

State Maintenance-of-Effort Submission
under the
Education Jobs Fund Program



U.S. Department of Education

Washington, D.C. 20202

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Paperwork Burden Statement

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**Instructions for the State Maintenance-of-Effort Submission
under the Education Jobs Fund Program**

**U.S. Department of Education
September 8, 2010**

In its application for funding under the Education Jobs Fund (Ed Jobs) program, each State assured that it would comply with the maintenance-of-effort (MOE) requirements in section 101(10)(A) of Public Law 111-226. Each State also assured that, within 60 days of the date of the State's grant award, it would submit to the U.S. Department of Education (Department) the most current applicable MOE data available.

A State that receives Ed Jobs funds must maintain fiscal effort for education for fiscal year (FY) 2011 in one of four ways:

1. Maintain FY 2011 dollar levels of support at levels that are not less than FY 2009 levels;
2. Maintain FY 2011 percentages of support at percentages that are not less than FY 2010 percentages;
3. Maintain FY 2011 dollar levels of support at levels that are not less than FY 2006 levels; or
4. Maintain FY 2011 percentages of support at percentages that are not less than FY 2006 percentages.

Each method is described in detail in the attachments to these instructions. Using the applicable form in the attachments, each State must provide data only for the method by which the State intends to demonstrate that it will comply with the MOE requirements. A State must also provide source documentation substantiating the reported MOE data. Details on the source documentation are provided in the attachments.

Each State should submit its data and documentation to EducationJobsFund@ed.gov. The submission is due to the Department not later than 60 days after the date of the State's grant award under the Ed Jobs program. If you have any questions, please contact Jim Butler at 202-453-7500 or James.Butler@ed.gov.

**State Maintenance-of-Effort (MOE) Submission
under the Education Jobs Fund Program**

STATE: NEBRASKA

**MOE Method 3: Comparing Fiscal Year 2011 Dollar Levels of Support with
Fiscal Year 2006 Levels**

NOTE: This method is available only to States with State tax collections for calendar year 2009 that are less than State tax collections for calendar year 2006.

For State fiscal year (FY) 2011, the State will maintain State support for elementary and secondary education (*in the aggregate*) at not less than the level of such support for State FY 2006; and

For State FY 2011, the State will maintain State support for public institutions of higher education (IHEs) (not including support for capital projects or for research and development or tuition and fees paid by students) at not less than the level of such support for State FY 2006.

State Tax Collections Data

\$ 3,965,198 State tax collections for calendar year 2006.

\$ 3,774,077 State tax collections for calendar year 2009.

FY 2006 Baseline Data

\$ <u>700,594,282</u>	The level of State support for elementary and secondary education (<i>in the aggregate</i>) for FY 2006.
\$ <u>519,412,293</u>	The level of State support for public IHEs for FY 2006.

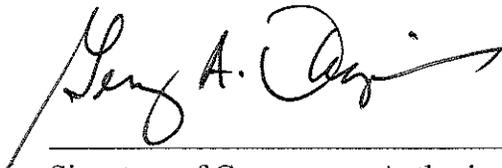
Projected FY 2011 Data

\$ <u>809,934,560</u>	The projected level of State support for elementary and secondary education (<i>in the aggregate</i>) for FY 2011.
\$ <u>610,776,381</u>	The projected level of State support for public IHEs for FY 2011.

Affirmation of MOE Data

To the best of my knowledge and belief, all of the data in this submission are true and correct and are substantiated by the accompanying documentation.

Gerry A. Oligmueller, State Budget Administrator
Governor or Authorized Representative (Printed Name)



Signature of Governor or Authorized Representative

9/22/2010

Date

MOE Method 3 Source Documentation

To document State tax collections for calendar years 2006 and 2009, a State may use the sum of the State quarterly tax collections data from the U.S. Census Bureau (Census), which are available at http://www.census.gov/govs/qtax/table_3.php. A State may provide revised State tax collection data if it has available more recent auditable data that differs from the information that was reported to Census. A State may, if it chooses, exclude from State tax collections those tax revenues that may not be used to provide support for elementary, secondary, or postsecondary education. For example, a State may exclude gasoline taxes that generate revenue that is available to support only transportation projects. If a State chooses to exclude dedicated taxes, it must do so for both calendar years 2006 and 2009. Furthermore, as part of its application, the State must identify the taxes excluded and the amounts of the State tax collections under such taxes.

For the FY 2006 baseline data, a State must provide documentation substantiating the State's final appropriations or expenditures for elementary and secondary education and for public IHEs. Such documentation may include tables or text from official State budget documents (*e.g.*, a State budget summary or table of expenditures from the State's accounting system).

For the projected FY 2011 data, a State must provide enacted or estimated appropriations levels. Such documentation may include a Governor's budget proposal, legislative budget proposals, or enacted appropriations.

Following the close of State FY 2011, the Department will be collecting final appropriations or expenditure data for that fiscal year to verify that the State met the statutory MOE requirements.

NEBRASKA

MOE Method 3 Source Documentation

Tax Collections		
Year	Quarter	(thousands of dollars)
2006	1	891,577
2006	2	1,161,989
2006	3	990,579
2006	4	921,053
TOTAL		3,965,198 Calendar Year 2006

Year	Quarter	(thousands of dollars)
2009	1	869,950
2009	2	1,085,792
2009	3	923,462
2009	4	894,873
TOTAL		3,774,077 Calendar Year 2009

SOURCE: U.S. Census Bureau

Report on State Government Tax Collections

http://www.census.gov/govs/tax/table_3.php

FY 2011

K-12

For FY 2011, the amount represents the \$796,734,560 General Funds appropriated and documented in **LB 935**, §128, 2010 Neb. Laws and \$13,200,000 of *estimated* Insurance Premium Tax revenues, following aid certification on March 10, 2010.

Higher Ed

For FY 2011, General Fund appropriations less earmarks are authorized in §148, §149, and §215 of **LB 1**, 2009 Neb. Laws, First Special Session, and §7 of **LB 603A**, 2009 Neb. Laws.

FY 2006

K-12

For FY 2006, the amount represents the \$683,473,181 General Funds appropriated and documented in **LB 425**, §47, 2006 Neb. Laws and \$17,121,101 of *actual* Insurance Premium Tax revenues (see 5/6/2005 memo from State Treasurer attached).

Higher Ed

For FY 2006, General Fund appropriations less earmarks are authorized in §179, §180, §252 and §253 of **LB 425**, 2005 Neb. Laws and §130 and §131 of **LB 1060**, 2006 Neb. Laws.

FY 2011

K-12

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K-12

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Higher Ed

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FY2006
State Support
Nebraska

LB 425

LB 425

LEGISLATIVE BILL 425

Approved by the Governor May 24, 2005,
with line-item vetoes. Figures have
been changed to reflect vetoes not overridden.

Introduced by Speaker Brashear, 4; at the request of the Governor

AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2007; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.
Be it enacted by the people of the State of Nebraska,

Section 1. DEFINITION OF APPROPRIATION PERIOD.

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

Sec. 2. APPROPRIATION LANGUAGE.

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

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

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2006, for FY2006-07 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 4. UNEXPENDED BALANCES AND ENCUMBRANCES.

All General Fund appropriations existing on June 30, 2005, in excess of expended and encumbered amounts are hereby lapsed unless otherwise provided. All Cash Fund and Revolving Fund appropriations existing on June 30, 2005, in excess of expended and encumbered amounts are hereby lapsed unless otherwise expressly provided. All encumbered amounts on June 30, 2005, and June 30, 2006, are hereby reappropriated for FY2005-06 and FY2006-07, respectively, which amounts shall be in addition to the amounts shown in this act.

Sec. 5. NEBRASKA INFORMATION SYSTEM MANUAL DEFINITIONS.

The definitions contained in the Nebraska Information System Manual, and any amendments thereto, on file with the Clerk of the Legislature are hereby adopted by the Legislature as the definitions for this act, except as provided in sections 136 and 278 of this act.

Sec. 6. DRAWING AND PAYING WARRANTS.

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

Sec. 7. AGENCY NO. 3 -- LEGISLATIVE COUNCIL

Program No. 122 - Legislative Services

	FY2005-06	FY2006-07
GENERAL FUND	7,178,783	7,556,141
CASH FUND	170,000	170,000
FEDERAL FUND est.	39,270	39,270
PROGRAM TOTAL	7,388,053	7,765,411
SALARY LIMIT	5,384,288	5,637,210

There is included in the appropriation to this program for FY2005-06 \$100,000 Cash Funds and for FY2006-07 \$100,000 Cash Funds from the Nebraska Health Care Cash Fund for the purpose of ongoing health-related research and public policy development by the Health and Human Services Committee of the Legislature. Such funds may be used for, but shall not be limited to, hiring temporary legal research assistance, consulting and research contracts, reimbursement for necessary and appropriate expenses incurred in connection with such research and policy development, and actual and necessary travel reimbursement for task forces and committees established to conduct health policy work.

The unexpended General Fund appropriation balance existing on June 30, 2005, is hereby reappropriated.

Sec. 8. AGENCY NO. 3 -- LEGISLATIVE COUNCIL

There is included in the appropriation to this program for FY2005-06 \$11,257,193 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$11,257,193 General Funds for state aid, which shall only be used for such purpose.

Sec. 40. AGENCY NO. 12 -- STATE TREASURER
Program No. 149 - Aid to Counties

	FY2005-06	FY2006-07
GENERAL FUND	4,965,866	4,965,866
PROGRAM TOTAL	4,965,866	4,965,866

There is included in the appropriation to this program for FY2005-06 \$4,965,866 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$4,965,866 General Funds for state aid, which shall only be used for such purpose.

Sec. 41. AGENCY NO. 12 -- STATE TREASURER
Program No. 503 - Treasury Management

	FY2005-06	FY2006-07
CASH FUND	571,232	584,557
PROGRAM TOTAL	571,232	584,557
SALARY LIMIT	358,199	365,700

Sec. 42. AGENCY NO. 12 -- STATE TREASURER
Program No. 505 - Educational Savings Unit

	FY2005-06	FY2006-07
CASH FUND	285,850	302,959
PROGRAM TOTAL	285,850	302,959
SALARY LIMIT	52,330	53,838

Sec. 43. AGENCY NO. 12 -- STATE TREASURER
Program No. 512 - Unclaimed Property

	FY2005-06	FY2006-07
CASH FUND	610,366	619,761
PROGRAM TOTAL	610,366	619,761
SALARY LIMIT	289,175	295,128

Sec. 44. AGENCY NO. 12 -- STATE TREASURER

Program No. 664 - Low-Level Radioactive Waste Settlement Fund

	FY2005-06	FY2006-07
CASH FUND	145,811,368	-0-
PROGRAM TOTAL	145,811,368	-0-
SALARY LIMIT	-0-	-0-

Sec. 45. AGENCY NO. 13 -- STATE DEPARTMENT OF EDUCATION

The limitation on expenditures for permanent and temporary salaries and per diems for the State Department of Education may be exceeded by the amount required to fulfill the state's obligation for salaries in contractual arrangements in which the state has entered into an employee-employer relationship with the person subject to the contract as determined by the social security administration bureau of the Department of Administrative Services.

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

	FY2005-06	FY2006-07
GENERAL FUND	9,310,510	9,596,495
CASH FUND	1,237,123	1,183,978
FEDERAL FUND est.	10,918,337	11,162,494
REVOLVING FUND	1,063,449	1,078,519
PROGRAM TOTAL	22,529,419	23,021,486
SALARY LIMIT	10,324,061	10,636,234

The unexpended appropriation balance of the \$1,607,000 General Funds appropriated for statewide assessment and reporting existing on June 30, 2005, is hereby reappropriated.

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

	FY2005-06	FY2006-07
GENERAL FUND	870,734,644	926,528,211
CASH FUND	1,040,938	1,040,938
FEDERAL FUND est.	246,664,572	254,535,831
PROGRAM TOTAL	1,118,440,154	1,182,104,980

There is included in the appropriation to this program for FY2005-06 \$870,734,644 General Funds, \$1,040,938 Cash Funds, and \$246,664,572 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$926,528,211 General Funds, \$1,040,938 Cash Funds, and \$254,535,831 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown for FY2005-06 \$683,473,181 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act. There is included in the amount shown for FY2006-07 \$734,055,263 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act.

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

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

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

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

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

There is included in the amount shown for this program \$2,336,921 General Funds provided as state aid for FY2005-06 and \$2,336,921 General Funds provided as state aid for FY2006-07 for programs for learners with high ability.

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

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

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

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

On or before October 1 of each year, the Department of Health and Human Services Finance and Support and the State Department of Education shall jointly certify to the budget administrator of the budget division of the Department of Administrative Services the amount of federal medicaid funds paid to school districts pursuant to the Early Intervention Act for special education services for children age five years and older. The General Fund appropriation to the State Department of Education, Program 158, for state special education aid shall be decreased by an amount equal to the amount that would have been reimbursed with state General Funds to the school districts through the special education reimbursement process for special education services for children age five years and older that was paid to school districts or approved cooperatives with federal medicaid funds. There is hereby appropriated from the General Fund an amount equal to the amount certified to the budget administrator for FY2005-06 and FY2006-07 to the Department of Health and Human Services Finance and Support to aid in carrying out the provisions of Laws 1991, LB 701. The budget administrator shall distribute the amount appropriated between budget programs according to percentages certified by the Department of Health and Human Services Finance and Support.

	Sec. 48. AGENCY NO. 13 -- STATE DEPARTMENT OF EDUCATION	
	Program No. 161 - Education Innovation	
	FY2005-06	FY2006-07
CASH FUND	23,636	24,533
PROGRAM TOTAL	23,636	24,533
SALARY LIMIT	13,031	13,457

Sec. 49. AGENCY NO. 13 -- STATE DEPARTMENT OF EDUCATION
 Program No. 351 - Vocational Rehabilitation

	FY2005-06	FY2006-07
GENERAL FUND	1,182,965	1,220,010
CASH FUND	10,000	10,000
FEDERAL FUND est.	6,000	6,000
PROGRAM TOTAL	1,198,965	1,236,010
SALARY LIMIT	785,034	810,401

There is included in the appropriation to this program for FY2005-06 an estimated \$90,000 General Funds and for FY2006-07 an estimated \$90,000 General Funds for Midwestern Higher Education Compact state membership dues.

Sec. 177. AGENCY NO. 48 -- COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

Program No. 690 - Nebraska Scholarship Program

	FY2005-06	FY2006-07
GENERAL FUND	6,917,065	5,717,065
CASH FUND	2,500,000	4,750,000
FEDERAL FUND est.	591,731	591,731
PROGRAM TOTAL	10,008,796	11,058,796

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

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

Sec. 178. AGENCY NO. 48 -- COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

Program No. 691 - Community Scholarship Program

	FY2005-06	FY2006-07
GENERAL FUND	49,750	49,750
PROGRAM TOTAL	49,750	49,750

The unexpended General Fund appropriation balance existing on June 30, 2005, is hereby reappropriated.

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

Sec. 179. AGENCY NO. 50 -- BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 48 - Nebraska State Colleges - System Office

	FY2005-06	FY2006-07
GENERAL FUND	38,304,336	40,867,931
CASH FUND est.	20,377,837	20,377,837
FEDERAL FUND est.	15,580,223	15,580,223
REVOLVING FUND est.	6,163,297	6,163,297
PROGRAM TOTAL	80,425,693	82,989,288

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

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

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

The Legislature reaffirms its commitment to long-range and short-range computer planning by the Nebraska state colleges. It is the intent of the Legislature that comprehensive computer plans of the Nebraska state colleges be updated biennially and submitted to the Legislative Fiscal Analyst, the Department of Administrative Services, and the Coordinating Commission for Postsecondary Education on or before October 15 of each odd-numbered year.

The Department of Administrative Services shall monitor the appropriations and expenditures of the Board of Trustees of the Nebraska State Colleges, Agency No. 50-0, and the Nebraska State Colleges, Agency Nos. 50-1, 50-3, and 50-4, according to NCHEMS-Program Classification Structure, Second Edition. Expenditure authority shall be limited to program appropriations.

There is included in the appropriation to this program for FY2005-06 \$42,388 General Funds and for FY2006-07 \$42,388 General Funds which may be expended in remuneration for services provided by the Tri-State Graduate Center which facilitate delivery of graduate-level courses and programs by Wayne State College and other Nebraska public postsecondary institutions to

residents of South Sioux City and the remainder of the Siouxland area of Nebraska, Iowa, and South Dakota.

Upon the request of the Board of Trustees of the Nebraska State Colleges, the budget administrator may reappropriate up to \$65,000 of the undisbursed General Funds appropriated for defraying the costs of preparing financial statements for the annual operating audit existing on June 30, 2005, to July 1, 2005.

Sec. 180. AGENCY NO. 51 -- UNIVERSITY OF NEBRASKA
Program No. 781 - University - Administration

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

	FY2005-06	FY2006-07
GENERAL FUND	428,159,202	454,186,041
PROGRAM TOTAL	428,159,202	454,186,041

(2) It is intended that the University of Nebraska Central Administration, upon approval of the Board of Regents of the University of Nebraska, divide and distribute the funds appropriated in this section among all the campuses and the central administration, including, but not limited to, the Nebraska College of Technical Agriculture at Curtis and the University of Nebraska at Kearney. At the direction of the board, these funds may be supplemented by Cash Funds, Federal Funds, Revolving Funds, and Trust Funds.

(3) There is included in the appropriation to this program for FY2005-06 an estimated \$2,289,191 General Funds and for FY2006-07 an estimated \$2,402,695 General Funds for the Nebraska College of Technical Agriculture at Curtis.

(4) There is included in the appropriation to this program for FY2005-06 an estimated \$1,037,750 General Funds and for FY2006-07 an estimated \$1,037,750 General Funds to continue the Nebraska Forest Service Program, including the Fire Control Program.

(5) (a) There is included in the appropriation to this program for the Board of Regents of the University of Nebraska for FY2005-06 an estimated \$11,201,281 General Funds and for FY2006-07 an estimated \$11,201,281 General Funds, to be administered by Central Administration, for the purpose of targeted research activities at the University of Nebraska. It is intended that none of these funds be used for new capital construction or renovation, except that a small portion may be used for short-term cash flow. Further, it is intended that an estimated \$304,255 of the estimated \$11,201,281 for FY2005-06 and an estimated \$304,255 of the estimated \$11,201,281 for FY2006-07 be used in conjunction with the Experimental Program to Stimulate Competitive Research (EPSCoR) which is expected to have an increased emphasis on applied research and technology transfer.

(b) It is intended that faculty teams, research centers, or individual faculty from the various colleges and departments of all of the campuses of the University of Nebraska should present research proposals to the Research Fund Advisory Committee and Central Administration for the various targeted research areas after the FY2005-06 appropriation has been made but prior to August 15, 2005. Inherent in this process is the concept that the best proposals be selected regardless of the campus of origin and that selections be made on a competitive basis.

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

(d) The unexpended appropriations balance from the \$11,201,281 estimated General Funds appropriated for research existing on June 30, 2005, and the unexpended appropriations balance from the estimated \$11,201,281 General Funds appropriated for research existing on June 30, 2006, is hereby

reappropriated.

(6) The unexpended appropriations balance from any cash fund allocation established by the Board of Regents for the Tobacco Settlement funds received pursuant to section 24 of LB 692, Ninety-seventh Legislature, First Session, 2001, existing on June 30, 2005, and the unexpended appropriations balance existing on June 30, 2006, is hereby reappropriated.

(7)(a) There is included in the appropriation to this program for FY2005-06 an estimate of \$579,025 General Funds for optometry student contracts. There is included in the appropriation to this program for FY2006-07 an estimate of \$579,025 General Funds for optometry student contracts. *

(b) There is included in the appropriation to this program for FY2005-06 \$1,471,742 General Funds for a veterinary medicine student contract program. There is included in the appropriation to this program for FY2006-07 \$1,501,177 General Funds for a veterinary medicine student contract program. *

(c) The unexpended appropriations balance for optometry student contracts and veterinary medicine student contracts for FY2005-06 and existing on June 30, 2005, and the unexpended appropriations balance for optometry student contracts and veterinary medicine student contracts for FY2006-07 and existing on June 30, 2006, is hereby reappropriated.

(8) It is intended that:

(a) The University of Nebraska shall report its expenditures on the Allotment Status Report and Regular Budget Status Report according to its internal operational and organizational structure, subject to approval by the Accounting Administrator and the budget administrator;

(b) The University of Nebraska shall report its expenditures on the Program Classification Expenditure Report in the NCHEMS-Program Classification Structure, Second Edition, subject to approval by the Accounting Administrator and the budget administrator;

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

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

(e) The Nebraska Educational Data System created by Laws 1978, LB 897, shall be utilized to support the appropriations and oversight process for postsecondary education. It is further the intent of the Legislature that all institutions shall provide the data in the precise formats required by the Coordinating Commission for Postsecondary Education and that any expenditure of General Funds on the development of new information systems, including any student information system, meet the requirements of the Nebraska Educational Data System as determined by the Coordinating Commission for Postsecondary Education.

(9) It is recognized that Nebraska businesses increasingly compete in a global setting. The Legislature further recognizes that the best preparation for competing in a global economy and a diverse workplace is a broad higher educational experience. Programs designed to promote excellence in higher education by enhancing student exposure to faculty of diverse cultural, racial, and ethnic backgrounds and women faculty should be a goal of the University of Nebraska system. The Board of Regents of the University of Nebraska should encourage the recruitment, development, and retention of outstanding faculty, especially women and minorities, to better reflect the realities faced by graduates in a diverse society and global economy, and to provide University of Nebraska students with a complete educational experience. To implement the goal of recruiting, developing, and retaining minority and women faculty, it is intended that:

(a) The University of Nebraska system should dedicate a portion of its salary appropriation to the recruitment and hiring of minority and women faculty members in all areas of academic pursuit with the goal of being among the top twenty-five percent among the Board of Regents' peer institutions in the employment of women and minority faculty members;

(b) By August 1, 2006, the University of Nebraska system should be among the top fifty percent among the Board of Regents' peer institutions in the employment of women and minority faculty members;

(c) The University of Nebraska submit an updated report to the Legislature by April 1, 2006, which updates a plan containing yearly benchmark

standards to be met in achieving the minimal goal of being among the top fifty percent among the Board of Regents' peer institutions in the employment of women and minority faculty members by April 1, 2006;

(d) The University of Nebraska update benchmark standards biennially; and

(e) Beginning with the 2000-01 budget, and each year thereafter, the Legislature may reduce the University of Nebraska's General Fund appropriation by one percent for operations, excluding state aid and capital construction, for each year the University fails to meet the benchmark standards established by the updated plan as reported to the Legislature.

It is intended that the Legislature reauthorize the Select Committee on Gender and Minority Equity and the Executive Board of the Legislative Council appoint members of the Legislature to the select committee.

Sec. 181. AGENCY NO. 52 -- NEBRASKA STATE FAIR BOARD

Program No. 694 - State Fair Support and Improvement

	FY2005-06	FY2006-07
CASH FUND est.	2,500,000	2,500,000
PROGRAM TOTAL	2,500,000	2,500,000

Cash Fund expenditures shall not be limited to the amount shown.

Sec. 182. AGENCY NO. 53 -- REAL ESTATE APPRAISER BOARD

Program No. 79 - Appraiser Licensing

	FY2005-06	FY2006-07
CASH FUND	259,206	275,890
PROGRAM TOTAL	259,206	275,890
SALARY LIMIT	110,157	112,887

There is included in the appropriation to this program for FY2005-06 \$22,000 Cash Funds for legal services, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$24,000 Cash Funds, plus any reappropriated amount, for legal services, which shall only be used for such purpose.

Sec. 183. AGENCY NO. 54 -- NEBRASKA STATE HISTORICAL SOCIETY

Program No. 648 - Nebraska State Historical Society

	FY2005-06	FY2006-07
GENERAL FUND	4,040,106	4,162,714
CASH FUND	1,354,595	1,391,670
FEDERAL FUND est.	669,414	690,489
PROGRAM TOTAL	6,064,115	6,244,873
SALARY LIMIT	3,244,391	3,348,278

There is included in the appropriation to this program for FY2005-06 \$100,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$100,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

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

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

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

- No. 43 - Departmental Administration
- No. 258 - Library/Archives Division
- No. 541 - Museum Operation
- No. 542 - Branch Museums
- No. 543 - Archeology Division
- No. 552 - Historic Preservation
- No. 632 - Hall of Fame Commission
- No. 647 - Skeletal Remains Protection
- No. 653 - Gerald R. Ford Conservation Center

Sec. 184. AGENCY NO. 56 -- NEBRASKA WHEAT DEVELOPMENT, UTILIZATION,

AND MARKETING BOARD

Program No. 381 - Nebraska Wheat Development, Utilization, and Marketing Board

	FY2005-06	FY2006-07
CASH FUND	1,359,828	1,368,898
PROGRAM TOTAL	1,359,828	1,368,898
SALARY LIMIT	137,115	141,610

Sec. 185. AGENCY NO. 57 -- NEBRASKA OIL AND GAS CONSERVATION COMMISSION

AND CRIMINAL JUSTICE

Program No. 220 - Community Corrections Council Office

	FY2005-06	FY2006-07
GENERAL FUND	1,538,173	1,545,521
CASH FUND	560,000	360,000
PROGRAM TOTAL	2,098,173	1,905,521
SALARY LIMIT	225,434	231,298

There is included in the appropriation to this program for FY2005-06 \$1,250,000 General Funds and for FY2006-07 \$1,250,000 General Funds for the purpose of funding substance abuse treatment for adult offenders on probation or parole or in community correctional programs pursuant to section 47-624.

There is included in the appropriation to this program for FY2005-06 \$200,000 from the Nebraska Health Care Cash Fund which shall only be used to develop a Request for Proposals and contract for a Methamphetamine Treatment Study. The study is to identify possible future legislative, judicial, and executive branch actions necessary to coordinate and implement an effective statewide strategy for the organization and delivery of substance abuse treatment specifically targeting methamphetamine addiction. The study may include, but not be limited to:

- (1) Analyzing the number of incarcerated inmates in both county and state facilities for methamphetamine-related offenses. The analysis will include demographics of race, gender, economic status, educational attainment, and county of residence;
- (2) Incorporating findings of Nebraska studies and recommendations concerning substance abuse that include the use of methamphetamine;
- (3) Compiling and unifying existing state and local agency data on methamphetamine treatment needs in the criminal justice and health and human services systems;
- (4) Identifying options for potential treatment facilities, services, or both facilities and services;
- (5) Identifying and quantifying potential levels of funding needed to implement recommended methamphetamine treatment services; and
- (6) Identifying and quantifying potential funding sources for methamphetamine treatment.

The final report shall be submitted to the Governor and the Legislature by January 1, 2006.

Sec. 249. AGENCY NO. 81 -- COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

Program No. 357 - Blind and Visually Impaired

	FY2005-06	FY2006-07
GENERAL FUND	644,765	657,842
CASH FUND	70,361	73,361
FEDERAL FUND est.	3,426,820	3,389,228
PROGRAM TOTAL	4,141,946	4,120,431
SALARY LIMIT	1,937,087	2,000,090

There is included in the appropriation to this program for FY2005-06 \$149,261 General Funds and \$686,030 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$149,261 General Funds and \$686,030 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 250. AGENCY NO. 82 -- COMMISSION FOR THE DEAF AND HARD OF HEARING

Program No. 578 - Hearing Impaired

	FY2005-06	FY2006-07
GENERAL FUND	709,616	730,362
CASH FUND	32,430	9,430
PROGRAM TOTAL	742,046	739,792
SALARY LIMIT	448,136	461,134

Sec. 251. AGENCY NO. 83 -- AID TO COMMUNITY COLLEGES

Program No. 99 - Vocational Faculty, Equipment Upgrades, and Job Training

There is hereby reappropriated for FY2005-06 and for FY2006-07 any unexpended appropriations balance, certified as encumbrances by the Director of Administrative Services, from the appropriation to this program existing on June 30, 2005, and June 30, 2006.

Sec. 252. AGENCY NO. 83 -- AID TO COMMUNITY COLLEGES

Program No. 151 - Aid to Community Colleges

	FY2005-06	FY2006-07
GENERAL FUND	43,066,322	43,926,193
PROGRAM TOTAL	43,066,322	43,926,193

Sec. 253. AGENCY NO. 83 -- AID TO COMMUNITY COLLEGES



	Program No. 152 - Property Tax Relief and Equalization	
	FY2005-06	FY2006-07
GENERAL FUND	22,245,893	23,891,436
PROGRAM TOTAL	22,245,893	23,891,436
	Sec. 254. AGENCY NO. 84 -- DEPARTMENT OF ENVIRONMENTAL QUALITY	
	Program No. 513 - Environmental Quality	
	FY2005-06	FY2006-07
GENERAL FUND	3,400,809	3,456,127
CASH FUND	30,867,874	30,854,126
FEDERAL FUND est.	15,231,357	15,452,350
PROGRAM TOTAL	49,500,040	49,762,603
SALARY LIMIT	10,197,443	10,520,959

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

- No. 513 - Administration
- No. 586 - Water Quality
- No. 587 - Land Quality
- No. 588 - Air Quality

There is included in the appropriation to this program for FY2005-06 \$13,307,572 Cash Funds and \$354,740 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$13,307,572 Cash Funds and \$354,740 Federal Funds estimate for state aid, which shall only be used for such purpose.

	Sec. 255. AGENCY NO. 84 -- DEPARTMENT OF ENVIRONMENTAL QUALITY	
	Program No. 523 - Wastewater Loan Fund	
	FY2005-06	FY2006-07
CASH FUND	1,000,000	1,000,000
FEDERAL FUND est.	10,140,000	10,140,000
PROGRAM TOTAL	11,140,000	11,140,000

There is included in the appropriation to this program for FY2005-06 \$1,000,000 Cash Funds and \$10,140,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$1,000,000 Cash Funds and \$10,140,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

Funds set aside for grants to small communities shall not be commingled with funds deposited in the Wastewater Treatment Facilities Construction Loan Fund.

	Sec. 256. AGENCY NO. 84 -- DEPARTMENT OF ENVIRONMENTAL QUALITY	
	Program No. 528 - Drinking Water Facilities Loan Fund	
	FY2005-06	FY2006-07
FEDERAL FUND est.	10,000,000	10,000,000
PROGRAM TOTAL	10,000,000	10,000,000

There is included in the appropriation to this program for FY2005-06 \$10,000,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$10,000,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

	Sec. 257. AGENCY NO. 85 -- PUBLIC EMPLOYEES RETIREMENT BOARD	
	Program No. 41 - Administration of Retirement Systems and Deferred Compensation	
	FY2005-06	FY2006-07
CASH FUND	6,847,754	6,669,090
PROGRAM TOTAL	6,847,754	6,669,090
SALARY LIMIT	1,777,070	1,760,816

There is included in the appropriation to this program an additional \$273,343 Cash Funds for FY2005-06 for the Nebraska Public Employees Retirement Systems' technology plan operating costs. It is the intent of the Legislature that the Nebraska Public Employees Retirement Systems in conjunction with the Public Employees Retirement Board develop an exit strategy for completing the technology plan implementation by the end of FY2006-07. A detailed exit strategy for completing the technology plan implementation shall be submitted to the Appropriations Committee of the Legislature no later than December 2, 2005.

	Sec. 258. AGENCY NO. 85 -- PUBLIC EMPLOYEES RETIREMENT BOARD	
	Program No. 42 - Board Member Expenses	
	FY2005-06	FY2006-07
CASH FUND	31,344	31,634
PROGRAM TOTAL	31,344	31,634
SALARY LIMIT	-0-	-0-

LEGISLATIVE BILL 1060
 Approved by the Governor April 3, 2006,
 with line-item vetoes overridden
 April 5, 2006.
 Figures have been changed to
 reflect vetoes not overridden.

Introduced by Speaker Brashear, 4; at the request of the Governor

AN ACT relating to appropriations; to amend Laws 2005, LB 424, sections 10, 25, 43, and 45; and Laws 2005, LB 425, sections 14, 15, 17, 33, 34, 47, 49, 61, 66, 100, 102, 104, 105, 107, 109, 112, 113, 114, 116, 117, 123, 126, 136, 139, 164, 169, 170, 172, 183, 187, 192, 194, 195, 204, 209, 226, 240, 242, 248, 249, 254, 259, and 275; to define terms; to provide, change, and eliminate provisions relating to appropriations; to provide for transfers; to repeal the original sections; to outright repeal Laws 2005, LB 348A, section 6; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

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

Sec. 2. APPROPRIATION LANGUAGE.

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

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

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

Sec. 4. UNEXPENDED BALANCES AND ENCUMBRANCES.

All General Fund appropriations existing on June 30, 2005, in excess of expended and encumbered amounts are hereby lapsed unless otherwise provided. All Cash Fund and Revolving Fund appropriations existing on June 30, 2005, in excess of expended and encumbered amounts are hereby lapsed unless otherwise expressly provided. All encumbered amounts on June 30, 2005, and June 30, 2006, are hereby reappropriated for FY2005-06 and FY2006-07, respectively, which amounts shall be in addition to the amounts shown in this act.

Sec. 5. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES.

Pursuant to the provisions of section 85-408 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for the expenditure of \$1,500,000 from bond surplus funds for adding beds to the University of Nebraska at Kearney 2005 Student Housing Project which was financed by the issuance of revenue bonds.

Sec. 6. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

Sec. 7. DRAWING AND PAYING WARRANTS.

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

Sec. 8. BUDGET STATUS REPORTS.

All state agencies, boards, and commissions shall promptly establish their detailed Budget Status Reports in the Nebraska Accounting System.

Sec. 9. AGENCY NO. 3 -- LEGISLATIVE COUNCIL

	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>FEDERAL FUND est.</u>	100	213
<u>PROGRAM TOTAL</u>	100	213
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 128. AGENCY NO. 48 -- COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

Program No. 640 - Postsecondary Education Coordination

	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>GENERAL FUND</u>	3,830	8,144
<u>PROGRAM TOTAL</u>	3,830	8,144
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 129. AGENCY NO. 48 -- COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

Program No. 690 - Nebraska Scholarship Program

	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>GENERAL FUND</u>	-0-	-0-
<u>CASH FUND</u>	50,000	-0-
<u>PROGRAM TOTAL</u>	50,000	-0-

There are no personal services included in the appropriation in this section.

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

Program No. 48 - Nebraska State Colleges - System Office

	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>GENERAL FUND</u>	257,917	132,450
<u>PROGRAM TOTAL</u>	257,917	132,450

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

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

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

Sec. 131. AGENCY NO. 51 -- UNIVERSITY OF NEBRASKA

Program No. 781 - University - Administration

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

	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>GENERAL FUND</u>	8,169,760	100,000
<u>PROGRAM TOTAL</u>	8,169,760	100,000

(2) There is included in the appropriation to this program for the Board of Regents of the University of Nebraska for FY2006-07 an estimated \$100,000 General Funds for centralized statewide costs of the Nebraska P-16 Initiative.

(3) There is included in the appropriation to this program \$4,000,000 General Funds for FY2005-06 and -0- General Funds for FY2006-07 for increased utility costs.

(4) There is included in the appropriation to this program \$4,169,760 General Funds for FY2005-06 for environmental clean-up costs at the Agricultural Research and Development Center near Mead.

Sec. 132. AGENCY NO. 53 -- REAL ESTATE APPRAISER BOARD

Program No. 79 - Appraiser Licensing

	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>CASH FUND</u>	290	617
<u>PROGRAM TOTAL</u>	290	617
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 133. AGENCY NO. 56 -- NEBRASKA WHEAT DEVELOPMENT, UTILIZATION, AND MARKETING BOARD

Program No. 381 - Nebraska Wheat Development, Utilization, and Marketing Board

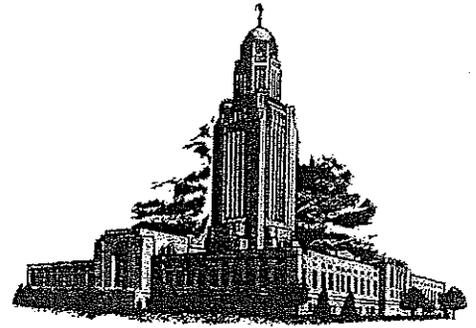
	<u>FY2005-06</u>	<u>FY2006-07</u>
<u>CASH FUND</u>	449	955
<u>PROGRAM TOTAL</u>	449	955
<u>SALARY LIMIT</u>	-0-	-0-

Sec. 134. AGENCY NO. 57 -- NEBRASKA OIL AND GAS CONSERVATION

STATE OF NEBRASKA

Ron Ross
State Treasurer

www.treasurer.org



May 6, 2005

Doug Christensen
Commissioner
Department of Education
301 Centennial Mall
Lincoln, NE 68509

Mary Jane Egr
Tax Commissioner
Department of Revenue
301 Centennial Mall
Lincoln, NE 68509

Dear Commissioner Christensen and Commissioner Egr,

According to Statute 77-913, the State Treasurer is to notify the Department of Education during the month of May the amount in the Insurance Tax Fund (Fund 77520) as of May 1. The money is distributed to counties (10%), to the Municipal Equalization Fund (30%), and school districts (60%). This letter is to inform the Department of Education that \$28,535,167.93 is the balance in the Insurance Tax Fund (Fund 77520) as of May 1 for distribution under Statute 77-913. This amount will be distributed as follows:

Entity	Percentage	Amount	Basis
Counties	10	\$ 2,853,516.80	Population
Municipal Equalization Fund	30	\$ 8,560,550.38	Statute
Schools	60	\$ 17,121,100.75	Equalization Aid

The State Treasurer's Office will calculate the payment amount for each county. This letter will serve to provide notice of the amount allocated to the Department of Education for distribution to school districts. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Ron Ross
State Treasurer

cc: Tim Wagner, Department of Insurance Director
Paul Carlson, State Accounting Administrator
Dick Gettemy, Department of Revenue Director of Administration/Finance

Approved by the Governor April 1, 2010

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

FOR AN ACT relating to appropriations; to amend Laws 2009, LB 313, sections 8, 9, and 17; Laws 2009, LB 315, section 76; and Laws 2009, First Special Session, LB 1, sections 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 35, 37, 40, 41, 42, 43, 44, 46, 48, 49, 54, 55, 57, 65, 66, 67, 70, 76, 79, 80, 81, 86, 87, 90, 92, 93, 94, 97, 98, 104, 108, 112, 113, 115, 117, 119, 120, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 136, 143, 144, 145, 146, 147, 151, 162, 165, 166, 173, 174, 175, 180, 181, 182, 184, 185, 186, 187, 189, 192, 193, 194, 195, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 219, 221, 225, 227, and 228; to define terms; to appropriate funds for general operations, postsecondary education, capital construction, and state aid; to provide and change transfers of funds; to change appropriations; to provide for agency efficiency review plans; to state intent; to repeal the original sections; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

For purposes of this act and any other legislative bill passed by the One Hundred First Legislature, Second Session, which appropriates funds, FY2008-09 means the period July 1, 2008, through June 30, 2009; FY2009-10 means the period July 1, 2009, through June 30, 2010; FY2010-11 means the period July 1, 2010, through June 30, 2011; FY2011-12 means the period July 1, 2011, through June 30, 2012; and FY2012-13 means the period July 1, 2012, through June 30, 2013.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2009-10 and FY2010-11, the sums set forth in this act to each agency for each program from the respective funds for the general operations of state government, postsecondary education, capital construction, and state aid, except as otherwise appropriated.

Sec. 3. REAPPROPRIATION OF BALANCE, FY2009-10 to FY2010-11.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2010, for FY2010-11 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 4. CERTIFIED ENCUMBRANCES.

All certified encumbrance amounts on June 30, 2010, not otherwise reappropriated pursuant to section 3 of this act, are hereby reappropriated for FY2010-11, which amounts shall be in addition to the amounts shown in this act.

Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

The definitions contained in the Nebraska Accounting System Manual, and any amendments thereto, on file with the Clerk of the Legislature are hereby adopted by the Legislature as the definitions for this act, except as provided in section 70 of this act.

Sec. 6. DRAWING AND PAYING WARRANTS.

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

Sec. 7. AGENCY EFFICIENCY REVIEW PLANS.

(1) All state agencies shall develop an agency efficiency review plan for FY2010-11 and FY2011-12. The state agency efficiency review plan shall include agency recommendations on the following:

- (a) The consolidation of existing programs within the agency;
- (b) The opportunities for streamlining existing services;
- (c) The reforms needed to reduce the number of employees and layers of management within the agency;
- (d) A review of all mandates and requirements imposed on the agency and the results of eliminating or changing the mandates and requirements; and
- (e) The structural and operational changes needed for the agency to move from a five-day to four-day work week.

(2) Agencies shall provide the agency efficiency review plan to the Appropriations Committee of the Legislature and shall file a copy of the plan

FY 2011
 LB 935
 State Support
 Nebraska

Sec. 128. Laws 2009, First Special Session, LB 1, section 227, is amended to read:

Sec. 227. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 158 - Education Aid

	FY2009-10	FY2010-11
GENERAL FUND	1,034,668,501	987,116,323
<u>GENERAL FUND</u>	<u>1,034,668,501</u>	<u>1,004,865,095</u>
CASH FUND	3,290,938	3,290,938
FEDERAL FUND est.	373,683,935	431,176,314
PROGRAM TOTAL	1,411,643,374	1,421,583,575
<u>PROGRAM TOTAL</u>	<u>1,411,643,374</u>	<u>1,439,332,347</u>

There is included in the appropriation to this program for FY2009-10 \$1,034,668,501 General Funds, \$3,290,938 Cash Funds, and \$373,683,935 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 ~~\$987,116,323~~ \$1,004,865,095 General Funds, \$3,290,938 Cash Funds, and \$431,176,314 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown for FY2009-10 \$824,960,159 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act. There is included in the amount shown for FY2010-11 ~~\$778,529,472~~ \$796,734,560 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act.

There is included in the amount shown for FY2009-10 \$93,668,750 Federal Funds estimate pursuant to the American Recovery and Reinvestment Act of 2009 which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act. There is included in the amount shown for FY2010-11 \$140,287,176 Federal Funds estimate pursuant to the American Recovery and Reinvestment Act of 2009 which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act.

There is included in the amount shown for this program \$184,893,842 General Funds provided as state aid for FY2009-10 for special education reimbursement. There is included in the amount shown for this program \$184,893,842 General Funds provided as state aid for FY2010-11 for special education reimbursement.

There is included in the amount shown for this program \$487,500 General Funds provided as state aid for FY2009-10 and ~~\$475,000~~ \$465,500 General Funds provided as state aid for FY2010-11 to carry out the provisions of subsection (2) of section 79-734.

There is included in the amount shown for this program \$3,604,328 General Funds provided as state aid for FY2009-10 and ~~\$3,434,655~~ \$3,365,962 General Funds provided as state aid for FY2010-11 for early childhood education projects.

There is included in the amount shown for this program \$11,858,793 General Funds provided as state aid for FY2009-10 and ~~\$11,265,953~~ \$11,040,536 General Funds provided as state aid for FY2010-11 for core services for educational service units.

There is included in the amount shown for this program \$3,700,477 General Funds provided as state aid for FY2009-10 and ~~\$3,515,453~~ \$3,445,144 General Funds provided as state aid for FY2010-11 for technology infrastructure for educational service units.

There is included in the amount shown for this program \$328,300 General Funds provided as state aid for FY2009-10 and ~~\$311,885~~ \$305,647 General Funds provided as state aid for FY2010-11 for distance education aid to educational service units.

There is included in the amount shown for this program \$2,336,921 General Funds provided as state aid for FY2009-10 and ~~\$2,220,075~~ \$2,175,673

General Funds provided as state aid for FY2010-11 for programs for learners with high ability.

There is included in the amount shown for this program \$412,811 General Funds provided as state aid for FY2009-10 and \$427,260 General Funds provided as state aid for FY2010-11 for the school breakfast program.

There is included in the amount shown for this program \$410,560 General Funds provided as state aid for FY2009-10 and ~~\$400,033~~ \$392,032 General Funds provided as state aid for FY2010-11 for the school lunch program.

There is included in the amount shown for this program \$224,810 General Funds provided as state aid for FY2009-10 and ~~\$219,045~~ \$214,664 General Funds provided as state aid for FY2010-11 for adult basic education programs.

There is included in the amount shown for this program \$450,000 General Funds provided as state aid for FY2009-10 and \$450,000 General Funds provided as state aid for FY2010-11 for the Career Education Partnership Act.

There is included in the amount shown for this program \$1,000,000 General Funds provided as state aid for FY2009-10 and ~~\$973,750~~ \$954,275 General Funds provided as state aid for FY2010-11 for learning community aid.

On or before October 1 of each year, the Department of Health and Human Services and the State Department of Education shall jointly certify to the budget administrator of the budget division of the Department of Administrative Services the amount of federal medicaid funds paid to school districts pursuant to the Early Intervention Act for special education services for children age five years and older. The General Fund appropriation to the State Department of Education, Program 158, for state special education aid shall be decreased by an amount equal to the amount that would have been reimbursed with state General Funds to the school districts through the special education reimbursement process for special education services for children age five years and older that was paid to school districts or approved cooperatives with federal medicaid funds. There is hereby appropriated from the General Fund an amount equal to the amount certified to the budget administrator for FY2009-10 and FY2010-11 to the Department of Health and Human Services to aid in carrying out the provisions of Laws 1991, LB 701. The budget administrator shall distribute the amount appropriated between budget programs according to percentages certified by the Department of Health and Human Services.

Notwithstanding other provisions of this act, all appropriations within this program existing on June 30, 2009, in excess of expended or encumbered amounts are hereby lapsed.

Sec. 129. Laws 2009, First Special Session, LB 1, section 228, is amended to read:

Sec. 228. FUND TRANSFERS

The State Treasurer shall, on or before June 30 in each fiscal year on such dates as directed by the budget administrator of the budget division of the Department of Administrative Services, transfer the amounts shown in this section to the General Fund from the specified cash funds:

AG#	Fund Name	FY2009-10	FY2010-11
3	Clerk of the Legislature Cash Fund	1,220	2,439
3	<u>Clerk of the Legislature Cash Fund</u>	<u>1,220</u>	<u>145,539</u>
3	Nebraska Legislative Shared		
	Information System Cash Fund	10,505	11,009
5	Supreme Court Automation Cash Fund	-0-	201,502
5	Probation Program Cash Fund	-0-	479,572
9	Administration Cash Fund	3,890	7,977
9	Corporation Cash Fund	16,055	32,762
9	Records Management Cash Fund	71,543	118,154
9	Uniform Commercial Code Cash Fund	28,706	58,366
9	Nebraska Collection Agency Fund	2,023	4,156

LEGISLATIVE BILL 1

Approved by the Governor November 20, 2009

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

FOR AN ACT relating to appropriations; to amend Laws 2009, LB 313, section 7, Laws 2009, LB 314, sections 21 and 41, Laws 2009, LB 315, sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 48, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 74, 75, 77, 78, 79, 85, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 103, 104, 106, 107, 108, 110, 111, 112, 113, 114, 115, 118, 119, 120, 121, 122, 123, 124, 125, 127, 131, 133, 134, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 157, 158, 159, 160, 162, 165, 166, 167, 170, 171, 172, 173, 174, 175, 177, 178, 179, 181, 182, 184, 185, 187, 188, 189, 190, 191, 192, 193, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 218, 219, 220, 222, 225, 226, 227, 228, 229, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 264, 265, 266, 267, 268, 269, 270, 271, 272, and 282, and Laws 2009, LB 545A, section 1; to define terms; to appropriate and reappropriate funds; to state intent; to change and eliminate appropriations as prescribed; to change transfers; to provide for transfers; to harmonize provisions; to repeal the original sections; to outright repeal Laws 2009, LB 315, sections 80, 81, 82, 83, 84, 86, 87, 88, and 89; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

For purposes of this act and any other legislative bill passed by the One Hundred First Legislature, First Special Session, which appropriates funds, FY2008-09 means the period July 1, 2008, through June 30, 2009; FY2009-10 means the period July 1, 2009, through June 30, 2010; FY2010-11 means the period July 1, 2010, through June 30, 2011; FY2011-12 means the period July 1, 2011, through June 30, 2012; and FY2012-13 means the period July 1, 2012, through June 30, 2013.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2009-10 and FY2010-11, the sums set forth in this act to each agency for each program from the respective funds for the general operations of state government, postsecondary education, and state aid, except as otherwise appropriated.

Sec. 3. REAPPROPRIATION OF BALANCE, FY2008-09 to FY2009-10.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2009, for FY2009-10 to the respective agencies, programs, and funds listed in this act, unless otherwise expressly provided.

Sec. 4. REAPPROPRIATION OF BALANCE, FY2009-10 to FY2010-11.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2010, for FY2010-11 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 5. CERTIFIED ENCUMBRANCES.

All certified encumbrance amounts on June 30, 2009, and June 30, 2010, not otherwise reappropriated pursuant to sections 3 and 4 of this act, are hereby reappropriated for FY2009-10 and FY2010-11, respectively, which amounts shall be in addition to the amounts shown in this act.

Sec. 6. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

The definitions contained in the Nebraska Accounting System Manual, and any amendments thereto, on file with the Clerk of the Legislature are hereby adopted by the Legislature as the definitions for this act, except as provided in section 117 of this act.

Sec. 7. DRAWING AND PAYING WARRANTS.

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

Sec. 8. BUDGET STATUS REPORTS.

All state agencies, boards, and commissions shall promptly establish

CASH FUND	7,000,000	7,750,000
FEDERAL FUND est.	591,731	591,731
PROGRAM TOTAL	14,308,796	15,058,796
<u>PROGRAM TOTAL</u>	<u>14,224,832</u>	<u>14,890,870</u>

The unexpended General Fund, Cash Fund, and Federal Fund appropriation balances existing on June 30, 2009, for Program No. 690, are hereby reappropriated.

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

There is included in the appropriation to this program for FY2009-10 ~~\$6,717,065~~ \$6,633,101 General Funds, \$7,000,000 Cash Funds, and \$591,731 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 ~~\$6,717,065~~ \$6,549,139 General Funds, \$7,750,000 Cash Funds, and \$591,731 Federal Funds estimate for state aid, which shall only be used for such purpose.

Sec. 148. Laws 2009, LB 315, section 184, is amended to read:

Sec. 184. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE

COLLEGES

Program No. 48 - Nebraska State Colleges - System Office

	FY2009-10	FY2010-11
GENERAL FUND	46,174,099	47,015,210
<u>GENERAL FUND</u>	<u>45,335,219</u>	<u>45,369,972</u>
CASH FUND est.	25,129,721	25,129,721
FEDERAL FUND est.	18,091,090	18,091,090
REVOLVING FUND est.	7,291,348	7,291,348
PROGRAM TOTAL	96,686,258	97,527,369
<u>PROGRAM TOTAL</u>	<u>95,847,378</u>	<u>95,882,131</u>

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

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

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

The Legislature reaffirms its commitment to long-range and short-range computer planning by the Nebraska state colleges. It is the intent of the Legislature that comprehensive computer plans of the Nebraska state colleges be updated biennially and submitted to the Legislative Fiscal Analyst, the Department of Administrative Services, and the Coordinating Commission for Postsecondary Education on or before October 15 of each odd-numbered year.

The Department of Administrative Services shall monitor the appropriations and expenditures of the Board of Trustees of the Nebraska State Colleges, Agency No. 50-0, and the Nebraska State Colleges, Agency Nos. 50-1, 50-3, and 50-4, according to NCHEMS-Program Classification Structure, Second Edition. Expenditure authority shall be limited to program appropriations.

The unexpended General Fund appropriation balance existing in Program 840 on June 30, 2009, is hereby reappropriated.

Sec. 149. Laws 2009, LB 315, section 185, is amended to read:

Sec. 185. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 781 - University - Administration

(1) There is hereby appropriated to the Board of Regents of the

University of Nebraska for expenditure and distribution to the campuses by the University of Nebraska Central Administration the following sums of money.

	FY2009-10	FY2010-11
GENERAL FUND	499,912,628	508,440,667
PROGRAM TOTAL	499,912,628	508,440,667
<u>GENERAL FUND</u>	<u>481,095,971</u>	<u>493,156,111</u>
<u>PROGRAM TOTAL</u>	<u>481,095,971</u>	<u>493,156,111</u>

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

(3) There is included in the appropriation to this program for FY2009-10 an estimated \$2,639,103 General Funds and for FY2010-11 an estimated \$2,678,690 General Funds for the Nebraska College of Technical Agriculture at Curtis.

There is included in the appropriation to this program for FY2009-10 an estimated \$1,546,885 General Funds and for FY2010-11 an estimated \$1,572,794 General Funds for the Nebraska Forest Service Program.

It is the intent of the Legislature that the Institute of Agriculture and Natural Resources and the Cooperative Extension Program are treated fairly in the University of Nebraska 2009-2011 biennial budget setting process.

(4) (a) There is included in the appropriation to this program for the Board of Regents of the University of Nebraska for FY2009-10 an estimated \$11,201,281 General Funds and for FY2010-11 an estimated \$11,201,281 General Funds, to be administered by Central Administration, for the purpose of targeted research activities at the University of Nebraska. It is intended that none of these funds be used for new capital construction or renovation, except that a small portion may be used for short-term cash flow. Further, it is intended that an estimated \$304,255 of the estimated \$11,201,281 for FY2009-10 and an estimated \$304,255 of the estimated \$11,201,281 for FY2010-11 be used in conjunction with the Experimental Program to Stimulate Competitive Research (EPSCoR) which is expected to have an increased emphasis on applied research and technology transfer.

(b) It is intended that faculty teams, research centers, or individual faculty from the various colleges and departments of all of the campuses of the University of Nebraska should present research proposals to the Research Fund Advisory Committee and Central Administration for the various targeted research areas after the FY2009-10 appropriation has been made but prior to August 15, 2009. Inherent in this process is the concept that the best proposals be selected regardless of the campus of origin and that selections be made on a competitive basis.

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

(d) The unexpended appropriations balance from the \$11,201,281 estimated General Funds appropriated for research existing on June 30, 2009, and the unexpended appropriations balance from the estimated \$11,201,281 General Funds appropriated for research existing on June 30, 2010, are hereby

reappropriated.

(5) The unexpended appropriations balance from any cash fund allocation established by the Board of Regents for the Tobacco Settlement funds received pursuant to section 24 of Laws 2001, LB 692, existing on June 30, 2009, and the unexpended appropriations balance existing on June 30, 2010, are hereby reappropriated.

(6) (a) There is included in the appropriation to this program for FY2009-10 an estimate of \$618,955 General Funds for optometry student contracts. There is included in the appropriation to this program for FY2010-11 an estimate of \$618,955 General Funds for optometry student contracts.

(b) The unexpended appropriations balance for optometry student contracts for FY2008-09 and existing on June 30, 2009, and the unexpended appropriations balance for optometry student contracts for FY2009-10 and existing on June 30, 2010, are hereby reappropriated.

(7) The unexpended General Fund appropriation balance existing in Program 740 on June 30, 2009, is hereby reappropriated.

(8) It is intended that:

(a) The University of Nebraska shall report its expenditures on the Allotment Status Report and Regular Budget Status Report according to its internal operational and organizational structure, subject to approval by the Accounting Administrator and the budget administrator;

(b) The University of Nebraska shall report its expenditures on the Program Classification Expenditure Report in the NCHEMS-Program Classification Structure, Second Edition, subject to approval by the Accounting Administrator and the budget administrator;

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

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

(e) The Nebraska Educational Data System created by Laws 1978, LB 897, shall be utilized to support the appropriations and oversight process for postsecondary education. It is further the intent of the Legislature that all institutions shall provide the data in the precise formats required by the Coordinating Commission for Postsecondary Education and that any expenditure of General Funds on the development of new information systems, including any student information system, meet the requirements of the Nebraska Educational Data System as determined by the Coordinating Commission for Postsecondary Education.

Sec. 150. Laws 2009, LB 315, section 187, is amended to read:
Sec. 187. AGENCY NO. 53 - REAL PROPERTY APPRAISER BOARD
Program No. 79 - Appraiser Licensing

	FY2009-10	FY2010-11
CASH FUND	286,715	291,170
PROGRAM TOTAL	286,715	291,170
CASH FUND	<u>279,547</u>	<u>276,611</u>
PROGRAM TOTAL	<u>279,547</u>	<u>276,611</u>
SALARY LIMIT	106,992	109,495

There is included in the appropriation to this program for FY2009-10 ~~\$55,000~~ \$25,000 Cash Funds, plus any reappropriated amount, for legal services, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 ~~\$55,000~~ \$25,000 Cash Funds, plus any reappropriated amount, for legal services, which shall only be used for such purpose.

The unexpended Cash Fund appropriation balance existing on June 30, 2009, less \$56,400, is hereby reappropriated.

Sec. 151. Laws 2009, LB 315, section 188, is amended to read:
Sec. 188. AGENCY NO. 54 - NEBRASKA STATE HISTORICAL SOCIETY
Program No. 648 - Nebraska State Historical Society

Sec. 259. AGENCY NO. 82 -- COMMISSION FOR THE DEAF AND HARD OF HEARING
 Program No. 578 - Hearing Impaired

	FY2009-10	FY2010-11
GENERAL FUND	875,312	898,083
CASH FUND	11,630	13,430
PROGRAM TOTAL	886,942	911,513
<u>GENERAL FUND</u>	<u>853,429</u>	<u>853,179</u>
<u>CASH FUND</u>	<u>11,482</u>	<u>12,758</u>
<u>PROGRAM TOTAL</u>	<u>864,911</u>	<u>865,937</u>
SALARY LIMIT	544,670	558,272

The unexpended General Fund appropriation balance existing on June 30, 2009, less \$65,058, is hereby reappropriated.

Sec. 215. Laws 2009, LB 315, section 260, is amended to read:

Sec. 260. AGENCY NO. 83 - AID TO COMMUNITY COLLEGES

Program No. 151 - Aid to Community Colleges

	FY2009-10	FY2010-11
GENERAL FUND	88,575,473	89,904,105
PROGRAM TOTAL	88,575,473	89,904,105
<u>GENERAL FUND</u>	<u>86,966,256</u>	<u>86,758,025</u>
<u>PROGRAM TOTAL</u>	<u>86,966,256</u>	<u>86,758,025</u>

There is included in the appropriation to this program for FY2009-10 ~~\$88,575,473~~ \$86,966,256 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 ~~\$89,904,105~~ \$86,758,025 General Funds for state aid, which shall only be used for such purpose.

Sec. 216. Laws 2009, LB 315, section 261, is amended to read:

Sec. 261. AGENCY NO. 84 - DEPARTMENT OF ENVIRONMENTAL QUALITY

Program No. 513 - Environmental Quality

	FY2009-10	FY2010-11
GENERAL FUND	7,948,774	7,984,101
CASH FUND	32,354,512	32,350,017
<u>GENERAL FUND</u>	<u>7,799,089</u>	<u>7,683,895</u>
<u>CASH FUND</u>	<u>31,545,649</u>	<u>30,732,516</u>
FEDERAL FUND est.	16,064,292	16,050,009
PROGRAM TOTAL	56,367,578	56,384,127
<u>PROGRAM TOTAL</u>	<u>55,409,030</u>	<u>54,466,420</u>
SALARY LIMIT	11,489,637	11,783,839

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

No. 513 - Administration

No. 586 - Water Quality

No. 587 - Land Quality

No. 588 - Air Quality

There is included in the appropriation to this program for FY2009-10 ~~\$4,458,711~~ \$4,396,278 General Funds, ~~\$16,000,000~~ \$15,600,000 Cash Funds, and \$265,000 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2010-11 ~~\$4,477,311~~ \$4,352,445 General Funds, ~~\$16,000,000~~ \$15,200,000 Cash Funds, and \$265,000 Federal Funds estimate for state aid, which shall only be used for such purpose.

LEGISLATIVE BILL 603A

Approved by the Governor May 22, 2009

Introduced by Gay, 14.

FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009; and to reduce appropriations.

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

Section 1. There is hereby appropriated (1) \$1,386,548 from the General Fund and \$296,548 from federal funds for FY2009-10 and (2) \$2,251,029 from the General Fund and \$374,002 from federal funds for FY2010-11 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed \$416,659 for FY2009-10 or \$556,012 for FY2010-11.

Sec. 2. There is hereby appropriated (1) \$1,111,984 from the General Fund for FY2009-10 and (2) \$2,056,047 from the General Fund for FY2010-11 to the Department of Health and Human Services, for Program 38, to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009.

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

Sec. 3. The General Fund appropriation for FY2009-10 to the Department of Health and Human Services, for Program 38, is hereby reduced by \$977,697. The General Fund appropriation for FY2010-11 to the Department of Health and Human Services, for Program 38, is hereby reduced by \$1,871,577. The reductions in this program assume the implementation of secure residential as a medicaid-covered service on December 1, 2009. If implementation occurs on a date other than December 1, 2009, the Legislature shall adjust the General Fund appropriation based upon the actual implementation date.

Sec. 4. There is hereby appropriated (1) \$2,188,116 from the General Fund and \$5,736,969 from federal funds for FY2009-10 and (2) \$3,005,553 from the General Fund and \$7,880,187 from federal funds for FY2010-11 to the Department of Health and Human Services, for Program 344, to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009.

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

Sec. 5. There is hereby appropriated (1) \$1,221,840 from the General Fund for FY2009-10 and (2) \$2,051,010 from the General Fund for FY2010-11 to the Department of Health and Human Services, for Program 347, to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009.

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

Sec. 6. There is hereby appropriated (1) \$143,544 from the General Fund and \$1,262,773 from federal funds for FY2009-10 and (2) \$314,117 from the General Fund and \$2,421,811 from federal funds for FY2010-11 to the Department of Health and Human Services, for Program 348, to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009.

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

Sec. 7. There is hereby appropriated (1) \$1,385,160 from the General Fund for FY2009-10 and (2) \$1,563,993 from the General Fund for FY2010-11 to the Board of Regents of the University of Nebraska, for Program 781, to aid in carrying out the provisions of Legislative Bill 603, One Hundred First Legislature, First Session, 2009.