined
13 pursuant to section 79-1007.25, instructional time aid determined
14 pursuant to subsection (2) of section 79-1007.23, allocated income tax
15 funds determined pursuant to section 79-1005.01, and minimum levy
16 adjustments determined pursuant to section 79-1008.02 and is reduced by
17 amounts paid by the district in the most recently available complete data
18 year as property tax refunds pursuant to or in the manner prescribed by
19 section 77-1736.06.

20 (2) For state aid calculated for school fiscal years ~~year~~ 2016-17
21 and 2017-18 ~~each school fiscal year thereafter~~, local system formula
22 resources includes other actual receipts determined pursuant to section
23 79-1018.01, net option funding determined pursuant to section 79-1009,
24 best practices aid determined pursuant to section 79-1004, if any
25 districts in the local system qualify, allocated income tax funds
26 determined pursuant to section 79-1005.01, community achievement plan aid
27 determined pursuant to section 79-1005, and minimum levy adjustments
28 determined pursuant to section 79-1008.02 for school fiscal years prior
29 to school fiscal year 2017-18, and is reduced by amounts paid by the
30 district in the most recently available complete data year as property
31 tax refunds pursuant to or in the manner prescribed by section

1 77-1736.06.

2 (3) For state aid calculated for school fiscal year 2018-19 and each
3 school fiscal year thereafter, local system formula resources includes
4 other actual receipts determined pursuant to section 79-1018.01, net
5 option funding determined pursuant to section 79-1009, early childhood
6 education aid, best practices aid determined pursuant to section 79-1004,
7 if any districts in the local system qualify, allocated income tax funds
8 determined pursuant to section 79-1005.01, and community achievement plan
9 aid determined pursuant to section 79-1005, and is reduced by amounts
10 paid by the district in the most recently available complete data year as
11 property tax refunds pursuant to or in the manner prescribed by section
12 77-1736.06.

13 Sec. 6. Original sections 79-1001, 79-1003, 79-1007.11, and
14 79-1017.01, Revised Statutes Cumulative Supplement, 2016, are repealed.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 552

Introduced by Walz, 15; Bolz, 29; Hansen, 26.

Read first time January 18, 2017

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to public health and welfare; to state intent;
- 2 to provide for a Children's Connection program; to provide duties
- 3 for the Division of Behavioral Health of the Department of Health
- 4 and Human Services and the behavioral health regions; and to state
- 5 intent relating to appropriations.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds that:

2 (1) Early intervention is essential to developing life-long well-
3 being for children facing mental health needs;

4 (2) Mental health challenges are frequently identified in the school
5 setting;

6 (3) The findings of the Adverse Childhood Experiences Study
7 conducted by the federal Centers for Disease Control and Prevention make
8 it clear that childhood experiences have a tremendous impact on life-long
9 health and opportunity;

10 (4) Best practices are available for children and families to
11 promote health, stability, and well-being through treatment and therapy,
12 prevention, and early intervention. Such best practices can prevent entry
13 into the child welfare and juvenile justice systems as well as promote
14 mental health; and

15 (5) Creation of Children's Connection program initiatives in each of
16 the behavioral health regions established pursuant to section 71-807 will
17 provide the best practices described in subdivision (4) of this section.

18 Sec. 2. A Children's Connection program shall be created in each of
19 the behavioral health regions established pursuant to section 71-807.
20 Each program shall be a partnership between the behavioral health region
21 and Nebraska schools serving children in kindergarten through grade
22 eight.

23 The goals of the programs are to identify children with social and
24 emotional difficulties and to work with parents, schools, and health care
25 providers to provide timely, effective, and family-centered services in
26 order to prevent child welfare or juvenile justice system involvement.

27 Sec. 3. The Division of Behavioral Health of the Department of
28 Health and Human Services shall administer the Children's Connection
29 program. The division shall:

30 (1) Solicit annual program plans from each behavioral health region
31 and ensure that the plans meet initiative requirements;

1 (2) Identify evidence-based best practices in interventions for
2 children and provide evidence-based training to mental health
3 coordinators and community mental health providers on at least a biannual
4 basis; and

5 (3) Complete an annual evaluation of the program in each region
6 based on number of children referred and assessed, number of children
7 served, implementation of evidence-based practices, and improved health
8 and academic outcomes for children.

9 Sec. 4. Each behavioral health region shall develop a Children's
10 Connection program initiative with the following components:

11 (1) Formal agreements with specific referral sources, including, but
12 not limited to, public and private schools as well as the Nebraska Help
13 Line;

14 (2) Training for referral sources to recognize and refer children
15 who could benefit from the program;

16 (3) Formal agreements with community mental health providers to
17 serve children referred to the program with evidence-based strategies;

18 (4) Implementation of strategies to utilize available health
19 insurance or the medical assistance program;

20 (5) At least one mental health coordinator who shall meet with
21 families, assess needs, identify barriers to accessing services, and
22 assist with making connections to the health care provider;

23 (6) Funding specifically allocated for children who are assessed to
24 require treatment but do not have the means to pay for such treatment;

25 (7) Plans for collecting and submitting documentation of outcomes
26 and to participate in evaluation activities as required by the division;
27 and

28 (8) A budget including a local match of at least one-fourth of the
29 total cost of the initiative.

30 Sec. 5. It is the intent of the Legislature to appropriate two
31 million dollars each fiscal year to the Department of Health and Human

- 1 Services for distribution to each of the behavioral health regions to
- 2 establish a Children's Connection program.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 568

Introduced by Erdman, 47; Halloran, 33.

Read first time January 18, 2017

Committee: Education

- 1 A BILL FOR AN ACT relating to teachers; to amend sections 79-808 and
- 2 79-814.01, Reissue Revised Statutes of Nebraska; to change
- 3 provisions related to temporary teaching certificates; to harmonize
- 4 provisions; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-808, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-808 (1) The board shall establish, adopt, and promulgate
4 appropriate rules, regulations, and procedures governing the issuance,
5 renewal, conversion, suspension, and revocation of certificates and
6 permits to teach, provide special services, and administer based upon (a)
7 earned college credit in humanities, social and natural sciences,
8 mathematics, or career and technical education, (b) earned college
9 credit, or its equivalent in professional education, for particular
10 teaching, special services, or administrative assignments, (c) criminal
11 history record information if the applicant has not been a continuous
12 Nebraska resident for five years immediately preceding application for
13 the first issuance of a certificate, (d) human relations training, (e)
14 successful teaching, administration, or provision of special services,
15 and (f) moral, mental, and physical fitness for teaching, all in
16 accordance with sound educational practices. Such rules, regulations, and
17 procedures shall also provide for endorsement requirements to indicate
18 areas of specialization on such certificates and permits.

19 (2)(a) Prior to August 1, 2018, the (2) The board may issue a
20 temporary certificate, valid for a period not to exceed two years, to any
21 applicant for certification who has not completed the human relations
22 training requirement.

23 (b) Beginning August 1, 2018, the board may issue a temporary
24 teaching certificate, valid for a period of five years, to any qualified
25 candidate. To be a qualified candidate, an applicant shall:

26 (i) Be twenty-one years of age or older;

27 (ii) Possess a valid high school diploma;

28 (iii) Complete twenty-four hours of inservice training;

29 (iv) Complete ten hours of classroom observation at each level for
30 (A) elementary school or early childhood education, (B) middle school,
31 and (C) high school for a total of thirty hours;

1 (v) Successfully complete a course and pass an examination
2 administered by the department with a score of at least eighty percent on
3 the Constitution of the United States;

4 (vi) Successfully complete a course and pass an examination
5 administered by the department with a score of at least eighty percent on
6 the Constitution of Nebraska;

7 (vii) Submit fingerprints for purposes of a search for criminal
8 history record information pursuant to section 79-814.01;

9 (viii) Complete an application for a temporary teaching certificate;
10 and

11 (ix) Submit an application fee not to exceed eighty dollars for a
12 resident who has resided within the state for the past two years or one
13 hundred dollars for any other applicant.

14 (3) Members of any advisory committee established by the board to
15 assist the board in teacher education and certification matters shall be
16 reimbursed for their actual and necessary expenses as provided in
17 sections 81-1174 to 81-1177. Each school district which has an employee
18 who serves as a member of such committee and which is required to hire a
19 person to replace such member during the member's attendance at meetings
20 or activities of the committee or any subcommittee thereof shall be
21 reimbursed from the Certification Fund for the expense it incurs from
22 hiring a replacement. School districts may excuse employees who serve on
23 such advisory committees from certain duties which conflict with any
24 advisory committee duties.

25 Sec. 2. Section 79-814.01, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 79-814.01 (1) Upon request by the commissioner, the Nebraska State
28 Patrol shall undertake a search for criminal history record information
29 relating to an applicant for a certificate pursuant to subdivision (1)(c)
30 or (2)(b) of section 79-808, including transmittal of the applicant's
31 fingerprints to the Federal Bureau of Investigation for a national

1 criminal history record information check. The criminal history record
2 information check shall include information concerning the applicant from
3 federal repositories of such information and repositories of such
4 information in other states if authorized by federal law. The Nebraska
5 State Patrol shall issue a report to the commissioner that shall include
6 the criminal history record information concerning the applicant.

7 (2) The commissioner may deny issuance of a certificate or permit to
8 any applicant who has a felony conviction or who has any misdemeanor
9 conviction involving abuse, neglect, or sexual misconduct. In reviewing
10 an applicant's criminal history record information, the commissioner
11 shall take into consideration any information, including information
12 submitted by the applicant, regarding (a) the facts and circumstances
13 surrounding a conviction, (b) the type of offense and the sentence
14 imposed, (c) whether the conduct resulting in a conviction would
15 constitute a crime in Nebraska, (d) the date of the offense, (e) the age
16 of the applicant at the time of the offense, and (f) the applicant's
17 conduct and positive social contributions since the offense.

18 (3) The board shall determine and set the costs for processing
19 criminal history record information checks pursuant to this section and
20 section 79-808 which shall be borne by the applicant for a certificate or
21 permit. The costs shall be limited to the actual direct costs arising
22 from the processing of the criminal history record information checks.

23 (4) Criminal history record information subject to federal
24 confidentiality requirements shall remain confidential and may be
25 released only upon the written authorization by the applicant, except
26 that if the applicant appeals the denial of a certificate or permit by
27 the commissioner, the filing of an administrative appeal shall constitute
28 a release of the information for the limited purpose of the appeal. If
29 the applicant requests a closed hearing, such request shall be subject to
30 the Open Meetings Act.

31 Sec. 3. Original sections 79-808 and 79-814.01, Reissue Revised

1 Statutes of Nebraska, are repealed.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 575

Introduced by Kolowski, 31.

Read first time January 18, 2017

Committee: Education

- 1 A BILL FOR AN ACT relating to education; to provide for legislative
- 2 findings; to define terms; to provide funding for schools
- 3 implementing and offering programs as prescribed; and to state
- 4 intent related to funding.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds that:

2 (1) In order for Nebraska's students to adequately prepare for
3 postsecondary education and careers, public schools in conjunction with
4 educational service units in Nebraska should offer programs of
5 excellence;

6 (2) The startup costs of implementing and the ongoing costs of
7 offering such programs, including, but not limited to, curricula,
8 textbooks, testing fees, technology, equipment, staffing, staff training,
9 and other related expenses, can often exceed the resources available to a
10 school district or an educational service unit; and

11 (3) It is in the best interests of the state to provide a dedicated
12 source of funding to public schools in Nebraska through educational
13 service units for such programs.

14 Sec. 2. For purposes of sections 1 to 7 of this act, program of
15 excellence means a nationally recognized program offered in the high
16 school grades that includes a curriculum and pedagogy, professional
17 development for teachers, and a rigorous assessment external to the
18 school system.

19 Sec. 3. (1) Educational service units shall apply on behalf of
20 member school districts to the State Department of Education for
21 reimbursement calculated pursuant to section 4 of this act. School
22 districts seeking reimbursement pursuant to such section shall provide
23 documentation to the appropriate educational service unit of the number
24 of students in each program of excellence for which reimbursement is
25 requested and the number of students successfully completing such program
26 of excellence.

27 (2) Reimbursement shall be available based on students who
28 successfully complete a program of excellence. Applications shall be
29 submitted based on completions during the immediately preceding fiscal
30 year not later than August 1, 2018, and on or before August 1 of each
31 year thereafter. The department shall award the reimbursements provided

1 for in this section and distribute such reimbursements after September 1
2 and no later than October 1 of every year beginning in 2018.

3 Sec. 4. (1) For each student who successfully completes a program
4 of excellence, the department shall approve and reimburse the school
5 district through its educational service unit as provided in this section
6 if the school district through its educational service unit has applied
7 pursuant to section 3 of this act.

8 (2) The reimbursement for each qualifying school district shall be
9 determined by (a) dividing the statewide aggregate number of approved
10 students completing programs of excellence into the total funds
11 appropriated for such purpose and (b) multiplying the result by the
12 number of such approved students for such district.

13 (3) For purposes of the general fund budget of expenditures as
14 defined in section 79-1003, funds received pursuant to this section shall
15 be considered special grant funds.

16 Sec. 5. On or before January 1, 2019, and on or before each January
17 1 thereafter, the Commissioner of Education shall report to the
18 Legislature, with respect to the reimbursements distributed in the most
19 recent distribution period, the number of students in each qualifying
20 district for which reimbursement was made, the total reimbursement to
21 each qualifying district, and the total reimbursement for all qualifying
22 districts. The report shall be filed electronically.

23 Sec. 6. The State Board of Education shall adopt and promulgate
24 rules and regulations to carry out sections 1 to 5 of this act. Such
25 rules and regulations shall include, but not be limited to, mechanisms to
26 determine successful student completion of a program of excellence for
27 purposes of reimbursement authorized by section 4 of this act.

28 Sec. 7. It is the intent of the Legislature to appropriate from the
29 General Fund two million dollars for each fiscal year beginning with
30 fiscal year 2018-19 through fiscal year 2020-21 to carry out the purposes
31 of section 4 of this act.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 595

Introduced by Groene, 42.

Read first time January 18, 2017

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Student Discipline Act; to amend
- 2 section 79-254, Reissue Revised Statutes of Nebraska; to provide for
- 3 use of physical force or physical restraint or removal from a class
- 4 in response to student behavior; to harmonize provisions; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-254, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-254 Sections 79-254 to 79-294 and sections 2 and 3 of this act
4 shall be known and may be cited as the Student Discipline Act.

5 Sec. 2. (1) If a student becomes physically violent toward himself
6 or herself, a teacher, an administrator, or another student, a teacher or
7 administrator may use necessary physical force or physical restraint to
8 subdue such student until such student no longer presents a danger to
9 himself or herself, the teacher, the administrator, or the other student.

10 (2) If a student exhibits destructive behavior toward school
11 property, a teacher or administrator may use physical restraint to subdue
12 such student until such student ceases the destructive behavior or the
13 student is removed from the classroom.

14 (3) Any action by a teacher or administrator pursuant to subsection
15 (1) or (2) of this section shall not be considered corporal punishment
16 pursuant to section 79-295.

17 (4) Any teacher or administrator defending himself or herself,
18 another teacher or administrator, or a student pursuant to subsection (1)
19 of this section or protecting school property pursuant to subsection (2)
20 of this section shall not be subject to legal action or administrative
21 discipline.

22 Sec. 3. (1) A teacher may remove a student from a class if the
23 teacher:

24 (a) Has documented that such student has repeatedly interfered with
25 such teacher's ability to communicate effectively with the students in
26 such class or with the ability of students in such class to learn;

27 (b) Determines such student's behavior is so unruly, disruptive, or
28 abusive that it seriously interferes with such teacher's ability to
29 communicate effectively with the students in the class or with the
30 ability of the students in the class to learn; or

31 (c) Determines such student has committed other disruptive acts that

1 merit discipline under the Student Discipline Act.

2 (2) If a teacher removes a student from a class pursuant to this
3 section, the principal of the school may place such student into another
4 appropriate classroom, into in-school suspension, or into an alternative
5 education program. The principal may not return such student to a class
6 taught by such teacher without the teacher's consent.

7 (3) A principal or other administrator shall not coerce a teacher to
8 consent to the return of a student to a class from which such student was
9 removed pursuant to this section.

10 (4) A teacher shall not be subject to legal action or administrative
11 discipline for removing a student from a class pursuant to subsection (1)
12 of this section.

13 Sec. 4. Original section 79-254, Reissue Revised Statutes of
14 Nebraska, is repealed.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 664

Introduced by Kuehn, 38.

Read first time January 18, 2017

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Political Accountability and
- 2 Disclosure Act; to amend section 49-1492, Reissue Revised Statutes
- 3 of Nebraska; to prohibit a political subdivision from compensating a
- 4 lobbyist with revenue from taxes or fees; to provide a penalty; and
- 5 to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-1492, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 49-1492 (1) No person shall be employed as a lobbyist for
4 compensation contingent in any manner upon the outcome of an
5 administrative or legislative action.

6 (2) No person shall instigate the introduction of legislation for
7 the purpose of obtaining employment in opposition thereto.

8 (3) No person shall attempt to influence the vote of the legislators
9 on any matters pending or to be proposed by the promise of financial
10 support or the financing of opposition to his candidacy at any future
11 election.

12 (4) No person shall engage in practices which reflect discredit on
13 the practice of lobbying or on the Legislature.

14 (5) A political subdivision shall not use revenue from any tax or
15 fee imposed by a government body to employ or contract with a lobbyist.

16 (6) (5) Any person violating the provisions of this section shall be
17 guilty of a Class III misdemeanor.

18 Sec. 2. Original section 49-1492, Reissue Revised Statutes of
19 Nebraska, is repealed.