

ESUCC
Legislative Committee Meeting
Wednesday, March 7, 2018, 11:00 AM
ESU No. 11, 412 W. 14th Ave., Holdrege, NE 68949

Attendance Taken at 11:03 AM.

Bell ESU 10: Present
Jeff West (NE): Absent
Dr Kraig Lofquist: Present
Standish ESU 18: Absent
Dan Schnoes (NE) (ESU 03): Present
Greg Barnes (ESU 11): Present
Paul Calvert (ESU 15): Present

Attendance Update Taken at 11:15 AM.

Jeff West (NE): Present

Attendance Update Taken at 2:10 PM.

Bell ESU 10: Absent

Bell was not at an advertised DL site.

1. Call to Order

2. Roll Call

3. Agenda Item

3.1. Approve MSA Governmental Relations (2 year)

3.2. Legislative Update (Bromm & Associates and NCSA)

3.2.1. LB651 - Adopt the Nebraska Reading Improvement Act

3.2.2. LB801 - Adopt the Panhandle Beginnings Act to provide certain services to school-age children

3.2.3. LB803 - Change provisions related to kindergarten, early childhood education, and the Step Up to Quality Childcare Act

3.2.4. LB829 - Adopt the Property Tax Relief Act

- 3.2.5. LB851 - Limit superintendent and educational service unit administrator compensation
- 3.2.6. LB876 - Change special education reimbursements
- 3.2.7. LB944 - Provide, change, and eliminate provisions relating to appropriations and reduce appropriations
- 3.2.8. LB945 - Provide for transfers of funds and change transfer provisions
- 3.2.9. LB946 - Change provisions relating to the Cash Reserve Fund
- 3.2.10. LB947 - Adopt the Nebraska Property Tax Cuts and Opportunities Act, change income tax rates, and eliminate certain exemptions and credits
- 3.2.11. LB997 - Provide limits on salaries of administrative employees of political subdivisions
- 3.2.12. LB998 - Create the Collaborative School Behavioral and Mental Health Program
- 3.2.13. LB1001 - Provide for a review of the financing of schools
- 3.2.14. LR285CA - Constitutional amendment to eliminate the State Board of Education
- 3.3. Economic Forecast Board
- 3.4. Recap Legislative Day/Marketing
- 3.5. ESUCC Proposed Legislation
- 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}}



LOBBY RETAINER AGREEMENT

Educational Service Unit Coordinating Council (Client) hereby retains Bromm, Nielsen & Mines, LLC, (Lobbyist) to represent the Client before the Nebraska Legislature during the 2018 interim, and the 2019 and 2020 Legislative Session through October 1, 2020. The purpose is to provide lobby services to monitor educational related issues of concern to the Client.

The Client agrees it will pay on the following schedule:
\$13,750.00 for lobbying and \$200.00 registration fee on or before November 1, 2018
\$13,750.00 on or before March 1, 2019
\$13,750.00 for lobbying and \$200.00 registration fee on or before November 1, 2019
\$13,750.00 on or before March 1, 2020

If unexpected or unusual expenses are expected to be incurred, the Lobbyist will obtain prior approval from the client prior to incurring any such additional expenses.

The Lobbyist will report directly to the Executive Director, David M. Ludwig. Lobbyist will attend relevant meetings and hearings, monitor the relevant legislation, consult on strategy and other communications with Senators. Lobbyist will file all reports with the Accountability and Disclosure Commission required by law to be filed by the retained Lobbyist. The Client will file all reports with the Accountability and Disclosure Commission required to be filed by principal.

Dated this ____ day of _____, 2018.

EDUCATIONAL SERVICE UNIT
COORDINATING COUNCIL

By _____
David M. Ludwig,
Executive Director

BROMM, NIELSEN & MINES, LLC

By _____
Jason Bromm

Bromm, Nielsen & Mines
Educational Service Unit Council
Weekly Report for Bills of Interest on 03/01/2018

Document	Description	Position	Committee	Hearing Date	Status
LB14	<p>(Krist) Require successful completion of a civics examination as a prerequisite to high school graduation</p> <p><i>LB 14 requires that, beginning in school year 2018-19, the civics portion of the naturalization test used by the U.S. Citizenship and Immigration Services be taken by every Nebraska high school student to demonstrate knowledge and understanding of the fundamentals of U.S. history and the principles of the government of the U.S.</i></p> <p><i>The civics test would incorporate the 100 questions listed on a test that is identical to the civics portion of the naturalization test used by the U.S. Citizenship and Immigration Services (as required by 8 U.S.C. 1423).</i></p> <ul style="list-style-type: none"> • <i>Each high school student must correctly answer at least 70% of the questions on the civics test as a prerequisite to graduation.</i> • <i>Each school district may determine the method and manner in which to administer the civics test to each student.</i> • <i>A student may take the test, in whole or in part, at any time after enrolling in grade nine and may repeat the test, or any portion, as often as necessary to achieve the required score.</i> • <i>A student may be exempted from the requirement of this section by the student's individualized education plan (IEP).</i> • <i>A school district may not impose or collect any fees or charges in connection with the civics test.</i> 	Monitor	Education	03/20/2017	<p>In Committee</p> <p>Title printed. Carryover bill Brewer name added Krist AM625 filed McCollister name added Notice of hearing for March 20, 2017 Notice of hearing for January 17, 2017 (cancel) Groene MO5 prevailed Groene MO5 Permit cancellation of hearing on January 17, 2017 filed Notice of hearing for January 17, 2017 Referred to Education Committee Date of introduction</p>
LB44	<p>(Watermeier) Adopt the Remote Seller Sales Tax Collection Act</p> <p><i>LB 44 would increase state sales tax revenue through collection of taxes on Internet purchases. The bill provides findings that the inability to effectively collect the sales or use tax from remote sellers who deliver tangible personal property, products delivered electronically, or services directly into Nebraska is seriously eroding Nebraska's sales tax base, causing revenue losses and imminent harm to the state through the loss of critical funding for state and local services. The bill contains the emergency clause.</i></p>	Monitor	Revenue	01/27/2017	<p>Select File Watermeier Priority Bill</p> <p>Watermeier AM1822 filed Watermeier priority bill McCollister name added Watermeier AM1465 filed Title printed. Carryover bill Chambers FA64 pending Chambers FA64 pending Chambers FA64 filed Chambers FA64 pending Watermeier AM1074 filed Watermeier AM1074 pending Attorney General's Opinion 17-002 to Kuehn Placed on Select File Advanced to Enrollment and Review Initial Placed on General File Watermeier priority bill Notice of hearing for January 27, 2017 Referred to Revenue Committee Date of introduction</p>
LB52	<p>(Schumacher) Adopt the Modern Tax Act</p> <p><i>LB 52 creates the Modern Tax Act and would impose a tax at a rate of 5.5% on the amount of</i></p>	Monitor	Revenue	01/18/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p>

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	<p><i>interest paid by a qualified debtor on any eligible loan.</i></p> <p><i>Eligible loan would include loans for real estate, Uniform Commercial Code filings, loans secured by a security or commercial paper held in or delivered to a creditor in Nebraska, a loan for a vehicle, or any loan over which Nebraska courts have jurisdiction and venue in an action for default in payment.</i></p> <p><i>The bill specifically excludes loans to governmental entities.</i></p>				<p>Notice of hearing for January 18, 2017</p> <p>Referred to Revenue Committee</p> <p>Date of introduction</p>
LB58	<p>(Kintner) Change provisions relating to participation in extracurricular activities</p> <p><i>LB 58 changes existing provisions under part-time enrollment (§ 79-2,136). The bill states that any student who withdraws from a public school to enroll as a homeschool student may not participate in an extracurricular activity in any public school district for 365 days after the date the student withdraws from the public school.</i></p> <p><i>The bill requires each school board to establish policies and procedures to allow the participation of any homeschool student in any extracurricular activities to the same extent and subject to the same requirements, conditions, and procedures as students enrolled in the public school governed by such board.</i></p> <p><i>Note: Existing law (§ 79-2,126) defines "extracurricular activities" as student activities or organizations which are supervised or administered by the school district, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the school district.</i></p> <p><i>LB 58 provides that the policies and procedures may require homeschool students participating in extracurricular activities to be continuously enrolled in no more than one course per semester offered for credit by such school and may require them to follow school policies that apply to other students when present on school grounds or at a school-sponsored activity or athletic event. Participation in extracurricular activities would not entitle a student to transportation, except to and from practices and events to the same extent as public school students participating in such activities, or transportation reimbursement.</i></p>	Monitor	Education	01/30/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Craighead name added</p> <p>Notice of hearing for January 30, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>
LB90	<p>(Hughes) Require public entity to provide accommodations where Auditor of Public Accounts employee conducts audit or examination</p>	Monitor	Government, Military and Veterans Affairs	01/19/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for January 19, 2017</p> <p>Referred to Government, Military and Veterans Affairs Committee</p> <p>Date of introduction</p>
LB103	<p>(Murante) Change provisions relating to accelerated or differentiated curriculum and require establishment of focus groups</p> <p><i>LB 103 is aimed at strengthening and expanding existing provisions related to gifted education. Under current law, NDE is authorized to employ a full-time consultant trained and experienced in the field of education for learners with high ability. The consultant must encourage, advise, and consult with each school of the state in the development and implementation of plans for gifted education and must monitor the implementation of laws related to gifted education, including the newly proposed provisions of LB 103.</i></p> <p><i>The bill is applicable to all school districts but appears to take particular aim toward member</i></p>	Monitor	Education	01/23/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Ebke name added</p> <p>Notice of hearing for January 23, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>

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	<p><i>school districts of a learning community.</i></p> <p><i>Under LB 103, each school district within a learning community providing an approved accelerated or differentiated curriculum program must establish a high-ability learners' focus group. Each focus group must include:</i></p> <ul style="list-style-type: none"> • <i>Parents of learners with high ability from elementary, middle school, and high school grade levels as defined by the school district;</i> • <i>Teachers from an approved accelerated or differentiated curriculum program from elementary, middle school, and high school grade levels; and</i> • <i>Administrators with responsibilities directly related to the school district's approved accelerated or differentiated curriculum programs.</i> <p><i>The focus group may also include a representative from a statewide organization that advocates for meeting the educational needs of learners with high ability. A preference must be given in the selection of teacher members to teachers with endorsements specific to teaching learners with high ability who teach in approved accelerated or differentiated curriculum programs in the school district. The majority of each focus group must be made up of parents of learners with high ability.</i></p> <p><i>Each focus group must:</i></p> <p><i>(a) Explore ways for parents and students to play an ongoing, integral role in the district's approved accelerated or differentiated curriculum program;</i></p> <p><i>(b) Annually receive and review data and reports submitted by the school district pertaining to gifted education;</i></p> <p><i>(c) Annually review the expenditure of lottery funds and matching funds distributed to the district during the past school year and the budgeted expenditures of the funds for the current school year; and</i></p> <p><i>(d) Study any issues related to the education of learners with high ability that the focus group deems appropriate.</i></p>				
LB107	<p>(Crawford) Prohibit sexual assault of a patient, client, or student as prescribed</p> <p><i>LB 107 amends the Nebraska Criminal Code and relates to sexual abuse of students, patients or clients in the care of health professionals, school volunteers and employees, volunteers and employees of youth centers, and people who occupy positions of special trust.</i></p> <p><i>For purposes of education, LB 107 provides a list of employee classifications that would be included, from teachers to principals, home/school visitors to janitors, cafeteria workers to bus drivers, teacher aides to directors of vocational education.</i></p> <p><i>Note: Employee does not include a student, patient, or client employed at the school or youth facility or an independent contractor or any employee of an independent contractor who has no direct contact with students, patients, or clients.</i></p> <p><i>The bill defines "volunteer" to mean a person who is not an elected or appointed official or employee of a school who, at the request or with the permission of the school board or board of education of the school, engages without remuneration in activities related to the purposes and functions of the school or for its general benefit. Volunteer does not include a student enrolled in the school.</i></p> <p><i>The bill defines "student" as a person who is currently enrolled in or attending public or private elementary or secondary school or a postsecondary educational institution or was a student enrolled in or who attended a public or private elementary or secondary school or a</i></p>	Monitor	Judiciary	02/08/2017	<p>In Committee</p> <p>Title printed. Carryover bill McDonnell name added Blood name added Hansen name added Notice of hearing for February 08, 2017 Referred to Judiciary Committee Date of introduction</p>

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	<p><i>postsecondary educational institution within 30 days of the alleged contact.</i></p> <p><i>First Degree: As the bill relates to education, a person who is a volunteer or an employee of a school commits the offense of sexual abuse of a student if such volunteer or school employee subjects a student who is at least 16 years of age but less than 19 years of age to sexual penetration or sexual contact.</i></p> <p><i>Sexual abuse of a student in the first degree is a Class IIA felony.</i></p> <p><i>Second Degree: A person who is a volunteer or an employee of a school who subjects a student who is at least 16 years of age but less than 19 years of age to sexual contact is guilty of sexual abuse of a student in the second degree.</i></p> <p><i>Sexual abuse of a student in the second degree is a Class IIIA felony.</i></p> <p><i>The bill provides that it is not a defense to a charge of sexual abuse that the student, child, patient, or client consented to the sexual penetration or sexual contact.</i></p>				
LB109	<p>(Blood) Provide for a temporary teaching certificate or permit for military spouses</p> <p><i>LB 109 requires the State Board of Education to issue a temporary certificate or permit to a military spouse who complies with and meets the requirements of the legislation pending issuance of the regular certificate or permit.</i></p> <p><i>A military spouse must submit the following with his/her application for the regular certificate or permit:</i></p> <p><i>(i) A copy of his/her military dependent identification card that identifies him/her as the spouse of an active duty member of the U.S. Armed Forces;</i></p> <p><i>(ii) A copy of his/her spouse's military orders reflecting an active-duty assignment in Nebraska;</i></p> <p><i>(iii) A copy of his/her certificate or permit from another jurisdiction and the applicable statutes, rules, and regulations governing the certificate or permit;</i></p> <p><i>(iv) A copy of his/her fingerprints for a criminal background check if required; and</i></p> <p><i>(v) The fee required for the certificate or permit and the temporary certificate or permit.</i></p> <p><i>If the board determines that the applicant:</i></p> <ul style="list-style-type: none"> <i>• is a resident of Nebraska,</i> <i>• is the spouse of an active duty member of the U.S. Armed Forces who is assigned to a duty station in Nebraska,</i> <i>• holds a valid certificate or permit in another jurisdiction which has comparable and equivalent requirements for the certificate or permit,</i> <i>• has submitted fingerprints for a criminal background check if required, and</i> <i>• has paid the applicable fee,</i> <p><i>...then the State Board must issue a temporary certificate or permit to the applicant.</i></p> <p><i>A temporary certificate or permit issued under LB 109 would be valid for six months and may not be renewed.</i></p>	Monitor	Education	01/23/2017	In Committee
					<p>Brewer name added</p> <p>Title printed. Carryover bill</p> <p>Crawford name added</p> <p>Notice of hearing for January 23, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>
LB118	<p>(Hilkemann) Adopt the Education Savings Account Act and provide income tax adjustments</p> <p><i>LB 118 creates the Education Savings Account Act to be administered by the Department of Revenue.</i></p> <p><i>Under the legislation, a parent or guardian of a student attending a public, private, denominational, or parochial K-12 accredited school may establish an account with a financial institution and designate the account as an "education savings account." The parent or legal</i></p>	Monitor	Revenue	01/26/2017	In Committee
					<p>Title printed. Carryover bill</p> <p>Notice of hearing for January 26, 2017</p> <p>Krist name added</p> <p>Referred to Revenue Committee</p> <p>Date of introduction</p>

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	<p><i>guardian would be considered the owner of the account.</i></p> <p><i>After establishing the account, the account owner must notify the Department of Revenue that an account has been established and must include the following information: (i) the financial institution where the account is established; (ii) the type of account established; and (iii) the designated beneficiary of the account.</i></p> <p><i>The account may only be used to pay the "qualified education expenses" of the designated beneficiary, including tuition, fees, room and board to attend school, books, supplies, equipment, required uniforms, extracurricular activities, computers, computer equipment, software, Internet access if used primarily for school purposes, distance education classes; and college entrance exams.</i></p> <p><i>The balance in an account must be fully distributed before the designated beneficiary graduates from high school.</i></p> <p><i>LB 118 also permits any natural person, firm, partnership, limited liability company, association, or corporation to contribute up to \$2,000 per calendar year to an account. Contributions may only be in the form of cash.</i></p> <p><i>Federal taxable income would then be reduced by contributions to an account established under the Education Savings Account Act.</i></p>				
LB127	<p>(Groene) Change notice requirements under Open Meetings Act</p> <p><i>Under the current provisions of the Open Meeting Act, each public body is required to give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes.</i></p> <p><i>LB 127 specifies that notice must be published in a newspaper of general circulation in each county within the public body's jurisdiction and may also be provided by any other appropriate method designated by the public body. The public body must record the methods and dates of such notice in its minutes.</i></p>	Monitor	Government, Military and Veterans Affairs	02/02/2017	<p>General File</p> <p>Erdman name added</p> <p>Title printed. Carryover bill</p> <p>Placed on General File with AM646</p> <p>Government, Military and Veterans Affairs AM646 filed</p> <p>Notice of hearing for February 02, 2017</p> <p>Referred to Government, Military and Veterans Affairs Committee</p> <p>Date of introduction</p>
LB128	<p>(Groene) Change eligibility provisions relating to the Supplemental Nutrition Assistance Program</p> <p><i>Similar to LB311 and also contained in LB344.</i></p> <p><i>Allows people with one or more felony convictions for possession or use of controlled substances, or people with one or two convictions for selling or distributing those drugs, to receive SNAP if they get drug abuse treatment after the most recent conviction. Short of that, they could voluntarily take drug tests, and must test negative for illegal drugs and then be tested randomly at least every six months to qualify. A person convicted of three or more felonies involving the sale or distribution of illegal drugs would be banned from receiving SNAP benefits.</i></p>	Monitor	Health and Human Services	03/22/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for March 22, 2017</p> <p>Referred to Health and Human Services Committee</p> <p>Date of introduction</p>
LB130	<p>(Urban Affairs) Change municipal annexation provisions relating to certain districts</p>	Monitor	Urban Affairs	01/24/2017	<p>Approved by Governor</p> <p>Approved by Governor on February 14, 2018</p> <p>Presented to Governor on February 08, 2018</p> <p>President/Speaker signed</p> <p>Dispensing of reading at large approved</p> <p>Passed on Final Reading 48-0-1</p> <p>Placed on Final Reading</p> <p>Advanced to Enrollment and Review for Engrossment</p>

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					Placed on Select File Advanced to Enrollment and Review Initial Title printed. Carryover bill Placed on General File Notice of hearing for January 24, 2017 Referred to Urban Affairs Committee Date of introduction
LB144	(Friesen) Change agricultural and horticultural adjusted valuations for calculating state aid to schools <i>Under the current school finance formula, the state aid value of agricultural land and special valuation land is 72% of actual value. LB 144 provides a gradual reduction in state aid value for agricultural land and special valuation land as follows: (i) For school fiscal year 2018-19, 72%; (ii) for school fiscal year 2018-19, 50%; (iii) for school fiscal year 2019-20, 40%; (iv) for school fiscal year 2020-21, 30%; and (v) for school fiscal year 2021-22 and thereafter, 20%. State aid value for residential property and personal property remain unchanged under LB 144.</i>	Monitor	Education	02/06/2017	In Committee Title printed. Carryover bill Bostelman priority bill Notice of hearing for February 06, 2017 Referred to Education Committee Date of introduction
LB155	(Brasch) Require successful completion of a civics examination as a prerequisite to high school graduation <i>LB 155 requires that, beginning in school year 2018-19, the civics portion of the naturalization test used by the U.S. Citizenship and Immigration Services be taken by every Nebraska high school student to demonstrate knowledge and understanding of the fundamentals of U.S. history and the principles of the government of the U.S. The civics test would incorporate the 100 questions listed on a test that is identical to the civics portion of the naturalization test used by the U.S. Citizenship and Immigration Services (as required by 8 U.S.C. 1423). • Each high school student must correctly answer at least 70% of the questions on the civics test as a prerequisite to graduation. • Each school district may determine the method and manner in which to administer the civics test to each student. • A student may take the test, in whole or in part, at any time after enrolling in grade nine and may repeat the test, or any portion, as often as necessary to achieve the required score. • A student may be exempted from the requirement of this section by the student's individualized education plan (IEP). • A school district may not impose or collect any fees or charges in connection with the civics test.</i>	Monitor	Education	03/20/2017	In Committee Title printed. Carryover bill Brasch AM676 filed Notice of hearing for March 20, 2017 Referred to Education Committee Date of introduction
LB173	(Morfeld) Prohibit discrimination based upon sexual orientation and gender identity <i>LB 173 represents in part a legislative proposal that has been introduced several times in recent years. The bill amends a series of statutes throughout the Nebraska Code to expand definitions and acts of discrimination to include those involving sexual orientation, or gender identity,</i>		Judiciary	02/22/2017	General File Title printed. Carryover bill Bolz AM958 pending Bolz AM958 filed

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	<p><i>including the Nebraska Fair Employment Practice Act.</i></p> <p><i>The bill also adds a definition of "gender identity" to mean the actual or perceived appearance, expression, identity, or behavior of an individual, whether or not that appearance, expression, identity, or behavior is different from the individual's assigned sex at birth.</i></p> <p><i>Lastly, the bill adds a definition of "sexual orientation" to mean actual or perceived homosexuality, heterosexuality, or bisexuality.</i></p>				<p>Bolz AM958 pending</p> <p>Bolz priority bill</p> <p>Placed on General File</p> <p>Notice of hearing for February 22, 2017</p> <p>Referred to Judiciary Committee</p> <p>Date of introduction</p>
LB175	<p>(Morfeld) Adopt the Student Online Personal Protection Act</p> <p><i>In the 2016 Session, Senator Morfeld introduced LB 692 to implement the Nebraska version of a Student Online Personal Information Protection Act (SOPIPA), which would prohibit technology companies who are invited into schools from using student data for targeted advertising or creating student profiles for non-educational purposes such as for providing credit or insurance. The bill identified practices that would be prohibited or may not be engaged in by operators of Internet web sites, online applications or services, or mobile applications that are used primarily for elementary, middle school or high school purposes. The bill also provided requirements that were to be met by operators in order to protect student information.</i></p> <p><i>The bill was supported by Microsoft, which has thrown its support for student privacy legislation nationwide.</i></p> <p><i>LB 682 was advanced by the Education Committee in 2016, but was not advanced any further.</i></p> <p><i>LB 175 (2017) represents essentially the same legislation.</i></p>	Monitor	Education	01/31/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for January 31, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>
LB179	<p>(Bolz) Change provisions relating to transition of young adults to independence</p>	Monitor	Health and Human Services	02/23/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for February 23, 2017</p> <p>Referred to Health and Human Services Committee</p> <p>Date of introduction</p>
LB181	<p>(Quick) Provide for reimbursement to employees for certain medical examinations under the Nebraska Workers' Compensation Act</p> <p><i>Under current law, an employee is required to submit to a medical exam performed by a physician furnished by the employer or its insurer. LB 181 would allow an employee who disagrees with the medical findings of the employer-appointed physician to be reimbursed by the employer or its insurer for a similar examination and report by a physician selected by the employee.</i></p>	Monitor	Business and Labor	01/23/2017	<p>General File</p> <p>Passed over</p> <p>Title printed. Carryover bill</p> <p>Quick MO50 Unanimous consent to bracket until January 10, 2018 filed</p> <p>Quick MO50 approved</p> <p>Quick priority bill</p> <p>Placed on General File</p> <p>Notice of hearing for January 23, 2017</p> <p>Referred to Business and Labor Committee</p> <p>Date of introduction</p>
LB189	<p>(Howard) Appropriate funds to the Department of Health and Human Services for recruitment and retention of caseworkers</p>	Monitor	Appropriations	03/14/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for March 14, 2017</p> <p>Referred to Appropriations Committee</p>

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LB214	(Halloran) Terminate the Master Teacher Program	Monitor	Education	01/31/2017	In Committee
	<p><i>In 2000, a legislative proposal (LB 1399) was passed and signed into law. LB 1399 contained four major components: (1) create a task force to study teacher salaries in Nebraska; (2) create a student loan forgiveness program to encourage students to become teachers and remain in Nebraska; (3) permit the Nebraska Volunteer Services Commission to apply for a grant with the purpose of providing monetary incentives to prospective teachers; and (4) create a Master Teacher Program to encourage national certification. [SOURCE: NCSA Final Legislative Report, 2000]</i></p> <p><i>It is the fourth of these components of the 2000 legislation that is the focus of LB 214 (2017). The bill would terminate the program effective July 1, 2017.</i></p> <p><i>Note: Statutory authority is currently in place stating that each teacher in the Master Teacher Program will receive an annual salary bonus of \$5,000 up to a statewide total of \$1 million, provided funding is available.</i></p>				<p>Date of introduction</p> <p>Title printed. Carryover bill Notice of hearing for January 31, 2017 Referred to Education Committee Date of introduction</p>
LB232	(Kolterman) Provide a property tax exemption for property leased to the state or a governmental subdivision	Monitor	Revenue	02/23/2017	In Committee
	<p><i>LB 232 extends the existing government exemption from property taxes to property leased to the state or a governmental subdivision by the person or entity holding legal title to the property.</i></p>				<p>Title printed. Carryover bill Notice of hearing for February 23, 2017 Referred to Revenue Committee Date of introduction</p>
LB233	(Smith) Change revenue and taxation provisions	Monitor	Revenue	03/28/2017	General File
	<p><i>LB 233 contains a number of technical and substantive changes to existing revenue-related statutes.</i></p> <p><i>One of the provisions of the bill would amend the school finance formula (TEEOSA) as it relates to certification of total taxable value by school district (§ 79-1016).</i></p> <p><i>Under the bill, the date is changed from August 20 to August 25 for the county assessor to certify to the Property Tax Administrator the total taxable value by school district in the county for the current assessment year.</i></p> <p><i>The date by which the county assessor may amend the filing for changes made to the taxable valuation of the school district in the county if corrections or errors on the original certification are discovered is changed from August 31 to September 30.</i></p>				<p>Title printed. Carryover bill Krist AM1353 filed Chambers MO100 Bracket until May 1, 2017 filed Passed over Chambers MO100 pending Smith AM707 withdrawn Stinner AM998 pending Revenue AM127 pending Stinner AM998 filed Notice of hearing for March 28, 2017, on AM707 Smith AM707 filed Stinner name added Stinner priority bill Placed on General File with AM127 Revenue AM127 filed Notice of hearing for January 25, 2017 Referred to Revenue Committee Date of introduction</p>
LB235	(Walz) Clarify grant requirements for the Summer Food Service Program	Monitor	Education	01/23/2017	In Committee
	<p><i>LB 235 relates to Nebraska's participation in the Summer Food Service Program promoted by</i></p>				<p>Title printed. Carryover bill</p>

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	<p><i>the U.S. Department of Agriculture to provide adequate nutrition for children.</i></p> <p><i>In order to encourage participation and utilization of the Program, NDE is currently authorized to award grants of up to \$15,000 on a competitive basis to sponsors approved by the department. Grants may be used for nonrecurring expenses incurred in initiating or expanding services under the Program, including the acquisition of equipment, salaries of staff, training of staff in new capacities, outreach efforts to publicize new or expanded services under the Program, minor alterations to accommodate new equipment, computer point-of-service systems for food service, and the purchase of vehicles for transporting food to sites.</i></p> <p><i>The purpose of LB 235 is to clarify that funds may be expended up to the full cost of a qualifying expense incurred by a sponsor in initiating or expanding the services under the Program, and if the funds are expended solely for the benefit of child nutrition programs administered by the department, no proration of the expense would be required.</i></p>				<p>Notice of hearing for January 23, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>
LB242	(Bolz) Appropriate funds for the recruitment of students who study to become behavioral health professionals	Monitor	Appropriations	02/27/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for February 27, 2017</p> <p>Referred to Appropriations Committee</p> <p>Date of introduction</p>
LB246	(Morfeld) Provide a budget exception for expanded learning opportunity programs	Monitor	Education	02/14/2017	<p>General File</p> <p>Title printed. Carryover bill</p> <p>Placed on General File</p> <p>Notice of hearing for February 14, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>
LB247	(Morfeld) Provide for school district levy and bonding authority for cybersecurity	Monitor	Education	02/14/2017	<p>In Committee</p> <p>Title printed. Carryover bill</p> <p>Notice of hearing for February 14, 2017</p> <p>Referred to Education Committee</p> <p>Date of introduction</p>

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	<p><i>identifiable information or material in any media or format that is not publicly available, including:</i></p> <p><i>(i) Data created by or provided to an elementary school, middle school, high school, or school district in the course of a student's attendance or application for attendance at an elementary school, middle school, or high school; and</i></p> <p><i>(ii) Data created by or provided to an elementary school, middle school, high school, or school district in the course of an employee's employment or application for employment with the school district.</i></p>				
LB248	(Harr) Adopt the Youth Opportunities in Learning and Occupations Act	Monitor	Business and Labor	01/23/2017	General File Title printed. Carryover bill Halloran MO131 Bracket until June 2, 2017 filed Harr AM936 lost Business and Labor AM301 pending Harr AM936 filed Harr AM936 pending Harr priority bill Placed on General File with AM301 Business and Labor AM301 filed Notice of hearing for January 23, 2017 Referred to Business and Labor Committee Date of introduction
LB265	(Friesen) Provide for a minimum amount of state aid based on the number of students in a local system <i>LB 265 amends the school finance formula (TEEOSA) to provide for a minimum amount of state aid to be distributed to each school district.</i> <i>The bill provides that each local system would receive a minimum of aid under the formula equal to at least:</i> <i>(i) \$1,500 per formula student for school fiscal year 2018-19;</i> <i>(ii) \$2,000 per formula student for school fiscal year 2019-20;</i> <i>(iii) \$3,500 per formula student for school fiscal year 2020-21;</i> <i>(iv) \$4,500 per formula student for school fiscal year 2021-22; and</i> <i>(v) \$5,500 per formula student for school fiscal year 2022-23 and each school fiscal year thereafter.</i> <i>LB 265 essentially adds a foundation aid component to the equalization aid formula.</i>	Monitor	Education	02/06/2017	In Committee Title printed. Carryover bill Briese priority bill Notice of hearing for February 06, 2017 Referred to Education Committee Date of introduction
LB266	(Friesen) Change the valuation of agricultural land and horticultural land <i>Currently, agricultural land/special valuation land is valued at 75% of its actual value. LB 266 would provide an exception to this general rule as it applies to school district taxation as shown below:</i> <i>Tax Year Percentage</i> <i>2018 50</i> <i>2019 40</i> <i>2020 and after 30</i> <i>LB 266 also provides an applicable percentage range to be used for purposes of school district</i>	Monitor	Revenue	02/16/2017	In Committee Title printed. Carryover bill Notice of hearing for February 16, 2017 Referred to Revenue Committee Date of introduction

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	<p><i>taxation as follows:</i> <i>Tax Year Percentage Range</i> <i>2018 44 to 50</i> <i>2019 34 to 40</i> <i>2020 and after 24 to 30</i> <i>Finally, the bill changes the existing state aid value within the school finance formula (TEEOSA) with regard to agricultural land and special valuation land, which is currently 72% of actual value or 72% of special valuation. LB 266 creates a separate table for the applicable percentage to be used for state aid value for ag land and special valuation land:</i> <i>Tax Year Percentage</i> <i>2018 47</i> <i>2019 37</i> <i>2020 and after 27</i> <i>The bill contains an operative date of January 1, 2018.</i></p>				
LB270	<p>(Kolowski) Appropriate funds to the State Department of Education <i>The sole purpose of LB 270 is to require the Legislature to appropriate funds to NDE to carry out the Expanded Learning Opportunity Grant Program Act. The bill would appropriate \$750,000 from the General Fund to NDE in both FY2017-18 and FY2018-19.</i></p>	Monitor	Appropriations	03/07/2017	<p>In Committee Title printed. Carryover bill Notice of hearing for March 07, 2017 Referred to Appropriations Committee Date of introduction</p>
LB295	<p>(Smith) Adopt the Opportunity Scholarships Act and provide tax credits</p>	Monitor	Revenue	01/26/2017	<p>General File Linehan Priority Bill</p> <p>Smith AM2071 filed Harr AM2125 filed Harr AM2121 filed Harr AM2120 filed Harr AM2119 filed Harr AM1983 filed Harr AM1985 filed Harr AM1984 filed Harr AM1982 filed Harr AM1977 filed Harr AM1978 filed Harr AM1979 filed Harr AM1980 filed Harr AM1981 filed Linehan priority bill Morfeld AM1893 filed Halloran name added Brewer name added Title printed. Carryover bill Placed on General File with AM1418 Revenue AM1418 filed Smith AM1420 filed</p>

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					Smith AM1421 filed Linehan name added Notice of hearing for January 26, 2017 Referred to Revenue Committee Date of introduction
LB304	(Crawford) Change provisions relating to the Nebraska Housing Agency Act	Monitor	Urban Affairs	01/31/2017	Approved by Governor Approved by Governor on February 14, 2018 Presented to Governor on February 08, 2018 President/Speaker signed Passed on Final Reading 48-0-1 Placed on Final Reading Advanced to Enrollment and Review for Engrossment Placed on Select File Advanced to Enrollment and Review Initial Title printed. Carryover bill Placed on General File Notice of hearing for January 31, 2017 Referred to Urban Affairs Committee Date of introduction
LB305	(Crawford) Adopt the Paid Family Medical Leave Insurance Act <i>4 consecutive weeks are allowed if full time and 25 days if part-time under qualifying events.</i>	Monitor	Business and Labor	02/06/2017	In Committee Title printed. Carryover bill Notice of hearing for February 06, 2017 Referred to Business and Labor Committee Date of introduction
LB308	(Brasch) Change provisions relating to the committee on Americanism <i>Under existing law (§ 79-724), every school board must, at the beginning of each school year, appoint from its members a committee of three, to be known as the committee on Americanism. LB 308 adds new duties and responsibilities for committees on Americanism:</i> <ul style="list-style-type: none"> • Hold no fewer than three public meetings annually, at least one where public testimony is accepted; • Keep minutes of all meetings showing the time and place of the meeting, which members were present and absent, and the substance and details of all matters discussed; and • Ensure that any curriculum that is recommended or approved by the committee on Americanism is made readily accessible to the public and contains a reference to Section 79-724, Neb. Revised Statutes. 	Monitor	Education	03/20/2017	In Committee Briese name added Thibodeau name added Title printed. Carryover bill Brasch AM675 filed Notice of hearing for March 20, 2017 Referred to Education Committee Date of introduction
LB309	(Brasch) Eliminate Daylight Saving Time	Monitor	Government, Military and Veterans Affairs	03/03/2017	In Committee Title printed. Carryover bill Notice of hearing for March 03, 2017 Referred to Government, Military and Veterans Affairs Committee

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LB312	<p>(Briese) Change and eliminate revenue and taxation provisions</p> <p><i>LB 312 creates the Excess Revenue Property Tax Credit Fund. The fund would consist of funds generated by eliminating sales tax exemptions and would be used to provide a property tax credit to owners of real property. The bill is also meant to allocate funds to each taxing unit levying taxes as a revenue source.</i></p> <p><i>The bill eliminates sales tax exemptions from a variety of items and events, including:</i></p> <ul style="list-style-type: none"> • <i>Prepared food and food and food ingredients served by public or private schools, school districts, student organizations, or parent-teacher associations pursuant to an agreement with the proper school authorities, in an elementary or secondary school or at any institution of higher education, public or private, during the regular school day or at an approved function of any such school or institution; and</i> • <i>Fees and admissions charged by a public or private elementary or secondary school and fees and admissions charged by a school district, student organization, or parent-teacher association in a public or private elementary or secondary school during the regular school day or at an approved function of any such school;</i> <p><i>The also eliminates sales tax exemptions for soft drinks, candy, or bottled water.</i></p>	Monitor	Revenue	02/22/2017	<p>In Committee</p> <p>Date of introduction</p> <p>Title printed. Carryover bill Notice of hearing for February 22, 2017 Referred to Revenue Committee Date of introduction</p>
LB321	<p>(Lowe) Change provisions relating to unlawful possession of a firearm at a school</p> <p><i>Under the existing Criminal Code, any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school.</i></p> <p><i>One of the existing exceptions to this offense are firearms that may lawfully be possessed by a member of a college or university rifle team, within the scope of such person's duties as a member of the team.</i></p> <p><i>LB 321 maintains this exception but removes the word "rifle," which apparently broadens the scope of "university team" to include teams other than just a rifle team.</i></p>	Monitor	Judiciary	02/02/2017	<p>Final Reading</p> <p>Placed on Final Reading Advanced to Enrollment and Review for Engrossment Bostelman AM1655 adopted Bostelman AM1522 withdrawn Bostelman AM1655 filed Placed on Select File Advanced to Enrollment and Review Initial Chambers MO182 Reconsider the vote on FA90 filed Chambers MO182 withdrawn Chambers FA90 lost Chambers FA90 filed Chambers MO180 failed Chambers MO180 Recommit to Judiciary Committee filed Bostelman FA87 withdrawn Chambers MO165 failed Bostelman AM1522 filed Chambers MO165 Reconsider the vote to indefinitely postpone filed Ebke FA86 withdrawn Chambers MO164 failed Chambers MO165 pending Chambers MO164 Indefinitely postpone filed Chambers MO163 failed</p>

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					Chambers MO163 Reconsider the vote to bracket filed Chambers MO162 failed Chambers MO162 Bracket until April 18, 2018 filed Ebke FA86 filed Bostelman FA87 filed Chambers MO159 lost Chambers MO159 Bracket until April 18, 2018 filed Schumacher FA85 filed Schumacher FA85 adopted Title printed. Carryover bill Placed on General File Notice of hearing for February 02, 2017 Referred to Judiciary Committee Date of introduction
LB326	(Kolowski) Provide additional budget and tax levy authority for certain school districts <i>LB 326 represents a relief valve for school districts through the school finance formula and levy authority.</i> <i>Under the legislation, by September 15, 2017 (and March 1 each year thereafter) NDE would be required to determine the total aid disbursements divided by the average daily membership (ADM) for the most recently available complete data year for each school district and the statewide median of such calculation for all school districts and then certify the amounts to the Director of Administrative Services (DAS), the State Auditor, and each school district.</i> <i>The bill then provides that any school district for which the calculation of total disbursements divided by ADM for the most recently available complete data year is below the statewide median of such calculation for all school districts may levy up to an additional 3¢ if the additional levy is approved for each fiscal year by a two-thirds majority vote of the school board after a public hearing.</i>	Monitor	Revenue	03/02/2017	In Committee Title printed. Carryover bill Notice of hearing for March 02, 2017 Referred to Revenue Committee Date of introduction
LB337	(Smith) Change income tax rates and provide for deferrals of the rate changes		Revenue	02/08/2017	In Committee Title printed. Carryover bill Lindstrom priority bill Notice of hearing for February 08, 2017 Referred to Revenue Committee Date of introduction
LB338	(Brasch) Adopt the Agricultural Valuation Fairness Act <i>LB 338 represents part of the Governor's agenda for the 2017 Session. The Agricultural Valuation Fairness Act would change the methodology for assessing property value from a market-based system to an income-potential assessment.</i> <i>Under the bill, agricultural land would be valued at its "agricultural use value" regardless of any value that the land might have for purposes other than agricultural purposes. In order for land to receive agricultural use value, all of the following criteria must be met:</i> <i>(a) The land must be located outside the corporate boundaries of any sanitary and</i>	Monitor	Revenue	02/08/2017	In Committee Title printed. Carryover bill Brasch priority bill Notice of hearing for February 08, 2017 Referred to Revenue Committee Date of introduction

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	<p><i>improvement district, city, or village except as provided below; and</i></p> <p><i>(b) The land must be used for agricultural or horticultural purposes.</i></p> <p><i>Agricultural use value may be applied to agricultural land included within the corporate boundaries of a city or village if the land is subject to a conservation or preservation easement as provided in the Conservation and Preservation Easements Act and the governing body of the city or village approves the agreement creating the easement.</i></p> <p><i>The eligibility of land for agricultural use value must be determined each year as of January 1. If land so qualified becomes disqualified on or before December 31 of that year, it must continue to receive agricultural use value until January 1 of the year following.</i></p> <p><i>The bill requires the county assessor to determine the appropriate income for each land capability group in the county that falls within the applicable income range established by the Property Tax Administrator. The income so determined for each parcel would be divided by the applicable capitalization rate set by the Property Tax Administrator. The resulting value for each parcel would be reported on the abstract of real property.</i></p> <p><i>LB 338 also amends the state aid formula (TEEOSA) with regard to calculation of state aid value. The bill provides that for agricultural land, value is determined under the Agricultural Valuation Fairness Act.</i></p> <p><i>The bill contains an operative date of January 1, 2019.</i></p>				
LB354	(Kolowski) Adopt the Wage Disclosure Act	Monitor	Business and Labor	02/27/2017	In Committee
					Title printed. Carryover bill Notice of hearing for February 27, 2017 Referred to Business and Labor Committee Date of introduction
LB358	(McCollister) Change income eligibility provisions relating to the Supplemental Nutrition Assistance Program	Monitor	Health and Human Services	02/16/2017	Failed to Advance
					Title printed. Carryover bill Failed to advance to Enrollment and Review Initial Health and Human Services AM493 adopted Placed on General File with AM493 Health and Human Services AM493 filed McCollister priority bill Notice of hearing for February 16, 2017 Referred to Health and Human Services Committee Date of introduction
LB361	(Kolowski) Exempt sales of clothing and footwear from sales and use taxes as prescribed	Monitor	Revenue	03/17/2017	In Committee
					Title printed. Carryover bill Notice of hearing for March 17, 2017 Referred to Revenue Committee Date of introduction
LB365	(Blood) Change provisions relating to access to public records and provide for fees	Monitor	Government, Military and Veterans Affairs	02/02/2017	General File

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	<i>LB 365 amends the Public Records laws to differentiate residents of Nebraska versus nonresidents. The bill defines "resident" as a person domiciled in this state and includes news media without regard to domicile. Under current law, actual added cost used as the basis for calculation shall not include a charge for the salary or pay obligation to public officers for the the first 4 hours. The bill states that for nonresidents of Nebraska, the actual added cost used as the basis for the calculation of a fee for records may include a charge for the existing salary or pay obligation to the public officers or employees, including a charge for the services of an attorney to review the requested public records. Apparently this has to do with large requests of the Mayor's emails.</i>				Title printed. Carryover bill Placed on General File Notice of hearing for February 02, 2017 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB372	(Crawford) Provide protections for employees with family care responsibilities under the Nebraska Fair Employment Practice Act <i>Under the current provisions of the Nebraska Fair Employment Practice Act, the policy of the state is to foster the employment of all employable persons in the state on the basis of merit regardless of their race, color, religion, sex, disability, or national origin and to safeguard their right to obtain and hold employment without discrimination because of their race, color, religion, sex, disability, or national origin.</i> <i>LB 372 expands this state policy to include family care responsibilities, which is defined in the bill as providing direct and ongoing care for a person's spouse, child, parent, sibling, grandchild, or grandparent or a child or parent of such person's spouse.</i>	Monitor	Business and Labor	02/06/2017	In Committee Title printed. Carryover bill Notice of hearing for February 06, 2017 Referred to Business and Labor Committee Date of introduction
LB377	(Education) Change provisions relating to classification of school districts <i>LB 377 represents a technical cleanup bill with the focus on removing all obsolete references to Class I (elementary only) and Class II (small K-12) school districts.</i>	Monitor	Education	01/31/2017	Approved by Governor Approved by Governor on February 14, 2018 Presented to Governor on February 08, 2018 President/Speaker signed Passed on Final Reading 47-0-2 Dispensing of reading at large approved Placed on Final Reading with ST37 Enrollment and Review ER96 adopted Groene AM1454 adopted Advanced to Enrollment and Review for Engrossment Enrollment and Review ER96 filed Placed on Select File with ER96 Groene AM1454 filed Advanced to Enrollment and Review Initial Title printed. Carryover bill Placed on General File Notice of hearing for January 31, 2017 Referred to Education Committee Date of introduction
LB420	(McCollister) Adopt the Fair Chance Hiring Act <i>The general rule under existing statute is that an employer may not ask an applicant for employment to disclose, orally or in writing, information concerning the applicant's criminal record or history, including any inquiry on any employment application, until the public employer or employment agency has determined the applicant meets the minimum employment qualifications. This law was passed in 2014 (LB 907).</i>	Monitor	Business and Labor	03/13/2017	General File Title printed. Carryover bill Placed on General File with AM553 Business and Labor AM553 filed Notice of hearing for March 13, 2017 Referred to Business and Labor Committee

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	<p><i>LB 420 first adds employment agencies to this general rule. Under LB 420, "employment agency" is defined as any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees' opportunities to work for an employer and includes an agent of such a person.</i></p> <p><i>The bill also provides an exception to the general rule noted above. LB 420 state that, prior to determining whether an applicant meets the minimum employment qualifications, an employer or employment agency may ask the applicant to disclose, orally or in writing, information concerning the applicant's criminal record or history, including any inquiry on any employment application, if:</i></p> <p><i>(a) The applicant is applying for a position for which:</i></p> <p><i>(i) A criminal history record information check is required by federal or state law; or</i></p> <p><i>(ii) Federal or state law specifically disqualifies an applicant with a criminal background even if such law allows for a waiver that would allow such applicant to be employed;</i></p> <p><i>and</i></p> <p><i>(b) The inquiry or request for disclosure is limited to the types of criminal offenses that the employer or employment agency is required to conduct a check for or that disqualify the applicant.</i></p> <p><i>Lastly, LB 420 states that if an employer or employment agency inquires about or requests disclosure of an applicant's criminal history record information and the applicant is still eligible for the position under federal or state law, the employer or employment agency must afford the applicant an opportunity to explain the information and the circumstances regarding any convictions, including post-conviction rehabilitation.</i></p>				Date of introduction
LB428	<p>(Vargas) Require schools and the State Department of Education to adopt policies relating to pregnant and parenting students</p> <p><i>LB 428 provides that, beginning May 1, 2018, each school district must adopt a written policy to be implemented at the start of school year 2018-19 that provides for standards and guidelines to accommodate pregnant and parenting students. The policy must include procedures and provisions in conformance with the minimum standards set forth in the model policy developed by NDE and may include any other procedures and provisions the district deems appropriate.</i></p>	Monitor	Education	01/30/2017	<p>In Committee</p> <p>Title printed. Carryover bill Notice of hearing for January 30, 2017 Referred to Education Committee Date of introduction</p>
LB431	<p>(Erdman) Change provisions relating to cash reserves under the Nebraska Budget Act</p>	Oppose	Government, Military and Veterans Affairs	01/26/2017	<p>In Committee</p> <p>Title printed. Carryover bill Notice of hearing for January 26, 2017 Referred to Government, Military and Veterans Affairs Committee Date of introduction</p>
LB457	<p>(Briese) Change exceptions to school district levy and budget exceptions for voluntary termination agreements</p>		Education	01/31/2017	<p>In Committee</p> <p>Title printed. Carryover bill Notice of hearing for January 31, 2017 Referred to Education Committee Date of introduction</p>

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LB479	(Groene) Change public hearing provisions and redefine a term under the Nebraska Budget Act	Monitor	Government, Military and Veterans Affairs	01/26/2017	General File Friesen AM1631 filed Title printed. Carryover bill Placed on General File with AM35 Government, Military and Veterans Affairs AM35 filed Notice of hearing for January 26, 2017 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB482	(Smith) Adopt the Government Neutrality in Contracting Act	Monitor	Government, Military and Veterans Affairs	02/24/2017	General File Wayne AM1486 filed Wayne AM1485 filed Wayne AM1483 filed Wayne AM1484 filed Title printed. Carryover bill Placed on General File Notice of hearing for February 24, 2017 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB484	(Kolowski) Create the School Financing Review Commission	Monitor	Education	03/06/2017	In Committee Title printed. Carryover bill Kolowski MO106 Place on General File filed Kolowski priority bill Notice of hearing for March 06, 2017 Referred to Education Committee Date of introduction
LB540	(Stinner) Provide for a temporary aid adjustment factor in the Tax Equity and Educational Opportunities Support Act <i>Requires reductions from allocated income tax rebate and net option funding aid first. Then, if additional reductions in state-aid are needed in order to meet the amount of general funds appropriated for TEEOSA, then equalization aid will be reduced. Accordingly, it appears that approximately 90 school districts that are unequalized will lose all state-aid (net option funds and allocated income tax). Adversely impacts schools heavily dependent on net option funding.</i>		Education	03/21/2017	In Committee Title printed. Carryover bill Notice of hearing for March 21, 2017 Referred to Education Committee Date of introduction
LB554	(Smith) Provide for a financial transparency web site for schools, school districts, and educational service units		Education	02/07/2017	In Committee Title printed. Carryover bill Notice of hearing for February 07, 2017 Referred to Education Committee Date of introduction

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LB568	(Erdman) Change provisions related to temporary teaching certificates		Education	03/14/2017	In Committee Title printed. Carryover bill Notice of hearing for March 14, 2017 Erdman AM150 filed Referred to Education Committee Date of introduction
LB595	(Groene) Provide for the use of physical force or physical restraint or removal from a class in response to student behavior		Education	02/07/2017	General File Title printed. Carryover bill Chambers MO99 Reconsider the vote to recommit to committee filed Walz AM1165 filed Chambers AM1158 filed Chambers MO99 pending Chambers MO98 failed Chambers MO19 withdrawn Chambers MO98 pending Chambers MO98 Recommit to Education Committee filed Baker AM797 pending Education AM581 pending Baker AM1091 filed Baker AM1084 filed Baker AM1085 filed Baker AM1086 filed Baker AM1087 filed Baker AM1088 filed Baker AM1089 filed Baker AM1090 filed Baker AM1092 filed Baker AM797 filed Placed on General File with AM581 Education AM581 filed Groene priority bill Chambers motion to overrule the Speaker's Agenda failed Chambers motion to reconsider the vote on the motion to overrule the Speaker's Agenda failed Notice of hearing for February 07, 2017 Chambers MO19 Rerefer to Judiciary Committee filed Rereferred to Education Committee Referred to Judiciary Committee Date of introduction

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LB608	(Linehan) Adopt the Parental Choice Scholarship Program		Education	02/13/2017	In Committee Title printed. Carryover bill Notice of hearing for February 13, 2017 Referred to Education Committee Date of introduction
LB630	(Larson) Adopt the Independent Public Schools Act		Education	03/14/2017	In Committee Title printed. Carryover bill Notice of hearing for March 14, 2017 Referred to Education Committee Date of introduction
LB640	(Groene) Change provisions of the Property Tax Credit Act and provide school district property tax relief	Monitor	Revenue	02/16/2017	General File Groene Priority Bill Groene priority bill Title printed. Carryover bill Baker MO88 Indefinitely postpone filed Friesen AM1065 filed Groene AM992 adopted Briese AM1036 pending Briese AM1036 filed Groene AM992 pending Revenue AM752 pending Groene AM992 filed Revenue AM752 filed Placed on General File with AM752 Friesen priority bill Notice of hearing for February 16, 2017 Referred to Revenue Committee Date of introduction
LB650	(Linehan) Change provisions for teaching certificates	Monitor	Education	03/14/2017	In Committee Title printed. Carryover bill Notice of hearing for March 14, 2017 Brewer name added Referred to Education Committee Date of introduction
LB651	(Linehan) Adopt the Nebraska Reading Improvement Act	Monitor	Education	03/07/2017	In Committee Lowe name added Linehan AM1590 filed Title printed. Carryover bill Chambers MO139 Reconsider the vote to bracket filed

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					Vargas AM1388 filed Chambers MO139 pending Chambers MO138 failed Chambers MO138 Bracket until May 25, 2017 filed Linehan AM1394 filed Pansing Brooks AM1368 filed Harr AM1367 filed Linehan AM1226 filed Placed on General File Linehan MO103 prevailed Harr motion to overrule Chair withdrawn Chair ruled there had been full and fair debate on Linehan MO103 Linehan MO103 Place on General File filed Linehan priority bill Notice of hearing for March 07, 2017 Referred to Education Committee Date of introduction
LB655	(Murante) Authorize state employees to volunteer at public schools and certain nonprofit organizations	Monitor	Government, Military and Veterans Affairs	02/08/2017	General File Title printed. Carryover bill Placed on General File with AM177 Government, Military and Veterans Affairs AM177 filed Notice of hearing for February 08, 2017 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB662	(Linehan) Establish a grading system for schools and school districts	Monitor	Education	03/07/2017	In Committee Title printed. Carryover bill Notice of hearing for March 07, 2017 Referred to Education Committee Date of introduction
LB664	(Kuehn) Prohibit a political subdivision from using taxes or fees to employ a lobbyist	Monitor	Government, Military and Veterans Affairs	03/22/2017	In Committee Title printed. Carryover bill Notice of hearing for March 22, 2017 Chambers motion to overrule the Speaker's Agenda failed Chambers motion to reconsider the vote on the motion to overrule the Speaker's Agenda failed Referred to Government, Military and Veterans Affairs Committee Date of introduction

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Document	Description	Position	Committee	Hearing Date	Status
LB688	(Blood) Provide for the possession, use, and application of sunscreen for children and students and provide immunity		Judiciary	01/25/2018	In Committee Notice of hearing for January 25, 2018 Referred to Judiciary Committee Howard name added Date of introduction
LB768	(Quick) Redefine economic development program to include early childhood infrastructure development for cities of the first and second class and villages		Urban Affairs	01/23/2018	General File Placed on General File with AM1586 Urban Affairs AM1586 filed Notice of hearing for January 23, 2018 Referred to Urban Affairs Committee Date of introduction
LB778	(Groene) Require voter approval for school district building fund levies <i>Clarifies that the special tax (building fund), cannot be used to build a new school building, add additional footage to an existing school building, or purchase sites upon which new buildings will be located. School districts looking to use the building fund to build new buildings, add additional square footage to an existing school building, or purchase land for the site of a new building, must receive approval through a vote of its citizens at a general or special election.</i>		Education		In Committee Education Priority Bill Education priority bill Referred to Education Committee Brewer name added Date of introduction
LB779	(Groene) Change provisions relating to learning communities <i>Makes changes in duties and requirements of learning communities. Some include: removing a goal of creating socioeconomic diversity across the learning community and removes the cap on levy expenditures of 10% for elementary learning center employees.</i>		Education	01/22/2018	In Committee Notice of hearing for January 22, 2018 Referred to Education Committee Date of introduction
LB783	(Vargas) Define "educational interpreter" for purposes of students eligible for special education as prescribed		Education	01/22/2018	In Committee Notice of hearing for January 22, 2018 Referred to Education Committee Date of introduction
LB793	(Riepe) Eliminate provisions relating to specialized services under the Developmental Disabilities Services Act		Health and Human Services	01/25/2018	In Committee Health and Human Services Priority Bill Health and Human Services priority bill Notice of hearing for January 25, 2018 Referred to Health and Human Services Committee Date of introduction
LB801	(Stinner) Adopt the Panhandle Beginnings Act to provide certain services to school-age children		Education	02/12/2018	In Committee Notice of hearing for February 12, 2018 Referred to Education Committee Date of introduction

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Educational Service Unit Council
Weekly Report for Bills of Interest on 03/01/2018

Document	Description	Position	Committee	Hearing Date	Status
LB803	(Stinner) Change provisions related to kindergarten, early childhood education, and the Step Up to Quality Childcare Act		Education	01/22/2018	General File Speaker Priority Bill Placed on General File with AM1719 Education AM1719 filed Speaker priority bill Notice of hearing for January 22, 2018 Referred to Education Committee Date of introduction
LB804	(Brasch) Include elementary and secondary schools in the Nebraska educational savings plan trust and change tax benefits		Revenue	01/26/2018	In Committee Notice of hearing for January 26, 2018 Referred to Revenue Committee Date of introduction
LB825	(Brewer) Change provisions relating to budgets and public hearing notice for certain governmental entities		Government, Military and Veterans Affairs	01/17/2018	In Committee Notice of hearing for January 17, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB828	(Lowe) Adopt the Empowerment Savings Account Act <i>- A school district would pay an amount equal to 3% of the anticipated state average per pupil spending into each empowerment savings account for an eligible student residing in the school district. Appropriate expenses include: online programs approved by the department; educational therapy or services; tutoring services and bank fees.</i>		Education	01/30/2018	In Committee Notice of hearing for January 30, 2018 Referred to Education Committee Date of introduction
LB829	(Erdman) Adopt the Property Tax Relief Act <i>A property tax relief bill that would enable Nebraska property owners to get a credit or refund on their state income tax return equal to 50% of that portion of their property tax bill, which goes to fund K-12 education. This may result in a 30% reduction in property taxes.</i>		Revenue	01/25/2018	In Committee Erdman Priority Bill Erdman priority bill Lowe name added Groene name added Notice of hearing for January 25, 2018 Briese name added Halloran name added Referred to Revenue Committee Brewer name added Date of introduction
LB850	(Linehan) Require disclosure of the anticipated cost to a political subdivision to pay off its bonds <i>Any political subdivision that issues bonds on or after August 1, 2018, must disclose the anticipated cost to the political subdivision of paying off the bonds according to their terms.</i>		Government, Military and Veterans Affairs	01/31/2018	In Committee Linehan AM1564 filed Notice of hearing for January 31, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction

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Document	Description	Position	Committee	Hearing Date	Status
LB851	(Linehan) Limit superintendent and educational service unit administrator compensation		Education	01/22/2018	In Committee Notice of hearing for January 22, 2018 Referred to Education Committee Date of introduction
LB876	(Kolowski) Change special education reimbursements		Education	01/30/2018	In Committee Notice of hearing for January 30, 2018 Referred to Education Committee Date of introduction
LB877	(Kolowski) Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act		Education	01/30/2018	In Committee Notice of hearing for January 30, 2018 Referred to Education Committee Date of introduction
LB880	(Hansen) Provide for an early childhood element as prescribed for cities with comprehensive plans		Urban Affairs	01/23/2018	General File Placed on General File with AM1792 Urban Affairs AM1792 filed Notice of hearing for January 23, 2018 Referred to Urban Affairs Committee Date of introduction
LB886	(Morfeld) Protect student journalists' and student media advisers' rights of and freedom of speech and of the press		Judiciary	02/08/2018	In Committee Notice of hearing for February 08, 2018 Referred to Judiciary Committee Date of introduction
LB887	(Murante) Clarify requirements for exceeding budget limitations under the Nebraska Budget Act		Government, Military and Veterans Affairs	01/18/2018	General File Placed on General File with AM1781 Government, Military and Veterans Affairs AM1781 filed Notice of hearing for January 18, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB888	(Wayne) Require schools to post the child abuse and neglect toll-free telephone number		Education	01/23/2018	In Committee Notice of hearing for January 23, 2018 Referred to Education Committee Date of introduction

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Document	Description	Position	Committee	Hearing Date	Status
LB910	(Bolz) Adopt the Property Tax Circuit Breaker Act and change the funding of the Property Tax Credit Act <i>Provides a refundable income tax credit for agricultural and horticultural property tax payers, residential home owners and renters.</i>		Revenue	02/23/2018	In Committee Notice of hearing for February 23, 2018 Referred to Revenue Committee
LB911	(Bolz) Adopt the School District Local Option Income Surtax Act <i>Would create a local option income surtax of up to 20% if approved by voters. Funds would be used for property tax reduction or school building construction, remodeling or acquisition.</i>		Revenue	02/14/2018	In Committee Notice of hearing for February 14, 2018 Referred to Revenue Committee
LB912	(McCollister) Provide for posting a toll-free telephone number set up to report child abuse and neglect		Education	01/23/2018	General File Placed on General File with AM1597 Education AM1597 filed Howard name added Walz name added Baker name added Notice of hearing for January 23, 2018 Referred to Education Committee
LB938	(Stinner) Change provisions relating to the transfer of excess General Fund net receipts to the Cash Reserve Fund		Appropriations	02/08/2018	In Committee Notice of hearing for February 08, 2018 Referred to Appropriations Committee Date of introduction
LB943	(Wishart) Redefine a term relating to budget limitations <i>– Removes school districts from the 2 ½ percent budget limitation rate applicable and the limitation on growth of restricted funds.</i>		Government, Military and Veterans Affairs	01/31/2018	In Committee Notice of hearing for January 31, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB997	(Murante) Provide limits on salaries of administrative employees of political subdivisions		Government, Military and Veterans Affairs	01/25/2018	In Committee Notice of hearing for January 25, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB998	(Walz) Create the Collaborative School Behavioral and Mental Health Program		Education	02/12/2018	General File Bolz Priority Bill Education AM2044 filed Placed on General File with AM2044 Bolz priority bill Notice of hearing for February 12, 2018 Referred to Education Committee Baker name added

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Document	Description	Position	Committee	Hearing Date	Status Date of introduction
LB999	(Vargas) Change provisions relating to the Student Discipline Act		Education	02/13/2018	In Committee Notice of hearing for February 13, 2018 Referred to Education Committee Date of introduction
LB1000	(Briese) Require a bond election under the Public Facilities Construction and Finance Act		Government, Military and Veterans Affairs	02/01/2018	General File Placed on General File with AM1717 Government, Military and Veterans Affairs AM1717 filed Notice of hearing for February 01, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB1001	(Briese) Provide for a review of the financing of schools <i>Requires the State Department of Education to oversee an in-depth review of the financing of the public elementary and secondary schools.</i>		Education	02/05/2018	In Committee Lowe name added Lindstrom name added Stinner name added Hansen name added Morfeld name added Watermeier name added Baker name added Ebke name added McDonnell name added Notice of hearing for February 05, 2018 Referred to Education Committee Date of introduction
LB1005	(Kolterman) Change county and school retirement provisions		Nebraska Retirement Systems	02/02/2018	In Committee Nebraska Retirement Systems Priority Bill Nebraska Retirement Systems priority bill Notice of hearing for February 02, 2018 Referred to Nebraska Retirement Systems Committee Date of introduction Kolterman motion to suspend rules to permit introduction of bill prevailed
LB1007	(Kolowski) Authorize school districts to levy a tax and establish a fund for facilities-related expenditures <i>School districts may, upon a 2/3 majority vote of the local school board, levy three cents on each \$100 of taxable property for maintenance, upkeep, rehabilitation, and construction within existing school district facilities.</i>		Revenue	02/14/2018	In Committee Notice of hearing for February 14, 2018 Referred to Revenue Committee Date of introduction

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Document	Description	Position	Committee	Hearing Date	Status
LB1033	(Murante) Eliminate learning communities		Education	02/26/2018	In Committee Notice of hearing for February 26, 2018 Referred to Education Committee Date of introduction
LB1052	(Pansing Brooks) Require instruction and teacher education related to dyslexia		Education	02/13/2018	In Committee Erdman name added Notice of hearing for February 13, 2018 Referred to Education Committee Date of introduction
LB1056	(Hansen) Provide for collection of data on student disciplinary actions		Education	02/06/2018	In Committee Notice of hearing for February 06, 2018 Referred to Education Committee Date of introduction
LB1069	(Brasch) Change provisions related to the Committee on Americanism		Education	02/05/2018	In Committee Brasch Priority Bill Hilkemann name added Bostelman name added McCollister name added Riepe name added Hughes name added Lindstrom name added Friesen name added Brasch priority bill Stinner name added Linehan name added Kuehn name added Briese name added Geist name added Halloran name added Hilgers name added Clements name added Williams name added Watermeier name added Groene name added Thibodeau name added Albrecht name added Brewer name added Murante name added Erdman name added Lowe name added Notice of hearing for February 05, 2018

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Document	Description	Position	Committee	Hearing Date	Status
					Referred to Education Committee Date of introduction
LB1070	(Brewer) Change an election requirement for school districts with fewer than twenty-five students in high school grades		Education	02/05/2018	General File Placed on General File Notice of hearing for February 05, 2018 Referred to Education Committee Pansing Brooks name added Date of introduction
LB1077	(Friesen) Eliminate levy limits for school districts		Revenue	02/14/2018	In Committee Notice of hearing for February 14, 2018 Referred to Revenue Committee Date of introduction
LB1081	(Education) Change education provisions regarding reporting, penalties, residency, boundaries, priority schools, subpoena authority, poverty, and limited English proficiency		Education	02/12/2018	General File Education Priority Bill Placed on General File Education priority bill Notice of hearing for February 12, 2018 Referred to Education Committee Date of introduction
LB1084	(Briese) Adopt the Property Tax Request Limitation Act, provide sunset dates for certain tax exemptions and incentives, and change other revenue and taxation provisions <i>The actual value of agricultural land and horticultural land would be determined based upon the land's capitalized net earning capacity.</i> <i>Eliminates sales tax exemption for many items including: storage and moving services, custom meat slaughtering, utility-type vehicles, cleaning of clothing, landscape services, pet services, taxi, limosine, parking lot services.</i> <i>Removes sales tax exemption for prepared food and food and food ingredients served by public or private schools, school districts, student organizations, or parent-teacher associations, in an elementary or secondary school or at any institution of higher education during the regular school day or at an approved school function; Fees and admissions charged by a public or private elementary or secondary school,</i> <i>Imposes a new sales tax on soft drinks, candy, and bottled water.</i> <i>Outright repeals sales tax exemptions on wireless prepaid service.</i>		Revenue	02/08/2018	In Committee Briese Priority Bill Briese FA109 filed McDonnell AM2082 filed McDonnell AM2085 filed McDonnell AM2084 filed McDonnell AM2083 filed Briese FA103 filed Briese FA104 filed Briese FA105 filed Notice of hearing for February 08, 2018 Briese priority bill Halloran name added Referred to Revenue Committee Howard name added Blood name added Date of introduction

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Document	Description	Position	Committee	Hearing Date	Status
LB1088	(Wayne) Adopt the Nebraska Education Formula and the Remote Seller Sales Tax Collection Act, terminate the Tax Equity and Educational Opportunities Support Act and the Property Tax Credit Act, and eliminate certain tax exemptions <i>Adopts the Remote Seller Sales Tax Collection Act to collect sales tax from Internet sellers, creates a funding mechanism for public schools and eliminates TEEOSA.</i> <i>Outright repeals sections on special grants, on annual financial report, on school district expenditures, on state aid payments, Legislative intent on classroom expenditures, and other TEEOSA provisions.</i>		Revenue	02/27/2018	In Committee Notice of hearing for February 27, 2018 Wayne MO188 Rerefer to Education Committee filed Wayne MO185 Rerefer to Government, Military and Veterans Affairs filed Referred to Revenue Committee Date of introduction
LB1094	(Hilgers) Provide for financial literacy and entrepreneurship academic content standards		Education	02/06/2018	In Committee Notice of hearing for February 06, 2018 Referred to Education Committee Date of introduction
LB1100	(Erdman) Change the valuation of agricultural land and horticultural land <i>Creates the Agricultural Land Valuation Board that would value agricultural and horticultural land based upon the land's capitalized net earning capacity, rather than property taxes.</i>		Revenue	02/23/2018	In Committee Brewer name added Notice of hearing for February 23, 2018 Referred to Revenue Committee Date of introduction
LB1103	(Friesen) Provide a minimum amount of state aid for each school district <i>Creates foundation aid that is the greater of 25% of the basic funding calculated for a school district or the total amount certified for a local system, proportionally based on the formula students attributed to each district.</i>		Education	02/06/2018	In Committee Friesen Priority Bill Friesen priority bill Notice of hearing for February 05, 2018 (cancel) Notice of hearing for February 06, 2018 Notice of hearing for February 05, 2018 Referred to Education Committee Date of introduction
LB1106	(Linehan) Change requirements for overriding property tax limits <i>If a public school ballot question is placed on the ballot at a statewide primary or general election and a majority of the votes cast upon the ballot question are in favor of such tax, the ballot question is approved. If the ballot question is placed on the ballot at a special election and a majority of the votes cast upon the ballot question are in favor of such tax, and if the number of favorable votes for such tax is at least equal to one-half of the number of registered voters voting at the immediately preceding statewide primary election in the political subdivision, plus one, the ballot question is approved.</i>		Revenue	02/14/2018	In Committee Notice of hearing for February 14, 2018 Referred to Revenue Committee Date of introduction
LB1108	(Harr) Authorize certain tax credits, change the sales tax rate, and provide for school foundation aid and certain grant programs		Revenue	02/01/2018	In Committee Harr Priority Bill Harr priority bill Notice of hearing for February 01, 2018 Referred to Revenue Committee Date of introduction

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Document	Description	Position	Committee	Hearing Date	Status
LB1110	(Vargas) Require annual reporting of school performance scores and classifications		Education	02/13/2018	In Committee Notice of hearing for February 13, 2018 Referred to Education Committee Date of introduction
LB1116	(Linehan) Create the Quality Education Accountability Commission and the Quality Education Accountability Office		Education	02/13/2018	In Committee Notice of hearing for February 13, 2018 Referred to Education Committee Date of introduction
LB1117	(Crawford) Change certain cigarette and tobacco products tax rates <i>Would raise the tax on cigarettes by \$1.50 per pack, and by 51-cents per ounce on snuff.</i>		Revenue	02/15/2018	In Committee Notice of hearing for February 15, 2018 Referred to Revenue Committee Date of introduction
LB1125	(Groene) Change school finance base limitation and local effort rate provisions <i>Related to school finance, the bill would change the base limitation; the local effort rate; the determination and certification dates relating to distribution of aid and certification of certain budget limitations.</i>		Education	02/26/2018	In Committee Notice of hearing for February 26, 2018 Referred to Education Committee Date of introduction
LB1128	(Wayne) Prohibit counties, local governments, and certain state entities from spending legislative appropriations under certain conditions		Government, Military and Veterans Affairs	01/31/2018	In Committee Notice of hearing for January 31, 2018 Referred to Government, Military and Veterans Affairs Committee Date of introduction
LB1135	(Vargas) Adopt the Alternative Certification for Quality Teachers Act		Education	02/05/2018	In Committee Notice of hearing for February 05, 2018 Referred to Education Committee Date of introduction
LR270CA	(Kolowski) Constitutional amendment to reduce the minimum age in the constitutional requirement to provide free instruction		Education	01/23/2018	In Committee Notice of hearing for January 23, 2018 Referred to Education Committee Date of introduction
LR285CA	(Murante) Constitutional amendment to eliminate the State Board of Education		Education	02/20/2018	In Committee Notice of hearing for February 20, 2018 Referred to Education Committee Date of introduction

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 651

Introduced by Linehan, 39.

Read first time January 18, 2017

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to adopt the Nebraska Reading
- 2 Improvement Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 12 of this act shall be known and may be
2 cited as the Nebraska Reading Improvement Act.

3 Sec. 2. It is the intent of the Legislature that:

4 (1) Each student's progression from one grade to the next grade be
5 determined, in part, by his or her proficiency in reading;

6 (2) School boards develop policies to facilitate reading instruction
7 and create intervention services to address student reading needs;

8 (3) Each student and his or her parents or guardians be informed of
9 the student's reading progress; and

10 (4) Each student in a public school be able to read at or above
11 grade level by third grade.

12 Sec. 3. School districts shall offer an accelerated reading
13 intervention program for the purpose of ensuring that students can read
14 at or above grade level at the end of third grade. The accelerated
15 reading intervention program shall:

16 (1) Be provided to all students in kindergarten, first grade, second
17 grade, and third grade who are identified as having a reading deficiency
18 based upon state-approved local or statewide assessments administered
19 within the first thirty days of the school year;

20 (2) Provide intensive development in phonemic awareness, phonics,
21 fluency, vocabulary, and reading comprehension;

22 (3) Monitor the reading progress of each student's reading skills
23 throughout the school year and adjust instruction accordingly; and

24 (4) Be implemented during regular school hours in addition to the
25 regular reading instruction.

26 Sec. 4. Any student who exhibits a reading deficiency at any time,
27 based upon state-approved local or statewide assessments conducted in
28 kindergarten, first grade, second grade, or third grade shall receive an
29 individual reading improvement plan no later than thirty days after
30 identification of the reading deficiency. The reading improvement plan
31 shall be created by the teacher, the principal, other pertinent school

1 personnel, and the parents or guardians of the student and shall describe
2 the reading intervention services the student will receive to remedy the
3 reading deficiency. Each such student shall receive intensive reading
4 intervention services until the student no longer has a reading
5 deficiency.

6 Sec. 5. The school of any student who, in kindergarten, first
7 grade, second grade, or third grade, exhibits a reading deficiency at any
8 time during the school year, based upon a state-approved local or
9 statewide assessment, shall notify such student's parents or guardians in
10 writing no later than fifteen days after the identification of the
11 reading deficiency. The written notification shall include the following:

12 (1) That the student has been identified as having a reading
13 deficiency and an individual reading improvement plan will be established
14 by the teacher, the principal, other pertinent school personnel, and the
15 parents or guardians;

16 (2) A description of the current services that are provided to the
17 student;

18 (3) A description of the proposed reading intervention and
19 supplemental instructional services and support that will be provided to
20 the student which are designed to remedy the identified area or areas of
21 reading deficiency;

22 (4) Strategies for parents or guardians to use at home in helping
23 the student succeed in reading;

24 (5) That if the student's reading deficiency is not corrected by the
25 end of third grade, the student will not be promoted to fourth grade
26 unless he or she qualifies for an exemption pursuant to section 7 of this
27 act; and

28 (6) That while the statewide assessment is the initial determinant
29 for promotion at the end of third grade, it is not the sole determinant
30 of promotion and that additional evaluations, including, but not limited
31 to, portfolio reviews and alternative assessments, are available pursuant

1 to such exemptions.

2 Sec. 6. (1) Beginning with school year 2019-20, each student shall
3 demonstrate sufficient reading skills by the end of third grade as
4 demonstrated by the student scoring at or above grade level on the third
5 grade statewide reading assessment or the student shall be retained in
6 third grade unless he or she qualifies for an exemption pursuant to
7 section 7 of this act.

8 (2) Each school district shall provide summer reading camps to all
9 third grade students scoring below grade level on the third grade
10 statewide reading assessment. Summer reading camps shall be staffed with
11 highly effective reading teachers as evidenced by evaluations based on
12 classroom observation and student improvement on reading assessments. The
13 teacher shall provide reading intervention services and support to remedy
14 the identified area or areas of reading deficiency. Summer reading camps
15 shall include, at a minimum, seventy hours of instructional time in
16 reading.

17 Sec. 7. (1) A school board may only exempt students from mandatory
18 retention in third grade pursuant to section 6 of this act for good
19 cause. The exemption shall apply to the following students:

20 (a) A student who demonstrates performance at or above grade level
21 on an alternative standardized reading assessment approved by the State
22 Board of Education;

23 (b) A student who demonstrates, through a student portfolio,
24 performance at or above grade level as evidenced by demonstrating mastery
25 of all third grade state reading standards through multiple work samples;

26 (c) A student who is a child with a disability as defined in section
27 79-1117 and has an individualized education plan which indicates that
28 participation in the statewide assessment program is not appropriate;

29 (d) A limited English proficiency student as defined in section
30 79-1003 who has had less than two years of instruction pursuant to a
31 limited English proficiency plan;

1 (e) A student who is a child with a disability as defined in section
2 79-1117 and participates in the statewide assessment and has an
3 individualized education plan that reflects that the student has received
4 intensive reading intervention services for more than two years but still
5 demonstrates a reading deficiency and was previously retained in
6 kindergarten, first grade, second grade, or third grade;

7 (f) A student who has received intensive reading intervention
8 services for two or more years but still demonstrates a reading
9 deficiency and who was previously retained in kindergarten, first grade,
10 second grade, or third grade for a total of two years; and

11 (g) A student who has previously been retained in third grade.

12 (2) A request to exempt a student from mandatory retention pursuant
13 to one of the exemptions described in subsection (1) of this section
14 shall be made as follows:

15 (a) The student's teacher shall submit documentation to the school
16 principal, recommending promotion of the student. Such documentation
17 shall consist of only material supporting the exemption being requested,
18 the existing reading improvement plan or individualized education plan,
19 and the alternative assessment or student portfolio results as
20 applicable; and

21 (b) The school principal shall review and discuss the recommendation
22 with the teacher and make the determination as to whether the student
23 should be promoted. If the principal determines that the student should
24 be promoted based on the documentation provided, the principal shall make
25 such recommendation in writing to the superintendent of the school
26 district. The superintendent shall accept or reject the principal's
27 recommendation in writing.

28 (3) If a student is promoted to fourth grade pursuant to an
29 exemption specified in this section, his or her school shall provide the
30 student with intensive reading intervention services that include
31 specialized diagnostic information and specific reading strategies to

1 meet the needs of such student. The school district shall assist schools
2 and teachers with the implementation of reading strategies demonstrated
3 by research to be successful in improving reading among students with
4 reading deficiencies.

5 Sec. 8. A school district shall assist schools with providing
6 written notification to the parents and guardians of any student who is
7 retained pursuant to section 6 of this act that such student has not met
8 the proficiency level required for promotion, the reasons the student is
9 not eligible for an exemption pursuant to section 7 of this act, and that
10 the student will be retained in third grade. The notification shall
11 include a description of the proposed interventions and support that will
12 be provided to the student to remedy the identified area or areas of
13 reading deficiency.

14 Sec. 9. Beginning with school year 2019-20, the school of any
15 student retained pursuant to section 6 of this act shall provide such
16 student with intensive reading intervention to remedy the student's
17 specific reading deficiency. Such reading intervention services shall
18 include effective instructional strategies to accelerate student
19 progress. Each such school district shall:

20 (1) Conduct a review of student reading improvement plans for all
21 students who scored below grade level on the reading portion of the
22 statewide assessment and who did not meet the criteria for one of the
23 exemptions specified in section 7 of this act. The review shall address
24 additional support and services as described in this section which are
25 available to remedy the identified area or areas of reading deficiency;

26 (2) Provide retained students with highly effective reading teachers
27 as evidenced by evaluations based on classroom observations and student
28 improvement on reading assessments;

29 (3) Provide retained students with reading intervention services and
30 support to remedy the identified area or areas of reading deficiency,
31 including, but not limited to:

1 (a) More dedicated time than the previous school year spent in
2 reading instruction and intervention which is based in scientific
3 research;

4 (b) Daily targeted small group reading intervention based on student
5 needs as determined by diagnostic assessment data;

6 (c) Reading programs based in scientific research which have
7 demonstrated results in accelerating student reading achievement within
8 the same school year;

9 (d) Explicit and systematic instruction with more detailed
10 explanations, more extensive opportunities for guided practice, and more
11 opportunities for error correction and feedback;

12 (e) Administration of assessments to frequently monitor student
13 progress; and

14 (f) Before-school or after-school supplemental reading intervention
15 based in research, delivered by a teacher or tutor with specialized
16 reading training; and

17 (4) Provide parents and guardians of retained students with a read-
18 at-home plan outlined in a parental contract, including, but not limited
19 to, participation in parent training workshops and regular parent-guided
20 home reading.

21 Sec. 10. (1) Each public school shall establish an intensive
22 acceleration class for any student retained in third grade who was
23 previously retained in kindergarten, first grade, second grade, or third
24 grade. The focus of the intensive acceleration class shall be to increase
25 a student's reading level at least two grade levels in one school year.

26 (2) The intensive acceleration class shall:

27 (a) Have a reduced teacher-student ratio;

28 (b) Provide students with highly effective reading teachers as
29 evidenced by evaluations based on classroom observation and student
30 improvement on reading assessments;

31 (c) Provide reading instruction and intervention for the majority of

1 student contact time each day;

2 (d) Use reading programs based in scientific research which have
3 proven results in accelerating student reading achievement within the
4 same school year;

5 (e) Administer assessments to frequently monitor student progress
6 and adjust instruction according to student needs;

7 (f) Provide students the option of being placed in a transitional
8 instructional setting. Such setting shall be designed specifically to
9 produce learning gains sufficient to meet fourth grade performance
10 standards while continuing to correct the area or areas of reading
11 deficiency;

12 (g) Provide before-school or after-school supplemental reading
13 instruction based in research and delivered by a teacher or tutor with
14 specialized reading training; and

15 (h) Provide parents and guardians with a read-at-home plan outlined
16 in a parental contract, including, but not limited to, participation in
17 parent training workshops and regular parent-guided home reading.

18 (3) Each school district shall report to the State Department of
19 Education, in the manner prescribed by the department, the progress of
20 every student enrolled in the intensive acceleration class at the end of
21 the first semester.

22 Sec. 11. By September 1 of each year, each school board shall
23 annually report in writing to the State Department of Education the
24 following information on the prior school year:

25 (1) The school board's policies and procedures on student retention
26 and promotion;

27 (2) By grade, the number and percentage of all students in
28 kindergarten, first grade, second grade, and third grade who were
29 identified with a reading deficiency at the beginning of the school year
30 and who performed at or above grade level at the end of the school year,
31 as demonstrated by achieving a passing score on the state-approved local

1 assessment or statewide assessment;

2 (3) By grade, the number and percentage of all students in
3 kindergarten, first grade, second grade, and third grade performing below
4 grade level on the state-approved local assessment or statewide
5 assessment;

6 (4) By grade, the number and percentage of all students retained in
7 kindergarten, first grade, second grade, and third grade;

8 (5) Information on the total number and percentage of students in
9 third grade who were promoted pursuant to an exemption pursuant to
10 section 7 of this act, by each category of good cause described in such
11 section; and

12 (6) Any revisions to the school board's policy on student retention
13 and promotion from the prior year's report.

14 Sec. 12. The State Department of Education shall establish a
15 uniform format for school districts to report the information required
16 pursuant to section 11 of this act. The format shall be developed with
17 input from school boards and shall be provided to each school district no
18 later than ninety days prior to the annual due date. The department shall
19 annually compile the information submitted under section 11 of this act
20 along with state-level summary information and report such information to
21 the State Board of Education, the public, the Governor, and
22 electronically to the Legislature by October 1 of each year. The
23 department shall provide technical assistance as needed to assist school
24 boards in carrying out this section.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2017-18		FY 2018-19	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below		See Below	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 651 is the Nebraska Reading Improvement Act. The bill provides requirements for school districts and the State Department of Education (NDE) as follows:

Reading Intervention Programs: The bill requires school districts to develop individual reading improvement plans for students in kindergarten through grade three no later than 30 days after a deficiency in reading is identified based upon state-approved local or statewide assessments. The plan is to be created by the teacher, principal, other pertinent school personnel and the parents of the student. Students with a plan are to receive intensive reading intervention services until the student no longer has a reading deficiency.

The state assessment program does not currently test children in grades kindergarten, one or two. State approved local or statewide reading proficiency tests would be needed for these grades. NDE indicates that most districts use a local formative assessment to determine reading proficiency. If all districts are administering these tests and they are adequate, then no additional local or state costs will need to be incurred for assessments.

If NDE is responsible for a statewide assessment for kindergarten, first and second graders, then the department will review available commercial tests for their quality and if they are not appropriate, then tests will be developed. It is estimated NDE will have a general fund cost of about \$900,000 if the state is required to develop assessments for three grades (\$300,000 per grade).

Beginning in FY2019-20, if a student’s reading deficiency is not remedied by the end of grade three, the student must be retained in that grade. Several exemptions for students meeting certain criteria are provided in the bill. Schools are required to provide summer reading camps for all grade three students scoring below grade level on the grade three statewide reading assessment. Camps are to be staffed by highly effective reading teachers and must have a minimum of 70 hours of instructional time.

Schools also must provide retained students with intensive reading intervention programs as outlined in the bill that are staffed by highly effective reading teachers. Intensive acceleration classes must also be provided for students who are retained in the third grade and who were also retained in an earlier grade. The intensive classes must be designed to increase a child’s reading level at least two grade levels in one year. School districts must provide prescribed data on the reading programs and participants to NDE after the first semester.

The bill will have an unknown fiscal impact for school districts to administer assessments, develop and implement individual reading improvement plans, provide summer reading camps and provide intensive acceleration classes for students with reading deficiencies.

Annual Report on Student Retentions and Promotions: The bill requires NDE to establish a uniform format for school districts to report information on student retention and promotion as required by LB 651. The department is to annually compile the information and provide a state-level summary on an annual basis. NDE is also required to provide technical assistance to school districts as needed to provide such information. These provisions will increase the workload of the department. NDE indicates that existing staff and resources will be used to handle the increased activities.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES		
LB: 651	AM:	AGENCY/POLT. SUB: Department of Education
REVIEWED BY: James Van Bruggen	DATE: 1/27/17	PHONE: (402) 471-4179
COMMENTS: The Department of Education's estimate appears reasonable.		

Please complete ALL (5) blanks in the first three lines.

2017

LB⁽¹⁾ 651

**FISCAL
NOTE**

State Agency OR Political Subdivision Name: ⁽²⁾ Education

Prepared by: ⁽³⁾ Cory Epler Date Prepared: ⁽⁴⁾ 1/26/2017 Phone: ⁽⁵⁾ 1-3240

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2017-18		FY 2018-19	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$0		\$0	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$0</u>		<u>\$0</u>	

Explanation of Estimate:

As written, the costs associated with this bill would mainly rest with local school districts (e.g. developing additional reading intervention resources, implementing summer reading camps, classrooms with reduced staffing, parent activities/communication, etc.).

The bill requires that “all students in kindergarten, first grade, second grade, and third grade who are identified as having a reading deficiency based upon **state-approved local** or **statewide assessments** administered within the first thirty days of the school year.” Most districts current utilized a local formative assessment to determine reading proficiency. However, if the state were to develop and implement a reliable and valid assessment to determine reading proficiency for students in grades K-3, the cost would be significant. Approximate cost to develop 3rd grade NeSA is \$1 million.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2017-18 EXPENDITURES	2018-19 EXPENDITURES
	17-18	18-19		
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB651

Chairperson: Senator Mike Groene

Committee: Education

Date of Hearing: March 07, 2017

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The Nebraska Reading Improvement Act would require that each Nebraska public school student's progression from one grade to another be determined, in part, upon proficiency in reading. School district board policies would facilitate reading instruction and intervention services to address student reading needs. Each student and his or her parent or guardian must be informed of that student's reading progress.

Principal Introducer: _____

Senator Lou Ann Linehan

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 801

Introduced by Stinner, 48.

Read first time January 04, 2018

Committee: Education

- 1 A BILL FOR AN ACT relating to children; to adopt the Panhandle Beginnings
- 2 Act; to state intent relating to appropriations; and to declare an
- 3 emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 8 of this act shall be known and may be
2 cited as the Panhandle Beginnings Act.

3 Sec. 2. (1) The Legislature recognizes that:

4 (a) The Panhandle of Nebraska has limited resources to detect and
5 treat mental illness in school-age children;

6 (b) Many school-age children suffer from bipolar disorder,
7 disruptive behavior impulse control disorder, schizophrenia, and violent,
8 irrational behavior;

9 (c) Many school-age children have had adverse childhood experiences
10 and at least one major depressive episode;

11 (d) All such conditions, without intervention, have been linked to
12 long-term, significantly negative impacts on an individual's developing
13 brain, altering neural systems that result in enduring emotional,
14 behavioral, cognitive, mental, social, and physical health problems; and

15 (e) In addition, many of the school-age children who suffer from
16 such conditions are more likely to engage in illicit drug use, to binge
17 alcohol consumption, and to become addicted to opioids. Additional
18 stressors include conditions under poverty, including experiencing food
19 insecurity.

20 (2) The conditions and stressors recognized in subsection (1) of
21 this section, in combination with a lack of sufficient resources in the
22 Panhandle of Nebraska result in a number of school-age children needing
23 publicly funded therapeutic day treatment, day school, and intensive
24 outpatient services. The Legislature recognizes a need to place the
25 school-age children described in subsection (1) of this section into
26 close proximity to their families, making reintegration into home
27 communities more effective.

28 (3) The Legislature also affirms that effective therapy for the
29 conditions mentioned in subsection (1) of this section includes
30 comprehensive treatment based on the principles of neurodevelopment and
31 neurobiology with the assumption that an individual's behavior and self-

1 regulation includes emotional, behavioral, social motor, and
2 neurophysiological functioning driven by neural integration.

3 Sec. 3. The intent of the Legislature is to develop a pilot project
4 named Panhandle Beginnings establishing a collaborative therapeutic
5 facility in the Panhandle of Nebraska. Panhandle Beginnings shall fulfill
6 the need for therapeutic day treatment, day school, and intensive
7 outpatient services for school-age children described in section 2 of
8 this act. The Legislature hereby affirms its intent to fund Panhandle
9 Beginnings for fiscal years 2018-19 through 2022-23 with the expectation
10 that it will reach self-sufficiency and be replicated in other areas of
11 Nebraska where similar service deficits exist.

12 Sec. 4. For purposes of the Panhandle Beginnings Act:

13 (1) Board means the Panhandle Beginnings Advisory Board established
14 pursuant to section 8 of this act;

15 (2) Day school means a self-contained special education program
16 which provides services to students with intensive needs that cannot be
17 met by the education program of students' resident school districts;

18 (3) Day treatment means a community-based, coordinated set of
19 individualized treatment services to individuals with psychiatric
20 disorders who are not able to function full time in a normal school,
21 work, or home environment and need additional structured activities,
22 including, but not limited to: Diagnostic, medical, psychiatric,
23 psychosocial, and adjunctive treatment modalities;

24 (4) Department means the State Department of Education;

25 (5) Educational staff member means an employee of Panhandle
26 Beginnings hired as an instructor who (a) holds a valid certificate
27 issued by the Commission of Education pursuant to section 79-802, (b) is
28 endorsed to teach in the assigned area, and (c) meets the criteria of a
29 teacher under the federal Individuals with Disabilities in Education Act
30 of 2004 as set out in rules and regulations adopted and promulgated by
31 the department;

1 (6) Enrollee means an individual who meets the requirements under
2 subdivision (2), (3), or (4) of section 6 of this act;

3 (7) Intensive outpatient services means nonresidential, intensive,
4 structured interventions consisting of counseling and education to
5 improve the mental health, sexually harmful behavior, substance use
6 disorder, or eating disorder symptoms that may significantly interfere
7 with functioning in familial, social, occupational, or educational
8 domains, including, but not limited to, ongoing assessment, individual,
9 group, and family psychotherapy, and other treatment modalities
10 determined effective for each individual;

11 (8) Least restrictive environment means a setting in which, to the
12 maximum extent appropriate, children with disabilities are educated with
13 children who are not disabled and that special classes, separate
14 schooling, or other removal of children with disabilities from the
15 regular educational environment occurs only when the nature or severity
16 of the disability is such that education in regular classes with the use
17 of supplementary aids and services cannot be achieved satisfactorily;

18 (9) Multidisciplinary evaluation means the analysis, assessment, and
19 documentation of educational and developmental abilities and needs of
20 each child referred for the purpose of individual evaluation;

21 (10) Panhandle of Nebraska means the counties of Banner, Box Butte,
22 Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Sioux, Scotts Bluff,
23 and Sheridan;

24 (11) Positive behavioral interventions and supports means a
25 framework or approach for assisting school personnel in adopting and
26 organizing evidence-based behavioral interventions into an integrated
27 continuum that enhances academic and social behavior outcomes for all
28 students;

29 (12) Resident school district means the school district in which the
30 enrollee was originally enrolled and in which the enrollee resides;

31 (13) Therapeutic staff member means an employee of Panhandle

1 Beginnings hired specifically to address the therapeutic needs of the
2 enrollees and their parents or legal guardians, including, but not
3 limited to, independent mental health practitioners, mental health
4 practitioners, psychologists, or social workers holding a valid
5 credential issued pursuant to the Uniform Credentialing Act; and

6 (14) Trauma-informed care means a program that is a developmentally
7 sensitive, neurobiology-informed approach to clinical problem solving
8 which (a) integrates core principles of neurodevelopment and
9 traumatology, realizes the widespread impact of trauma, and understands
10 potential paths for recovery, (b) recognizes the signs and symptoms of
11 trauma in clients, families, staff, and others involved with the system,
12 (c) responds by fully integrating knowledge about trauma into policies,
13 procedures, and practices, and (d) seeks to actively resist re-
14 traumatization.

15 Sec. 5. Panhandle Beginnings is created as a day school, day
16 treatment, and intensive outpatient services therapeutic and educational
17 program for the following purposes:

18 (1) Panhandle Beginnings shall be a therapeutic treatment and
19 educational setting that adheres to the principles set forth in section 2
20 of this act. Panhandle Beginnings shall provide day treatment, day
21 school, and intensive outpatient services to enrollees through the end of
22 the school year in which they become twenty-one years of age with
23 preference given to those who reside within Region I Behavioral Health
24 Authority or Educational Service Unit No. 13 service areas and respecting
25 all contractual obligations and memoranda of understanding with other
26 regional behavioral health authorities and educational service units.
27 Enrollees shall fulfill requirements for entry as set forth in
28 subsections (2), (3), and (4) of section 6 of this act;

29 (2) Panhandle Beginnings shall be designed with support of mental or
30 behavioral health professionals to help enrollees develop the social and
31 emotional skills in an intensive setting necessary to become successful

1 in academic and social environments and to facilitate movement of acute
2 mental health and behavioral needs by stabilizing the precipitating
3 condition and relapse potential;

4 (3) Panhandle Beginnings shall be a collaborative effort of case
5 management and coordinated services cooperating with other governmental
6 agencies, private mental and behavioral health practitioners, and parents
7 or legal guardians of enrollees to provide positive behavioral
8 interventions and supports necessary as an integral part of delivery of
9 services; and

10 (4) Upon enrollment of an enrollee, Panhandle Beginnings shall
11 conduct an initial placement meeting in which staff shall inform the
12 parent or legal guardian of the enrollee to which program the enrollee is
13 being admitted, goals being set for the successful reintegration into the
14 resident school district, and any specific items necessary for the
15 coordination of services.

16 Sec. 6. (1) Therapeutic methods appropriate to each enrollee shall
17 be determined based on his or her clinical needs and governed by service
18 definitions and evidence-based practices. Therapeutic programming shall
19 adhere to the principles of trauma-informed care which includes a
20 methodology of developmentally sensitive and neurobiology-informed
21 approaches to clinical problem solving.

22 (2) Panhandle Beginnings shall provide a medically necessary,
23 community-based, coordinated set of individualized treatment services to
24 enrollees receiving day treatment services. The guidelines proposed for
25 day treatment shall be based on best practices for the level of
26 therapeutic services needed for effective treatment. In order for
27 enrollees to receive day treatment services under direction of Panhandle
28 Beginnings, the following requirements must be met:

29 (a) The enrollee demonstrates symptomology consistent with a
30 diagnosis as defined in the Diagnostic and Statistical Manual of Mental
31 Disorders, Fifth Edition, which significantly impairs functioning and

1 requires and can reasonably be expected to respond to therapeutic
2 intervention, including mental health treatment or substance use
3 treatment;

4 (b) The enrollee is medically stable and does not require twenty-
5 four-hour medical or inpatient monitoring but requires three to five
6 units of outpatient level of care daily as indicated by service
7 definitions contained in rules and regulations of the department and the
8 medical assistance program established pursuant to section 68-908 up to
9 five times a week;

10 (c) The enrollee receives active treatment of no less than three to
11 six units of care daily as indicated by service definitions contained in
12 rules and regulations of the department and the medical assistance
13 program established pursuant to section 68-908 and no less than five
14 units a week of comprehensive mental and behavioral health services;

15 (d) Parents or a legal guardian sign consent for treatment;

16 (e) The enrollee receives at least one session of psychotherapy or
17 substance abuse counseling services per scheduled treatment day. Such
18 services may include individual psychotherapy, group psychotherapy, or
19 family therapy; and

20 (f) The enrollee is verified as a student with a disability under
21 the federal Individuals with Disabilities in Education Act, 20 U.S.C.
22 1431 to 1445, as such act and sections existed on January 1, 2018, and
23 rules and regulations of the department.

24 (3) Panhandle Beginnings shall provide an educationally necessary,
25 community-based, coordinated set of individualized treatment services to
26 those receiving day school services. Day school shall focus on the
27 enhancement of emotional and behavioral regulation skills, treatment of
28 mental health concerns, and provision of individualized evidence-based
29 practices to enhance each enrollee's ability to successfully access the
30 least restrictive environment for their appropriate and comprehensive
31 education. In order for enrollees to receive day school services under

1 direction of Panhandle Beginnings, the following requirements must be
2 met:

3 (a) Evidence of and documentation indicating that prior attempts of
4 evidence-based interventions have been attempted with fidelity in a less
5 restrictive environment and that these attempts have occurred over a
6 period of four to six weeks for a first-level attempt and four to six
7 weeks for a second-level attempt unless a multidisciplinary evaluation by
8 Panhandle Beginnings shows that the enrollee engages in serious violent
9 behavior that endangers himself or herself or others in the least
10 restrictive environment or the enrollee exhibits significant mental
11 health needs that suggest a more restrictive environment would be the
12 least restrictive environment for placement;

13 (b) There is a unanimous multidisciplinary evaluation and leadership
14 confirmation followed by the individualized education program team
15 agreement, if applicable;

16 (c) The enrollee is medically stable and does not require twenty-
17 four-hour medical or inpatient monitoring;

18 (d) The enrollee receives active treatment of no less than three to
19 six units of care daily as indicated by service definitions contained in
20 rules and regulations of the department and the medical assistance
21 program established pursuant to section 68-908 and no less than five
22 units a week of comprehensive mental and behavioral health services;

23 (e) Parents or a legal guardian sign consent for treatment; and

24 (f) The enrollee is verified as a student with a disability under
25 the federal Individuals with Disabilities in Education Act, 20 U.S.C.
26 1431 to 1445, as such act and sections existed on January 1, 2018, and
27 rules and regulations of the department.

28 (4) Panhandle Beginnings shall provide a multidisciplinary,
29 multimodal, structured treatment in an outpatient setting to enrollees
30 receiving intensive outpatient services. Services shall be based on
31 individual medical need. In order for enrollees to receive intensive

1 outpatient services under this subsection, Panhandle Beginnings shall
2 provide nine or more units per week of mental and behavioral health
3 services as indicated by service definitions contained in rules and
4 regulations of the department and the medical assistance program
5 established pursuant to section 68-908, including, but not limited to,
6 psychoeducation, individual therapy, group therapy, and family therapy.
7 Units of treatment may be reduced as clinically defined.

8 Sec. 7. (1) All enrollees in day treatment and day school shall
9 receive instruction by a member of the educational staff, which
10 instruction is aligned with the curriculum of the resident school
11 district.

12 (2) Instructional methodology shall be designed using evidence-based
13 strategies for supporting positive behaviors within the classroom while
14 addressing root causes of behavior with the intent that an enrollee will
15 be returned to a less restrictive environment when appropriate. Positive
16 behavioral interventions and supports shall be a component of such
17 instructional methodology.

18 (3) Training of educational staff members shall be based on
19 behavioral strategies, consisting of the components of positive
20 behavioral interventions and supports and trauma-informed practices. All
21 educational staff members shall also receive training on intervention
22 strategies focusing on special treatment procedures, including de-
23 escalation techniques and least restrictive forms of restraint, to be
24 used by educational staff members as a last resort when an enrollee is a
25 danger to himself, herself, or others. Additional training shall be
26 provided to educational staff members regarding evidence-based practices
27 to manage behaviors and provide support to enrollees within the
28 classroom. Therapeutically based training within the day treatment
29 program shall include both therapeutic and educational staff members
30 receiving comprehensive training on trauma-informed practices. Panhandle
31 Beginnings shall make available all training described in this subsection

1 to parents or legal guardians of the enrollees and the staff of the
2 enrollees' resident school districts as part of the effort to transition
3 enrollees to their resident school districts.

4 (4) Panhandle Beginnings staff members shall meet with parents or
5 legal guardians regularly to discuss progress in person, by telephone, or
6 by means of secure video conferencing. As appropriate, team meetings
7 shall take place between Panhandle Beginnings staff members and the staff
8 members of the resident school district.

9 (5) Reintegration into the resident school district shall be decided
10 on an individual basis and planned through team meetings once the
11 enrollee has met the goals determined during the initial placement
12 meeting as described in section 5 of this act. Consideration for the
13 needs of the resident school district shall be included. The
14 reintegration process shall be individualized for enrollees and shall
15 include a strong psychoeducational and behavioral health consultation
16 component and may include the periodic attendance of one resident school
17 district employee.

18 (6) Acknowledging the geographical distance within the service area,
19 barriers to travel may become cumbersome for an enrollee to receive
20 services at Panhandle Beginnings. A portion of the educational component
21 may include an outreach specialist to design a program for coordination
22 of services with the enrollee's resident school district. Such specialist
23 may also coordinate reintegration into the resident school district.

24 (7) The length of stay of enrollees in Panhandle Beginnings programs
25 shall be individualized and based on clinical criteria for admissions and
26 continued stay, taking into consideration an expectation of twenty-one to
27 ninety days within the therapeutic day treatment setting.

28 Sec. 8. (1) The Panhandle Beginnings Advisory Board is created.

29 (2) The board shall consist of seven appointed members. Six of the
30 appointed members shall be representatives as described in subdivisions

31 (3)(a) through (3)(c) of this section, and one of the appointed members

1 shall not be an employee of the State of Nebraska or any such entities as
2 described in such subdivisions and shall have at least five years of
3 experience in the field of mental or behavioral health.

4 (3) The six appointed representative members shall be as follows:

5 (a) Two of the appointed members shall be employees of Educational
6 Service Unit No. 13 and shall include one administrator and one director
7 of its programs;

8 (b) Two of the appointed members shall be employees of Region 1
9 Behavioral Health Authority and shall include one administrator and one
10 specialist of any of its services; and

11 (c) Two of the appointed members shall be employees of any school
12 district with boundaries located in the Panhandle of Nebraska and shall
13 include one administrator and one specialist of any of the mental or
14 behavioral health services provided by such school districts.

15 (4) Appointments to the board shall be made by the Governor and
16 subject to approval of the Legislature. All appointed members shall be
17 residents of Nebraska.

18 (5) Except as otherwise provided in this section, all members shall
19 serve for terms of four years or until a successor has been appointed and
20 qualified. The terms shall begin on January 1 of the appropriate year.

21 (6) To ensure an experienced and knowledgeable board, the initial
22 terms of the appointed members shall be staggered as follows:

23 (a) One of the two members described in subdivisions (3)(a) through
24 (3)(c) of this section shall be appointed to serve for a two-year term
25 which ends in 2020;

26 (b) One of the two members described in such subdivisions shall be
27 appointed to serve for a four-year term which ends in 2022; and

28 (c) The appointee who is not an employee of the State of Nebraska or
29 any of the entities described in such subdivisions and who has at least
30 five years of experience in the field of mental or behavioral health
31 shall be appointed to serve for a four-year term which ends in 2022.

1 (7) In the event of a vacancy in office, the Governor shall appoint
2 a person to serve the unexpired portion of the term, subject to the
3 approval of the Legislature.

4 (8) The board shall:

5 (a) Appoint a clinical director to administer the day treatment
6 program and a principal to administer the day school under direction of
7 the board;

8 (b) Adopt rules and procedures to which the Panhandle Beginnings
9 clinical director, principal, and staff must adhere;

10 (c) Adopt rules and procedures for the management of the board; and

11 (d) Keep a complete record of all proceedings taken at any meeting
12 of the board.

13 Sec. 9. It is the intent of the Legislature to appropriate for
14 purposes of the Panhandle Beginnings Act from the General Fund:

15 (1) For fiscal year 2018-19, one hundred thirty-five thousand
16 dollars for startup costs and six hundred sixty-seven thousand three
17 hundred thirty-seven dollars for the educational costs for a total of
18 eight hundred two thousand three hundred thirty-seven dollars;

19 (2) For fiscal year 2019-20, two hundred thousand dollars in
20 facility costs and two hundred thirty-three thousand six hundred sixty-
21 eight dollars in educational costs for a total of four hundred thirty-
22 three thousand six hundred sixty-eight dollars;

23 (3) For fiscal year 2020-21, two hundred thousand dollars in
24 facility costs and two hundred thirty-three thousand six hundred sixty-
25 eight dollars in educational costs for a total of four hundred thirty-
26 three thousand six hundred sixty-eight dollars;

27 (4) For fiscal year 2021-22, two hundred thousand dollars in
28 facility costs and two hundred thirty-three thousand six hundred sixty-
29 eight dollars in educational costs for a total of four hundred thirty-
30 three thousand six hundred sixty-eight dollars; and

31 (5) For fiscal year 2022-23, two hundred thousand dollars in

1 facility costs and two hundred thirty-three thousand six hundred sixty-
2 eight dollars in educational costs for a total of four hundred thirty-
3 three thousand six hundred sixty-eight dollars.

4 Sec. 10. Since an emergency exists, this act takes effect when
5 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 803

Introduced by Stinner, 48.

Read first time January 04, 2018

Committee: Education

1 A BILL FOR AN ACT relating to children; to amend sections 79-728,
2 79-1101, and 79-1104, Reissue Revised Statutes of Nebraska, and
3 sections 71-1954, 71-1955, 71-1956, 71-1957, 71-1958, 71-1959,
4 71-1960, 71-1961, 71-1962, 71-1963, and 79-101, Revised Statutes
5 Cumulative Supplement, 2016; to amend the Step Up to Quality Child
6 Care Act; to redefine terms; to change school district requirements
7 for kindergarten; to change school district requirements for
8 prekindergarten programs and early childhood education programs; to
9 harmonize provisions; to repeal the original sections; and to
10 outright repeal section 79-212, Reissue Revised Statutes of
11 Nebraska.
12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-1954, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 71-1954 For purposes of the Step Up to Quality Child Care Act:

4 (1) ~~Applicable child care and early childhood education~~ programs
5 include:

6 (a) Child care programs licensed under the Child Care Licensing Act
7 which serve children from birth until enrollment in kindergarten ~~to~~
8 ~~kindergarten-entrance age~~;

9 (b) Prekindergarten services, ~~and~~ prekindergarten programs, and
10 early childhood education programs established pursuant to sections
11 79-1101 through section 79-1104; and

12 (c) The federal Head Start programs, 42 U.S.C. 9831 et seq., and
13 Early Head Start programs, 42 U.S.C. 9840a; and

14 (2) Fiscal year means the fiscal year of the State of Nebraska.

15 Sec. 2. Section 71-1955, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 71-1955 The State Department of Education and the Department of
18 Health and Human Services shall collaborate (1) to develop, implement,
19 and provide oversight for a quality rating and improvement system for
20 participating ~~applicable child care and early childhood education~~
21 programs, (2) to establish quality rating criteria for the system as
22 provided in sections 71-1956 and 71-1958, (3) to use the quality rating
23 criteria to assign quality scale ratings to participating ~~applicable~~
24 ~~child care and early childhood education~~ programs as provided in sections
25 71-1956 and 71-1958, and (4) to provide incentives and support, including
26 professional development, training, and postsecondary education
27 opportunities, to participating ~~applicable child care and early childhood~~
28 ~~education~~ programs as provided in section 71-1961.

29 Sec. 3. Section 71-1956, Revised Statutes Cumulative Supplement,
30 2016, is amended to read:

31 71-1956 (1) Each applicable ~~child care and early childhood education~~

1 program which applies under section 71-1957 to participate in the quality
2 rating and improvement system developed pursuant to section 71-1955 shall
3 be rated on a quality scale using ratings labeled steps one through five
4 and based on quality rating criteria.

5 (2) Quality rating criteria shall be used to assign a quality scale
6 rating as appropriate for the specific step. The criteria shall include,
7 but not be limited to:

8 (a) Licensing requirements as specified in the Child Care Licensing
9 Act;

10 (b) Facility safety and management;

11 (c) Child development and school readiness outcomes;

12 (d) Program curriculum, learning environment, and adult-child
13 interactions;

14 (e) Professional development and training;

15 (f) Family engagement;

16 (g) Program administration;

17 (h) Standards used by nationally recognized accrediting bodies
18 approved by the State Department of Education; and

19 (i) Other standards as required by the State Department of Education
20 for ~~prekindergarten services and prekindergarten~~ programs established
21 pursuant to section 79-1104 and federal performance standards for Head
22 Start and Early Head Start programs.

23 Sec. 4. Section 71-1957, Revised Statutes Cumulative Supplement,
24 2016, is amended to read:

25 71-1957 Application to participate in the quality rating and
26 improvement system shall be voluntary for applicable ~~child care and early~~
27 ~~childhood education~~ programs with the following exceptions:

28 (1) Beginning July 1, 2014, and not later than December 31, 2014,
29 each applicable ~~child care or early childhood education~~ program that
30 received over five hundred thousand dollars in child care assistance
31 pursuant to section 68-1202 for FY2011-12 shall apply to participate in

1 the quality rating and improvement system and shall be assigned a quality
2 scale rating as provided in sections 71-1956 and 71-1958;

3 (2) Beginning July 1, 2015, and not later than December 31, 2015,
4 each applicable ~~child care or early childhood education~~ program that
5 received over two hundred fifty thousand dollars in child care assistance
6 pursuant to section 68-1202 for FY2011-12 shall apply to participate in
7 the quality rating and improvement system and shall be assigned a quality
8 scale rating as provided in sections 71-1956 and 71-1958; and

9 (3) Beginning July 1, 2016, each applicable ~~child care or early~~
10 ~~childhood education~~ program that received over two hundred fifty thousand
11 dollars in child care assistance pursuant to section 68-1202 in the
12 preceding fiscal year shall, not later than December 31 of the applicable
13 year or six months after actual receipt of such assistance, whichever is
14 later, apply to participate in the quality rating and improvement system
15 and shall be assigned a quality scale rating as provided in sections
16 71-1956 and 71-1958.

17 Sec. 5. Section 71-1958, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 71-1958 (1) Quality rating criteria shall be used as provided in
20 this section to assign a quality scale rating to each applicable ~~child~~
21 ~~care or early childhood education~~ program if the program applies under
22 section 71-1957 to participate in the quality rating and improvement
23 system developed pursuant to section 71-1955.

24 (2) Licensure under the Child Care Licensing Act for a program which
25 serves children from birth until enrollment in kindergarten ~~to~~
26 ~~kindergarten-entrance age~~ shall be sufficient criteria to be rated at
27 step one.

28 (3) Meeting criteria established by the State Department of
29 Education for a ~~prekindergarten service or prekindergarten~~ program
30 established pursuant to section 79-1104 and reporting to the Nebraska
31 Early Childhood Professional Record System created under section 71-1962

1 shall be sufficient criteria to be rated at step three.

2 (4) Meeting performance standards required by the federal government
3 for a federal Head Start program or Early Head Start program and
4 reporting to the Nebraska Early Childhood Professional Record System
5 created under section 71-1962 shall be sufficient criteria to be rated at
6 step three.

7 (5) Accreditation by a nationally recognized accrediting body
8 approved by the State Department of Education and reporting to the
9 Nebraska Early Childhood Professional Record System created under section
10 71-1962 shall be sufficient criteria to be rated at step three.

11 (6) A participating applicable ~~child care or early childhood~~
12 ~~education~~ program operating under a provisional license shall have a
13 quality scale rating at step one even if it meets other quality rating
14 criteria. If a participating applicable ~~child care or early childhood~~
15 ~~education~~ program is at a quality scale rating higher than step one and
16 the program's license is placed on disciplinary limitation, probation, or
17 suspension, such program shall have its quality scale rating changed to
18 step one. If an applicable ~~child care or early childhood education~~
19 program's license is revoked, the program is not eligible to participate
20 in or receive a quality scale rating under the quality rating and
21 improvement system until the program has an operating license which is in
22 full force and effect.

23 Sec. 6. Section 71-1959, Revised Statutes Cumulative Supplement,
24 2016, is amended to read:

25 71-1959 (1) An applicable ~~child care or early childhood education~~
26 program participating in the quality rating and improvement system
27 developed pursuant to section 71-1955 may apply no more than once each
28 fiscal year to have its quality scale rating reviewed.

29 (2) A participant shall meet all of the quality rating criteria for
30 a step-two rating prior to applying for a step-three, step-four, or step-
31 five rating. To meet quality rating criteria for a step-three, step-four,

1 or step-five rating, a participant shall be independently evaluated based
2 upon the quality rating criteria.

3 (3) A participant with a quality scale rating at step two through
4 step four shall be reevaluated at least once every two fiscal years but
5 no more than once in any fiscal year, including any review pursuant to
6 subsection (1) of this section. A participant with a quality scale rating
7 at step five shall be reevaluated at least once every five years but no
8 more than once in any fiscal year. If a participant has achieved
9 accreditation and is being reevaluated by a nationally recognized
10 accrediting body approved by the State Department of Education, the state
11 shall make reasonable efforts to conduct its reevaluation in the same
12 fiscal year that the accrediting body is reevaluating the program.

13 Sec. 7. Section 71-1960, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 71-1960 The Department of Health and Human Services may deny the
16 issuance of or take disciplinary action against a license issued under
17 the Child Care Licensing Act to a participating applicable ~~child care or~~
18 ~~early childhood education~~ program for failure to comply with the Step Up
19 to Quality Child Care Act.

20 Sec. 8. Section 71-1961, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 71-1961 Quality rating and improvement system incentives and support
23 under the Step Up to Quality Child Care Act shall include, but not be
24 limited to:

25 (1) Tiered child care subsidy reimbursements as provided in section
26 68-1206 based upon quality scale ratings of step three or higher that
27 reflect the cost of higher quality programs and promote affordability of
28 high-quality ~~child care and early childhood education~~ programs for all
29 families;

30 (2) Incentive bonuses given to providers of ~~child care and early~~
31 ~~childhood education~~ programs upon completion of specific requirements of

1 step two ratings or higher to improve quality based upon the quality
2 rating criteria established pursuant to sections 71-1956 and 71-1958;

3 (3) Professional development, training, and scholarships developed
4 in collaboration with community-based organizations, postsecondary
5 education representatives, and other stakeholders;

6 (4) Support that expands family engagement in and understanding of
7 high-quality early childhood education in ways that are inclusive and
8 respectful of diversity of families and children with special needs; and

9 (5) Other incentives as necessary to carry out the Step Up to
10 Quality Child Care Act.

11 Sec. 9. Section 71-1962, Revised Statutes Cumulative Supplement,
12 2016, is amended to read:

13 71-1962 (1) Not later than March 1, 2014, the State Department of
14 Education shall create and operate the Nebraska Early Childhood
15 Professional Record System. The system shall be designed in order to:

16 (a) Establish a data base of Nebraska's early childhood education
17 workforce;

18 (b) Verify educational degrees and professional credentials held and
19 relevant training completed by employees of participating applicable
20 ~~child care and early childhood education~~ programs; and

21 (c) Provide such information to the Department of Health and Human
22 Services for use in evaluating applications to be rated at a step above
23 step one under section 71-1959.

24 (2) When an applicable ~~child care or early childhood education~~
25 program participating in the quality rating and improvement system
26 developed pursuant to section 71-1955 applies under section 71-1959 to be
27 rated at a step above step one, the ~~child care or early childhood~~
28 ~~education~~ program shall report the educational degrees and professional
29 credentials held and relevant training completed by its child care and
30 early childhood education employees to the Nebraska Early Childhood
31 Professional Record System for the program to be eligible for a quality

1 scale rating above step one.

2 (3) Any child care or early childhood education provider residing or
3 working in Nebraska may report his or her educational degrees and
4 professional credentials held, relevant training completed, and work
5 history to the Nebraska Early Childhood Professional Record System.

6 (4) The State Department of Education shall develop a classification
7 system for all employees of applicable ~~child care and early childhood~~
8 ~~education~~ programs listed in the Nebraska Early Childhood Professional
9 Record System. The classification system shall be based on the employees'
10 educational degrees and professional credentials held, relevant training
11 completed, and work history and shall be made up of four levels, with
12 level one being the least qualified and level four being the most
13 qualified. The minimum qualification for an employee to be classified as
14 level one shall be a Child Development Associate Credential or a one-year
15 certificate or diploma in early childhood education or child development.
16 The classification system shall be used for purposes of the tax credit
17 granted in section 77-3605.

18 Sec. 10. Section 71-1963, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 71-1963 By July 1, 2017, the Department of Health and Human Services
21 in collaboration with the State Department of Education shall make the
22 quality scale ratings of participating applicable ~~child care and early~~
23 ~~childhood education~~ programs under the quality rating and improvement
24 system developed pursuant to section 71-1955 available on a publicly
25 accessible web site to provide parents a tool by which to evaluate the
26 quality of ~~child care and early childhood education~~ programs and to
27 promote accountability for public funding of such programs.

28 Sec. 11. Section 79-101, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 79-101 For purposes of Chapter 79:

31 (1) School district means the territory under the jurisdiction of a

1 single school board authorized by Chapter 79;

2 (2) School means a school under the jurisdiction of a school board
3 authorized by Chapter 79;

4 (3) Legal voter means a registered voter as defined in section
5 32-115 who is domiciled in a precinct or ward in which he or she is
6 registered to vote and which precinct or ward lies in whole or in part
7 within the boundaries of a school district for which the registered voter
8 chooses to exercise his or her right to vote at a school district
9 election or at an annual or special meeting of a Class I school district;

10 (4) Prekindergarten programs means all programs other than early
11 childhood education programs provided for children who have not been
12 enrolled as reached the age of five by the date provided in section
13 79-214 for kindergarten-entrance;

14 (5) Elementary grades means grades kindergarten through eight,
15 inclusive;

16 (6) High school grades means all grades above the eighth grade;

17 (7) School year means (a) for elementary grades—~~other than~~
18 ~~kindergarten~~, the time equivalent to at least one thousand thirty-two
19 instructional hours and (b) for high school grades, the time equivalent
20 to at least one thousand eighty instructional hours;

21 (8) Instructional hour means a period of time, at least sixty
22 minutes, which is actually used for the instruction of students;

23 (9) Teacher means any certified employee who is regularly employed
24 for the instruction of pupils in the public schools;

25 (10) Administrator means any certified employee such as
26 superintendent, assistant superintendent, principal, assistant principal,
27 school nurse, or other supervisory or administrative personnel who do not
28 have as a primary duty the instruction of pupils in the public schools;

29 (11) School board means the governing body of any school district.
30 Board of education has the same meaning as school board;

31 (12) Teach means and includes, but is not limited to, the following

1 responsibilities: (a) The organization and management of the classroom or
2 the physical area in which the learning experiences of pupils take place;
3 (b) the assessment and diagnosis of the individual educational needs of
4 the pupils; (c) the planning, selecting, organizing, prescribing, and
5 directing of the learning experiences of pupils; (d) the planning of
6 teaching strategies and the selection of available materials and
7 equipment to be used; and (e) the evaluation and reporting of student
8 progress;

9 (13) Permanent school fund means the fund described in section
10 79-1035.01;

11 (14) Temporary school fund means the fund described in section
12 79-1035.02;

13 (15) School lands means the lands described in section 79-1035.03.
14 Educational lands has the same meaning as school lands;

15 (16) Community eligibility provision means the alternative to
16 household applications for free and reduced-price meals in high-poverty
17 schools enacted in section 104(a) of the federal Healthy, Hunger-Free
18 Kids Act of 2010, section 11(a)(1) of the Richard B. Russell National
19 School Lunch Act, 42 U.S.C. 1759a(a)(1), as such act and section existed
20 on January 1, 2015, and administered by the United States Department of
21 Agriculture; and

22 (17) Certificate, certificated, or certified, when referring to an
23 individual holding a certificate to teach, administer, or provide special
24 services, also includes an individual who holds a permit issued by the
25 Commissioner of Education pursuant to sections 79-806 to 79-815.

26 The State Board of Education may adopt and promulgate rules and
27 regulations to define school day and other appropriate units of the
28 school calendar.

29 Sec. 12. Section 79-728, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 79-728 All ~~Class I, II, III, IV, and V~~ school districts shall offer

1 a kindergarten program, and beginning with the 2019-20 school year, all
2 school districts shall offer the same minimum hours of instruction in
3 kindergarten as all other elementary grades.

4 Sec. 13. Section 79-1101, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 79-1101 (1) The Legislature finds and declares that: (a) Early
7 childhood education programs can assist children in achieving their
8 potential as citizens, workers, and human beings and can strengthen
9 families; (b) early childhood education has been proven to be a sound
10 public investment of funds not only in assuring productive, taxpaying
11 workers in the economy but also in avoidance of increasingly expensive
12 social costs for those who drop out as productive members of society; (c)
13 the key ingredient in an effective early childhood education program is a
14 strong family development and support component because the role of the
15 parent is of critical importance; (d) while all children can benefit from
16 quality, developmentally appropriate early childhood education
17 experiences, such experiences are especially important for at-risk
18 infants and children; (e) current early childhood education programs
19 serve only a fraction of Nebraska's children and the quality of current
20 programs varies widely; (f) well-designed early childhood education
21 programs increase the likelihood that children who participate will enter
22 school prepared to achieve high standards; (g) effective early childhood
23 education programs require staff with knowledge about child growth,
24 development, and learning and family systems; and (h) both public and
25 nonpublic programs which meet recognized standards of quality can address
26 the growth, development, and learning needs of young children.

27 (2)(a) It is the intent of the Legislature and the public policy of
28 this state to encourage schools and community-based organizations to work
29 together to provide high-quality early childhood education programs for
30 infants and young children which include family involvement, with the
31 goal of assuring that every family in Nebraska has access to such

1 programs for, at the minimum, the school year prior to the school year
2 for which the child will be eligible to attend kindergarten. The purposes
3 of sections 79-1101 to 79-1104.05 are to provide state assistance to
4 selected school districts, cooperatives of school districts, and
5 educational service units for early childhood education, to encourage
6 coordination between public and private service providers of early
7 childhood education and child care programs, and to provide state support
8 for efforts to improve training opportunities for staff in such programs.

9 (b) It is the further intent of the Legislature that any additional
10 funds appropriated on or after January 1, 2014, for FY2014-15 for early
11 childhood education grants pursuant to section 79-1103 be used to assist
12 schools and community-based organizations in working together to expand
13 the access to such high-quality early childhood education programs for
14 children for the school year prior to the school year for which the child
15 will be eligible to attend kindergarten and that the unobligated balance
16 of any such funds be reappropriated for such purpose for FY2015-16 and
17 FY2016-17.

18 (3) For purposes of sections 79-1101 to 79-1104.05:

19 (a) Board of trustees means the Early Childhood Education Endowment
20 Board of Trustees;

21 (b) Early childhood education program means any prekindergarten
22 part-day or full-day program or in-home family support program with a
23 stated purpose of promoting social, emotional, intellectual, language,
24 physical, and aesthetic development and learning for children from birth
25 until enrollment in kindergarten ~~to kindergarten-entrance age~~ and family
26 development and support;

27 (c) Endowment agreement means an agreement between the State
28 Department of Education and an endowment provider entered into pursuant
29 to section 79-1104.01; and

30 (d) Endowment provider means an endowment that has met the criteria
31 described in section 79-1104.01 and that has entered into an endowment

1 agreement.

2 Sec. 14. Section 79-1104, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-1104 (1) Any school board in its discretion may (a) establish and
5 financially support programs providing before-and-after-school or
6 prekindergarten services, to which attendance shall be voluntary and
7 which the board may deem beneficial to the education of prekindergarten
8 or school-age children and (b) provide or financially support
9 transportation for children to, from, or to and from programs as defined
10 in section 71-1910. The board may charge a fee, not to exceed the actual
11 cost, for providing such programs and services but may waive such fee on
12 the basis of need. This section does not allow any school district to
13 fail to meet its responsibilities under the Special Education Act.

14 (2) Prekindergarten programs and early childhood education programs
15 established by school boards or educational service units shall be
16 approved by the State Department of Education. ~~The subject to regulations~~
17 ~~adopted and promulgated by the State Board of Education and may adopt and~~
18 promulgate rules and regulations for such programs that include such
19 components as (a) the qualifications and utilization of ~~appropriately~~
20 ~~qualified~~ staff, (b) an appropriate child-to-staff ratio, (c) appropriate
21 group size, (d) compliance with minimum health and safety standards, (e)
22 appropriate facility size and equipment, (f) a strong family development
23 and support component, (g) developmentally and culturally appropriate
24 curriculum, practices, and assessment, (h) well-defined language
25 development and early literacy emphasis, and (i) a plan for ongoing
26 professional development of staff, all in accordance with sound early
27 childhood educational practice, research, and evaluation. ~~All teachers~~
28 ~~and administrators in prekindergarten programs established pursuant to~~
29 ~~this section shall hold a valid certificate or permit issued pursuant to~~
30 ~~sections 79-806 to 79-815. The State Board of Education shall adopt and~~
31 ~~promulgate rules and regulations for the issuance of such permits or~~

1 ~~certificates required by this section.~~

2 Sec. 15. Original sections 79-728, 79-1101, and 79-1104, Reissue
3 Revised Statutes of Nebraska, and sections 71-1954, 71-1955, 71-1956,
4 71-1957, 71-1958, 71-1959, 71-1960, 71-1961, 71-1962, 71-1963, and
5 79-101, Revised Statutes Cumulative Supplement, 2016, are repealed.

6 Sec. 16. The following section is outright repealed: Section
7 79-212, Reissue Revised Statutes of Nebraska.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 803 changes provisions related to pre-kindergarten and kindergarten programs. The bill provides that pre-kindergarten programs may serve children until enrollment in kindergarten. Currently, they may offer services until the child reaches age 5. LB 803 also requires school districts to provide full-day kindergarten beginning with the 2019-20 school year.

The State Department of Education (NDE) indicates a couple of rules will need to be revised pursuant to LB 803. The department can handle the revision of rules with existing staff and resources.

The change in language allowing pre-kindergarten programs to serve children until enrollment in kindergarten is not anticipated to have a fiscal impact for the state. However, there may be a fiscal impact for school districts offering pre-kindergarten programs, if children over age five are served. Any impact will depend upon whether programs are enlarged due to the new provisions. It is also possible that local programs may serve the older children in place of younger children that would have been served, which would be fiscally neutral.

The requirement for schools to provide full-day kindergarten beginning in FY20 will have no fiscal impact for the state in terms of state aid because only one school district does not offer a full-day program in the current year. However, the district offers a full-day program on four of the five school days each week. There would be little added expense for the district to offer an additional day of class.

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB803

Chairperson: Senator Mike Groene

Committee: Education

Date of Hearing: January 22, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The bill clarifies the use of phrases used throughout statutes related to prekindergarten services, prekindergarten programs, and early childhood education programs, eliminates wording in statutes related to Step Up to Quality that are redundant, provides that school districts offer a kindergarten program beginning with the 2019-20 school year equal to the same instructional hours as all other elementary grades and repeals a minimum requirement for kindergarten programs first established in 1967 and last modified in 1985, and modifies language related to the requirements for prekindergarten programs and early childhood education programs to provide flexibility to the State Board under the rules and regulations adopted to address issues related to lack of qualified workforce throughout the state while providing the possibility of more programs to be available to families seeking such programs.

Principal Introducer: _____

Senator John Stinner

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 829

Introduced by Erdman, 47.

Read first time January 04, 2018

Committee: Revenue

1 A BILL FOR AN ACT relating to revenue and taxation; to amend sections
2 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative
3 Supplement, 2016; to adopt the Property Tax Relief Act; to provide
4 for a refundable tax credit; to adjust income for tax purposes as
5 prescribed; to harmonize provisions; and to repeal the original
6 sections.

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

1 Section 1. Sections 1 to 4 of this act shall be known and may be
2 cited as the Property Tax Relief Act.

3 Sec. 2. For purposes of the Property Tax Relief Act:

4 (1) Department means the Department of Revenue; and

5 (2) School district taxes means property taxes levied on property in
6 this state by a school district or multiple-district school system,
7 excluding any property taxes levied for bonded indebtedness and any
8 property taxes levied as a result of an override of limits on property
9 tax levies approved by voters pursuant to section 77-3444.

10 Sec. 3. For taxable years beginning or deemed to begin on or after
11 January 1, 2019, under the Internal Revenue Code of 1986, as amended,
12 there shall be allowed to each taxpayer a refundable credit against the
13 income tax imposed by the Nebraska Revenue Act of 1967 in the amount of
14 fifty percent of the school district taxes levied on the taxpayer's
15 property and paid by the taxpayer during such taxable year.

16 Sec. 4. The department may adopt and promulgate rules and
17 regulations to carry out the Property Tax Relief Act.

18 Sec. 5. Section 77-2715.07, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 77-2715.07 (1) There shall be allowed to qualified resident
21 individuals as a nonrefundable credit against the income tax imposed by
22 the Nebraska Revenue Act of 1967:

23 (a) A credit equal to the federal credit allowed under section 22 of
24 the Internal Revenue Code; and

25 (b) A credit for taxes paid to another state as provided in section
26 77-2730.

27 (2) There shall be allowed to qualified resident individuals against
28 the income tax imposed by the Nebraska Revenue Act of 1967:

29 (a) For returns filed reporting federal adjusted gross incomes of
30 greater than twenty-nine thousand dollars, a nonrefundable credit equal
31 to twenty-five percent of the federal credit allowed under section 21 of

1 the Internal Revenue Code of 1986, as amended, except that for taxable
2 years beginning or deemed to begin on or after January 1, 2015, such
3 nonrefundable credit shall be allowed only if the individual would have
4 received the federal credit allowed under section 21 of the code after
5 adding back in any carryforward of a net operating loss that was deducted
6 pursuant to such section in determining eligibility for the federal
7 credit;

8 (b) For returns filed reporting federal adjusted gross income of
9 twenty-nine thousand dollars or less, a refundable credit equal to a
10 percentage of the federal credit allowable under section 21 of the
11 Internal Revenue Code of 1986, as amended, whether or not the federal
12 credit was limited by the federal tax liability. The percentage of the
13 federal credit shall be one hundred percent for incomes not greater than
14 twenty-two thousand dollars, and the percentage shall be reduced by ten
15 percent for each one thousand dollars, or fraction thereof, by which the
16 reported federal adjusted gross income exceeds twenty-two thousand
17 dollars, except that for taxable years beginning or deemed to begin on or
18 after January 1, 2015, such refundable credit shall be allowed only if
19 the individual would have received the federal credit allowed under
20 section 21 of the code after adding back in any carryforward of a net
21 operating loss that was deducted pursuant to such section in determining
22 eligibility for the federal credit;

23 (c) A refundable credit as provided in section 77-5209.01 for
24 individuals who qualify for an income tax credit as a qualified beginning
25 farmer or livestock producer under the Beginning Farmer Tax Credit Act
26 for all taxable years beginning or deemed to begin on or after January 1,
27 2006, under the Internal Revenue Code of 1986, as amended;

28 (d) A refundable credit for individuals who qualify for an income
29 tax credit under the Angel Investment Tax Credit Act, the Nebraska
30 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research
31 and Development Act, ~~or~~ the Volunteer Emergency Responders Incentive Act,

1 or the Property Tax Relief Act; and

2 (e) A refundable credit equal to ten percent of the federal credit
3 allowed under section 32 of the Internal Revenue Code of 1986, as
4 amended, except that for taxable years beginning or deemed to begin on or
5 after January 1, 2015, such refundable credit shall be allowed only if
6 the individual would have received the federal credit allowed under
7 section 32 of the code after adding back in any carryforward of a net
8 operating loss that was deducted pursuant to such section in determining
9 eligibility for the federal credit.

10 (3) There shall be allowed to all individuals as a nonrefundable
11 credit against the income tax imposed by the Nebraska Revenue Act of
12 1967:

13 (a) A credit for personal exemptions allowed under section
14 77-2716.01;

15 (b) A credit for contributions to certified community betterment
16 programs as provided in the Community Development Assistance Act. Each
17 partner, each shareholder of an electing subchapter S corporation, each
18 beneficiary of an estate or trust, or each member of a limited liability
19 company shall report his or her share of the credit in the same manner
20 and proportion as he or she reports the partnership, subchapter S
21 corporation, estate, trust, or limited liability company income;

22 (c) A credit for investment in a biodiesel facility as provided in
23 section 77-27,236;

24 (d) A credit as provided in the New Markets Job Growth Investment
25 Act;

26 (e) A credit as provided in the Nebraska Job Creation and Mainstreet
27 Revitalization Act;

28 (f) A credit to employers as provided in section 77-27,238; and

29 (g) A credit as provided in the Affordable Housing Tax Credit Act.

30 (4) There shall be allowed as a credit against the income tax
31 imposed by the Nebraska Revenue Act of 1967:

1 (a) A credit to all resident estates and trusts for taxes paid to
2 another state as provided in section 77-2730;

3 (b) A credit to all estates and trusts for contributions to
4 certified community betterment programs as provided in the Community
5 Development Assistance Act; and

6 (c) A refundable credit for individuals who qualify for an income
7 tax credit as an owner of agricultural assets under the Beginning Farmer
8 Tax Credit Act for all taxable years beginning or deemed to begin on or
9 after January 1, 2009, under the Internal Revenue Code of 1986, as
10 amended. The credit allowed for each partner, shareholder, member, or
11 beneficiary of a partnership, corporation, limited liability company, or
12 estate or trust qualifying for an income tax credit as an owner of
13 agricultural assets under the Beginning Farmer Tax Credit Act shall be
14 equal to the partner's, shareholder's, member's, or beneficiary's portion
15 of the amount of tax credit distributed pursuant to subsection (4) of
16 section 77-5211.

17 (5)(a) For all taxable years beginning on or after January 1, 2007,
18 and before January 1, 2009, under the Internal Revenue Code of 1986, as
19 amended, there shall be allowed to each partner, shareholder, member, or
20 beneficiary of a partnership, subchapter S corporation, limited liability
21 company, or estate or trust a nonrefundable credit against the income tax
22 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the
23 partner's, shareholder's, member's, or beneficiary's portion of the
24 amount of franchise tax paid to the state under sections 77-3801 to
25 77-3807 by a financial institution.

26 (b) For all taxable years beginning on or after January 1, 2009,
27 under the Internal Revenue Code of 1986, as amended, there shall be
28 allowed to each partner, shareholder, member, or beneficiary of a
29 partnership, subchapter S corporation, limited liability company, or
30 estate or trust a nonrefundable credit against the income tax imposed by
31 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,

1 member's, or beneficiary's portion of the amount of franchise tax paid to
2 the state under sections 77-3801 to 77-3807 by a financial institution.

3 (c) Each partner, shareholder, member, or beneficiary shall report
4 his or her share of the credit in the same manner and proportion as he or
5 she reports the partnership, subchapter S corporation, limited liability
6 company, or estate or trust income. If any partner, shareholder, member,
7 or beneficiary cannot fully utilize the credit for that year, the credit
8 may not be carried forward or back.

9 (6) There shall be allowed to all individuals nonrefundable credits
10 against the income tax imposed by the Nebraska Revenue Act of 1967 as
11 provided in section 77-3604 and refundable credits against the income tax
12 imposed by the Nebraska Revenue Act of 1967 as provided in section
13 77-3605.

14 Sec. 6. Section 77-2717, Revised Statutes Cumulative Supplement,
15 2016, is amended to read:

16 77-2717 (1)(a)(i) For taxable years beginning or deemed to begin
17 before January 1, 2014, the tax imposed on all resident estates and
18 trusts shall be a percentage of the federal taxable income of such
19 estates and trusts as modified in section 77-2716, plus a percentage of
20 the federal alternative minimum tax and the federal tax on premature or
21 lump-sum distributions from qualified retirement plans. The additional
22 taxes shall be recomputed by (A) substituting Nebraska taxable income for
23 federal taxable income, (B) calculating what the federal alternative
24 minimum tax would be on Nebraska taxable income and adjusting such
25 calculations for any items which are reflected differently in the
26 determination of federal taxable income, and (C) applying Nebraska rates
27 to the result. The federal credit for prior year minimum tax, after the
28 recomputations required by the Nebraska Revenue Act of 1967, and the
29 credits provided in the Nebraska Advantage Microenterprise Tax Credit Act
30 and the Nebraska Advantage Research and Development Act shall be allowed
31 as a reduction in the income tax due. A refundable income tax credit

1 shall be allowed for all resident estates and trusts under the Angel
2 Investment Tax Credit Act, the Nebraska Advantage Microenterprise Tax
3 Credit Act, and the Nebraska Advantage Research and Development Act. A
4 nonrefundable income tax credit shall be allowed for all resident estates
5 and trusts as provided in the New Markets Job Growth Investment Act.

6 (ii) For taxable years beginning or deemed to begin on or after
7 January 1, 2014, the tax imposed on all resident estates and trusts shall
8 be a percentage of the federal taxable income of such estates and trusts
9 as modified in section 77-2716, plus a percentage of the federal tax on
10 premature or lump-sum distributions from qualified retirement plans. The
11 additional taxes shall be recomputed by substituting Nebraska taxable
12 income for federal taxable income and applying Nebraska rates to the
13 result. The credits provided in the Nebraska Advantage Microenterprise
14 Tax Credit Act and the Nebraska Advantage Research and Development Act
15 shall be allowed as a reduction in the income tax due. A refundable
16 income tax credit shall be allowed for all resident estates and trusts
17 under the Angel Investment Tax Credit Act, the Nebraska Advantage
18 Microenterprise Tax Credit Act, ~~and~~ the Nebraska Advantage Research and
19 Development Act, and the Property Tax Relief Act. A nonrefundable income
20 tax credit shall be allowed for all resident estates and trusts as
21 provided in the Nebraska Job Creation and Mainstreet Revitalization Act,
22 the New Markets Job Growth Investment Act, the School Readiness Tax
23 Credit Act, the Affordable Housing Tax Credit Act, and section 77-27,238.

24 (b) The tax imposed on all nonresident estates and trusts shall be
25 the portion of the tax imposed on resident estates and trusts which is
26 attributable to the income derived from sources within this state. The
27 tax which is attributable to income derived from sources within this
28 state shall be determined by multiplying the liability to this state for
29 a resident estate or trust with the same total income by a fraction, the
30 numerator of which is the nonresident estate's or trust's Nebraska income
31 as determined by sections 77-2724 and 77-2725 and the denominator of

1 which is its total federal income after first adjusting each by the
2 amounts provided in section 77-2716. The federal credit for prior year
3 minimum tax, after the recomputations required by the Nebraska Revenue
4 Act of 1967, reduced by the percentage of the total income which is
5 attributable to income from sources outside this state, and the credits
6 provided in the Nebraska Advantage Microenterprise Tax Credit Act and the
7 Nebraska Advantage Research and Development Act shall be allowed as a
8 reduction in the income tax due. A refundable income tax credit shall be
9 allowed for all nonresident estates and trusts under the Angel Investment
10 Tax Credit Act, the Nebraska Advantage Microenterprise Tax Credit Act,
11 ~~and the Nebraska Advantage Research and Development Act,~~ and the Property
12 Tax Relief Act. A nonrefundable income tax credit shall be allowed for
13 all nonresident estates and trusts as provided in the Nebraska Job
14 Creation and Mainstreet Revitalization Act, the New Markets Job Growth
15 Investment Act, the School Readiness Tax Credit Act, the Affordable
16 Housing Tax Credit Act, and section 77-27,238.

17 (2) In all instances wherein a fiduciary income tax return is
18 required under the provisions of the Internal Revenue Code, a Nebraska
19 fiduciary return shall be filed, except that a fiduciary return shall not
20 be required to be filed regarding a simple trust if all of the trust's
21 beneficiaries are residents of the State of Nebraska, all of the trust's
22 income is derived from sources in this state, and the trust has no
23 federal tax liability. The fiduciary shall be responsible for making the
24 return for the estate or trust for which he or she acts, whether the
25 income be taxable to the estate or trust or to the beneficiaries thereof.
26 The fiduciary shall include in the return a statement of each
27 beneficiary's distributive share of net income when such income is
28 taxable to such beneficiaries.

29 (3) The beneficiaries of such estate or trust who are residents of
30 this state shall include in their income their proportionate share of
31 such estate's or trust's federal income and shall reduce their Nebraska

1 tax liability by their proportionate share of the credits as provided in
2 the Angel Investment Tax Credit Act, the Nebraska Advantage
3 Microenterprise Tax Credit Act, the Nebraska Advantage Research and
4 Development Act, the Nebraska Job Creation and Mainstreet Revitalization
5 Act, the New Markets Job Growth Investment Act, the School Readiness Tax
6 Credit Act, the Affordable Housing Tax Credit Act, the Property Tax
7 Relief Act, and section 77-27,238. There shall be allowed to a
8 beneficiary a refundable income tax credit under the Beginning Farmer Tax
9 Credit Act for all taxable years beginning or deemed to begin on or after
10 January 1, 2001, under the Internal Revenue Code of 1986, as amended.

11 (4) If any beneficiary of such estate or trust is a nonresident
12 during any part of the estate's or trust's taxable year, he or she shall
13 file a Nebraska income tax return which shall include (a) in Nebraska
14 adjusted gross income that portion of the estate's or trust's Nebraska
15 income, as determined under sections 77-2724 and 77-2725, allocable to
16 his or her interest in the estate or trust and (b) a reduction of the
17 Nebraska tax liability by his or her proportionate share of the credits
18 as provided in the Angel Investment Tax Credit Act, the Nebraska
19 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research
20 and Development Act, the Nebraska Job Creation and Mainstreet
21 Revitalization Act, the New Markets Job Growth Investment Act, the School
22 Readiness Tax Credit Act, the Affordable Housing Tax Credit Act, the
23 Property Tax Relief Act, and section 77-27,238 and shall execute and
24 forward to the fiduciary, on or before the original due date of the
25 Nebraska fiduciary return, an agreement which states that he or she will
26 file a Nebraska income tax return and pay income tax on all income
27 derived from or connected with sources in this state, and such agreement
28 shall be attached to the Nebraska fiduciary return for such taxable year.

29 (5) In the absence of the nonresident beneficiary's executed
30 agreement being attached to the Nebraska fiduciary return, the estate or
31 trust shall remit a portion of such beneficiary's income which was

1 derived from or attributable to Nebraska sources with its Nebraska return
2 for the taxable year. For taxable years beginning or deemed to begin
3 before January 1, 2013, the amount of remittance, in such instance, shall
4 be the highest individual income tax rate determined under section
5 77-2715.02 multiplied by the nonresident beneficiary's share of the
6 estate or trust income which was derived from or attributable to sources
7 within this state. For taxable years beginning or deemed to begin on or
8 after January 1, 2013, the amount of remittance, in such instance, shall
9 be the highest individual income tax rate determined under section
10 77-2715.03 multiplied by the nonresident beneficiary's share of the
11 estate or trust income which was derived from or attributable to sources
12 within this state. The amount remitted shall be allowed as a credit
13 against the Nebraska income tax liability of the beneficiary.

14 (6) The Tax Commissioner may allow a nonresident beneficiary to not
15 file a Nebraska income tax return if the nonresident beneficiary's only
16 source of Nebraska income was his or her share of the estate's or trust's
17 income which was derived from or attributable to sources within this
18 state, the nonresident did not file an agreement to file a Nebraska
19 income tax return, and the estate or trust has remitted the amount
20 required by subsection (5) of this section on behalf of such nonresident
21 beneficiary. The amount remitted shall be retained in satisfaction of the
22 Nebraska income tax liability of the nonresident beneficiary.

23 (7) For purposes of this section, unless the context otherwise
24 requires, simple trust shall mean any trust instrument which (a) requires
25 that all income shall be distributed currently to the beneficiaries, (b)
26 does not allow amounts to be paid, permanently set aside, or used in the
27 tax year for charitable purposes, and (c) does not distribute amounts
28 allocated in the corpus of the trust. Any trust which does not qualify as
29 a simple trust shall be deemed a complex trust.

30 (8) For purposes of this section, any beneficiary of an estate or
31 trust that is a grantor trust of a nonresident shall be disregarded and

1 this section shall apply as though the nonresident grantor was the
2 beneficiary.

3 Sec. 7. Section 77-2734.03, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 77-2734.03 (1)(a) For taxable years commencing prior to January 1,
6 1997, any (i) insurer paying a tax on premiums and assessments pursuant
7 to section 77-908 or 81-523, (ii) electric cooperative organized under
8 the Joint Public Power Authority Act, or (iii) credit union shall be
9 credited, in the computation of the tax due under the Nebraska Revenue
10 Act of 1967, with the amount paid during the taxable year as taxes on
11 such premiums and assessments and taxes in lieu of intangible tax.

12 (b) For taxable years commencing on or after January 1, 1997, any
13 insurer paying a tax on premiums and assessments pursuant to section
14 77-908 or 81-523, any electric cooperative organized under the Joint
15 Public Power Authority Act, or any credit union shall be credited, in the
16 computation of the tax due under the Nebraska Revenue Act of 1967, with
17 the amount paid during the taxable year as (i) taxes on such premiums and
18 assessments included as Nebraska premiums and assessments under section
19 77-2734.05 and (ii) taxes in lieu of intangible tax.

20 (c) For taxable years commencing or deemed to commence prior to, on,
21 or after January 1, 1998, any insurer paying a tax on premiums and
22 assessments pursuant to section 77-908 or 81-523 shall be credited, in
23 the computation of the tax due under the Nebraska Revenue Act of 1967,
24 with the amount paid during the taxable year as assessments allowed as an
25 offset against premium and related retaliatory tax liability pursuant to
26 section 44-4233.

27 (2) There shall be allowed to corporate taxpayers a tax credit for
28 contributions to community betterment programs as provided in the
29 Community Development Assistance Act.

30 (3) There shall be allowed to corporate taxpayers a refundable
31 income tax credit under the Beginning Farmer Tax Credit Act for all

1 taxable years beginning or deemed to begin on or after January 1, 2001,
2 under the Internal Revenue Code of 1986, as amended.

3 (4) The changes made to this section by Laws 2004, LB 983, apply to
4 motor fuels purchased during any tax year ending or deemed to end on or
5 after January 1, 2005, under the Internal Revenue Code of 1986, as
6 amended.

7 (5) There shall be allowed to corporate taxpayers refundable income
8 tax credits under the Nebraska Advantage Microenterprise Tax Credit Act,
9 ~~and the Nebraska Advantage Research and Development Act, and the Property~~
10 Tax Relief Act.

11 (6) There shall be allowed to corporate taxpayers a nonrefundable
12 income tax credit for investment in a biodiesel facility as provided in
13 section 77-27,236.

14 (7) There shall be allowed to corporate taxpayers a nonrefundable
15 income tax credit as provided in the Nebraska Job Creation and Mainstreet
16 Revitalization Act, the New Markets Job Growth Investment Act, the School
17 Readiness Tax Credit Act, the Affordable Housing Tax Credit Act, and
18 section 77-27,238.

19 Sec. 8. Original sections 77-2715.07, 77-2717, and 77-2734.03,
20 Revised Statutes Cumulative Supplement, 2016, are repealed.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$424,014	(\$262,700,000)	\$201,800	(\$636,900,000)
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$424,014	(\$262,700,000)	\$201,800	(\$636,900,000)

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 829 creates the Property Tax Relief Act and amends the Nebraska Revenue Act of 1967.

The bill provides, for tax years on or after January 1, 2019, a refundable credit against Nebraska income tax in the amount of fifty percent of school district taxes levied on the taxpayer’s property and paid by the taxpayer during such taxable year.

School district taxes are defined as property taxes levied on property in Nebraska by a school district or multiple-district school system, excluding any property taxes levied for bonded indebtedness and any property taxes levied as a result of an override of limits on property tax levies approved by voters pursuant to Section 77-3444.

The bill allows the Department of Revenue to promulgate rules and regulations.

NOTE: The Department of Revenue and the Legislative Fiscal Office both note areas of the bill that require clarification. First, by requiring the property taxes to be levied and paid in the same tax year, a number of taxpayers will not be able to claim the credit by paying before the end of the tax year and not before the two delinquency dates (May 1 and September 1, except in Douglas, Lancaster, and Sarpy counties where the dates are April 1 and August 1).

The Department of Revenue has estimated the fiscal impact of LB 829 based on the bill as written, and that impact to the General Fund is as follows:

FY2018-19:	(\$ 262,700,000)
FY2019-20:	(\$ 636,900,000)
FY2020-21:	(\$ 652,400,000)
FY2021-22:	(\$ 668,500,000)
FY2022-23:	(\$ 685,100,000)
FY2023-24:	(\$ 702,400,000)
FY2024-25:	(\$ 720,300,000)

The Department of Revenue also indicates they will require a one-time programming charge of \$211,914 paid to the Office of the CIO for development costs. They will also require 1.0 FTE IT Developer/Senior, 1.0 FTE Revenue Operation Clerk II, 0.5 FTE Revenue Agent Senior, 0.5 FTE Accounting Clerk II, and 0.5 FTE Accountant I to implement. PSL for FY2018-19 would be \$148,200 and \$151,700 for FY2019-20.

We have no basis to disagree with the Department of Revenue estimate of fiscal impact or cost.

The Department of Revenue has also estimated the fiscal impact of the LB 829 if the bill eliminated the requirement that the property taxes be paid in the same year they are levied and, instead, granted the credit for property taxes paid. The fiscal impact to the General Fund would be as follows:

FY2018-19:	(\$ 233,200,000)
FY2019-20:	(\$ 800,400,000)
FY2020-21:	(\$ 1,156,100,000)
FY2021-22:	(\$ 1,202,300,000)
FY2022-23:	(\$ 1,250,300,000)
FY2023-24:	(\$ 1,300,200,000)
FY2024-25:	(\$ 1,352,200,000)

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 829	AM:	AGENCY/POLT. SUB: Dept. of Revenue
REVIEWED BY: Lyn Heaton	DATE: 1/24/2018	PHONE: (402) 471-4181
COMMENTS: No basis upon which to disagree with the Department of Revenue's analysis.		

State Agency Estimate

State Agency Name: Department of Revenue				Date Due LFA: 01/23/2018		
Approved by: Tony Fulton				Date Prepared: 01/23/2018		
				Phone: 471-5896		
	FY 2018-2019		FY 2019-2020		FY 2020-2021	
	<u>Expenditures</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Revenue</u>
General Funds	\$424,014	(\$262,700,000)	\$201,800	(\$636,900,000)	\$204,600	(\$652,400,000)
Cash Funds						
Federal Funds						
Other Funds						
Total Funds	\$424,014	(\$262,700,000)	\$201,800	(\$636,900,000)	\$204,600	(\$652,400,000)

LB 829 would adopt the Property Tax Relief Act. This Act would provide a refundable income tax credit for taxable years beginning, or deemed to begin, on or after January 1, 2019, equal to 50% of the school district property taxes levied and paid on the taxpayer’s property during the taxable year, excluding taxes levied to service bonded indebtedness or pursuant to an override of the levy limits as allowed by Neb. Rev. Stat. § 77-3444. The Department is authorized to promulgate rules and regulations to carry out the Act.

Sections 5, 6, and 7 amend Neb. Rev. Stat. §§ 77-2715.07, 77-2717, & 77-2734.03 to incorporate the new refundable income tax credit into the credits listed for individuals, fiduciaries, beneficiaries of an estate or trust, and corporations.

LB 829 would require clarification in a number of areas. By excluding bonded indebtedness and levy overrides, those items will need to be separately listed in the property tax statements (currently, they are not). There is disagreement over what constitutes bonded indebtedness since schools borrow money through multiple mechanisms.

By requiring the property taxes to be both levied and paid in the same tax year, many taxpayers will not be able to take advantage of the credit by paying before the end of the tax year and well before the two delinquency dates. The Department has estimated the costs of the bill as drafted but also included the costs of LB 829 assuming this requirement is removed.

LB 829 will require a one-time programming charge of \$211,914 paid to the OCIO for development costs. The Department would need to hire 1.0 FTE IT Applications Developer/Senior to implement this bill. Currently, most partnerships and limited liability companies are not required to file a return, but under LB 829, approximately 12,500 additional partnerships and LLCs will file a return to claim a refund. For partnerships and LLCs, refunds are issued manually, so the Department would also need to hire 1.0 FTE Revenue Operations Clerks II, 0.5 FTE Revenue Agent Senior, 0.5 FTE Accounting Clerk II, and 0.5 FTE Accountant I to implement LB 829.

Major Objects of Expenditure

Class Code	Classification Title	18-19	19-20	20-21	18-19	19-20	20-21
		FTE	FTE	FTE	Expenditures	Expenditures	Expenditures
A07012	IT Applications Developer/Senior	1.0	1.0	1.0	\$65,200	\$66,700	\$67,700
S29112	Revenue Operations Clerk II	1.0	1.0	1.0	\$30,800	\$31,500	\$31,900
X29223	Revenue Agent Senior	0.5	0.5	0.5	\$20,300	\$20,800	\$21,100
S19112	Accounting Clerk II	0.5	0.5	0.5	\$14,500	\$14,900	\$15,100
A19211	Accountant I	0.5	0.5	0.5	\$17,400	\$17,800	\$18,000
Benefits.....					\$48,900	\$50,100	\$50,800
Operating Costs.....					\$211,914		
Travel.....							
Capital Outlay.....					\$15,000		
Capital Improvements.....							
Total.....					\$424,014	\$201,800	\$204,600

The Department estimates the reduction to General Fund Revenue as follows:

Fiscal Year	General Fund
FY 2018-19	\$ 262,700,000
FY 2019-20	\$ 636,900,000
FY 2020-21	\$ 652,400,000
FY 2021-22	\$ 668,500,000
FY 2022-23	\$ 685,100,000
FY 2023-24	\$ 702,400,000
FY 2024-25	\$ 720,300,000

If the bill eliminated the requirement that the property taxes paid and levied must occur in the same year, and instead, granted the tax credit for property taxes paid, the Department estimates the reduction to General Fund Revenue as follows:

Fiscal Year	General Fund
FY 2018-19	\$ 233,200,000
FY 2019-20	\$ 800,400,000
FY 2020-21	\$ 1,156,100,000
FY 2021-22	\$ 1,202,300,000
FY 2022-23	\$ 1,250,300,000
FY 2023-24	\$ 1,300,200,000
FY 2024-25	\$ 1,352,200,000

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB829

Chairperson: Senator Jim Smith

Committee: Revenue

Date of Hearing: January 25, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 829 is a property tax relief bill. The bill would enable Nebraska property owners to get a credit or refund on their State income tax return equal to 50% of that portion of their property tax bill which goes to fund K-12 education. For most property owners LB 829 will result in a 30% reduction in their property taxes.

The median property tax rate in Nebraska is 1.76% of a property's assessed fair market value. Currently, Nebraska ranks as the 4th highest median property tax rate in the nation. Only New Jersey, New Hampshire and Texas have higher median property tax rates than Nebraska. Nebraskans pay more in property taxes than all of our neighboring states. On average, Nebraska property owners pay \$2,164 in property taxes every year.

Property taxes have escalated in recent years while median household incomes have remained stagnant. Since 2006 median household incomes have remained steady near \$57,000 per year, according to the Department of Numbers. Meanwhile, property taxes have skyrocketed. For instance, according to the Nebraska Department of Property Assessment & Taxation, in 2006 the total amount of property taxes collected in Morrill County, where I live, was \$7,390,027, but by 2016 that number had climbed to \$17,569,558. That's an average increase of more than one million dollars per year in a county with only 5,042 residents, according to the 2010 Census. So, property taxes have been increasing at an alarming rate while household incomes have remained stagnant.

It is the responsibility of the State, not local governments, to provide for instruction. The Nebraska State Constitution says, "The Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years." Therefore, the most appropriate place to enact a credit or refund for the purpose of property tax relief comes from that portion of every property tax bill which funds K-12 instruction.

Principal Introducer: _____

Senator Steve Erdman

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 851

Introduced by Linehan, 39.

Read first time January 05, 2018

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend sections 79-566, 79-567,
2 79-594, 79-1219, 79-2401, and 79-2402, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to and provide a limit for
4 superintendent and educational service unit administrator
5 compensation; to define terms; to harmonize provisions; and to
6 repeal the original sections.

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

1 Section 1. Section 79-566, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-566 The board of education of a Class IV school district shall at
4 a regular meeting elect from outside its own members a superintendent, an
5 associate superintendent of instruction, an associate superintendent of
6 business affairs, a school district treasurer, and the number of
7 employees the board of education may deem necessary for the proper
8 conduct of the affairs of the school district at such compensation
9 ~~salaries~~ as the board of education may determine, except that the
10 compensation of the superintendent shall comply with the Superintendent
11 Pay Transparency Act. The board may contract with them for terms not to
12 exceed three years. The election of all officers of the board of
13 education and all elections for filling vacancies on the board of
14 education shall be by ballot. No person shall be declared elected unless
15 he or she receives the vote of a majority of all the members of the board
16 of education.

17 Sec. 2. Section 79-567, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 79-567 The members of the board of education of a Class V school
20 district, at their regular meeting in January each year, shall elect a
21 president and vice president from their own members, who shall serve for
22 terms of one year or until their successors are elected and qualified.
23 The members of the board of education may also select from outside their
24 own members one superintendent of public schools, one secretary, one
25 treasurer, and such other officers as the board may deem necessary for
26 the administration of the affairs of the school district, at such
27 compensation ~~salary~~ as the board may deem just, except that the
28 compensation of the superintendent shall comply with the Superintendent
29 Pay Transparency Act. The members of the board of education, ~~and~~ in their
30 discretion, ~~they~~ may enter into contracts with such officers for terms of
31 not to exceed three years. The board shall have the power to elect its

1 president and vice president and to select its officers and employees in
2 accordance with rules adopted by the board.

3 Sec. 3. Section 79-594, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-594 The school board in a Class II, III, IV, or VI school
6 district may also elect at any regular meeting one superintendent of
7 public instruction with such compensation salary as the board deems best,
8 except that such compensation shall comply with the Superintendent Pay
9 Transparency Act. The board and may enter into contract with the
10 superintendent, him or her at its discretion, for a term not to exceed
11 three years.

12 Sec. 4. Section 79-1219, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 79-1219 Each board of an educational service unit deciding to
15 provide supplementary services shall appoint and fix the ~~compensation and~~
16 duties of an administrator, who shall be a person experienced in public
17 school administration and who shall hold at least a standard
18 administrative certificate. The board shall fix the compensation of the
19 administrator, except that such compensation shall comply with the
20 Superintendent Pay Transparency Act. With the advice of the
21 administrator, the board shall also employ and fix the compensation and
22 duties of such professional and clerical assistants as shall be
23 necessary. No board member of an educational service unit shall be
24 employed by the educational service unit board on which he or she is a
25 board member.

26 Sec. 5. Section 79-2401, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 79-2401 Sections 79-2401 to 79-2405 and sections 6 and 7 of this act
29 shall be known and may be cited as the Superintendent Pay Transparency
30 Act.

31 Sec. 6. For purposes of the Superintendent Pay Transparency Act:

1 (1) Benefit means any amount, not included in salary, to be paid
2 during the contract year or to be paid in the future by a school district
3 or educational service unit in exchange for the personal services
4 performed during such contract year resulting in a benefit for the
5 employee or the family of the employee including, but not limited to, (a)
6 employer contributions pursuant to the School Employees Retirement Act or
7 the Class V School Employees Retirement Act, (b) early retirement
8 inducements as defined in section 79-978 for employees of Class V school
9 districts and as defined in section 79-902 for employees of all other
10 school districts and educational service units, (c) cash awards paid by
11 the school district or educational service unit, (d) severance pay, (e)
12 employer contributions made for the purpose of separation payments to be
13 made at retirement, (f) employer contributions to annuities, (g) employer
14 contributions to group life, health, or disability insurance premiums,
15 (h) payments made to an employee in lieu of employer contributions to
16 insurance premiums, and (i) the maximum cash payment for potential unused
17 leave of any type that could be accrued during such contract year;

18 (2) Compensation means a reasonable estimate of the total amount of
19 salary and benefits to be paid by a school district or educational
20 service unit in exchange for personal services performed during a
21 contract year;

22 (3) Compensation for a beginning teacher means compensation expected
23 to be paid by a school district or educational service unit for the first
24 year of teaching by a certificated teacher assuming such certificated
25 teacher receives the maximum benefits generally available to a teacher
26 who does not receive additional compensation for duties beyond the
27 standard teaching contract; and

28 (4) Salary means gross wages to be paid in exchange for personal
29 services performed during the contract year and includes (a) overtime
30 pay, (b) member contributions pursuant to the School Employees Retirement
31 Act or the Class V School Employees Retirement Act, and (c) amounts

1 contributed to plans under section 125, 403(b), or 457 of the Internal
2 Revenue Code as defined in section 49-801.01 or any other section of the
3 code which defers or excludes such amounts from income.

4 Sec. 7. (1) On and after the effective date of this act, no school
5 district or educational service unit may enter into any contract with a
6 superintendent for services to be rendered to a school district or an
7 administrator for services to be rendered to an educational service unit
8 if such contract will cause, by the terms of such contract or in
9 combination with existing contracts, such school district or educational
10 service unit to pay compensation for any contract year to or on behalf of
11 such superintendent or administrator in excess of five times the
12 compensation for a beginning teacher in such school district or
13 educational service unit for the same contract year.

14 (2) For purposes of this section:

15 (a) If a superintendent of a school district also receives
16 compensation from an educational service unit in which such school
17 district is a member, such compensation shall be deemed compensation from
18 such school district; and

19 (b) If an administrator of an educational service unit receives
20 compensation from a school district which is a member of such educational
21 service unit, such compensation shall be deemed compensation from such
22 educational service unit.

23 (3) Any contract entered into in violation of this section shall be
24 invalid, and money belonging to a school district or educational service
25 unit shall not be expended on such a contract.

26 (4) Any compensation received by a superintendent or administrator
27 in violation of the limitations in this section shall be forfeited by
28 such superintendent or administrator and returned to the school district
29 or educational service unit, and a notice regarding such excess
30 compensation shall be filed with the Commissioner of Education within
31 thirty days after the superintendent, administrator, school board, or

1 board of the educational service unit becomes aware of such violation.

2 Sec. 8. Section 79-2402, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-2402 (1) Before the school board of any school district or the
5 board of any educational service unit approves a proposed contract, or
6 any proposed amendment to an existing contract, for future superintendent
7 services to be rendered to such school district by the current
8 superintendent or future administrator services to be rendered to such
9 educational service unit by the current administrator, the board shall
10 publish a copy of such proposed contract or amendment, ~~and~~ a reasonable
11 estimate and description of all current and future costs to the school
12 district or educational service unit if the proposed contract or
13 amendment were to be approved, and the maximum total compensation allowed
14 for the superintendent or administrator pursuant to section 7 of this act
15 at least three days before the meeting of the board at which such
16 proposed contract or amendment will be considered. Such publication shall
17 also specify the date, time, and place of the public meeting at which the
18 proposed contract or amendment will be considered. Electronic publication
19 on the web site of the school district or educational service unit shall
20 satisfy the requirement of this subsection if such electronic publication
21 is prominently displayed and allows public access to the entire proposed
22 contract or amendment and all other information required by this section.

23 (2) After the school board of any school district or the board of
24 any educational service unit approves a contract for future
25 superintendent services to be rendered to such school district by a new
26 superintendent or future administrator services to be rendered to such
27 educational service unit by a new administrator, the board shall publish
28 a copy of such contract, and a reasonable estimate and description of all
29 current and future costs to the school district or educational service
30 unit that will be incurred as a result of such contract, within two days
31 after the meeting of the board at which such contract was approved.

1 Electronic publication on the web site of the school district or
2 educational service unit shall satisfy the requirement of this subsection
3 if such electronic publication is prominently displayed and allows public
4 access to the entire contract.

5 Sec. 9. Original sections 79-566, 79-567, 79-594, 79-1219, 79-2401,
6 and 79-2402, Reissue Revised Statutes of Nebraska, are repealed.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 851 amends the Superintendent Pay Transparency Act which applies to contracts with superintendents of school districts and administrators of educational service units (ESU's). The bill provides that beginning in FY2018-19, school districts and ESU's may not enter into contracts with school superintendents or ESU administrators for compensation for any contract year which is in excess of five times the compensation for a beginning teacher in such school district or ESU in the same contract year. The bill defines compensation to include salary and benefits.

Any compensation received by a superintendent or administrator in violation of the limitations shall be forfeited and returned and a notice regarding the excess compensation shall be filed with the Commissioner of Education within 30 days.

Data is available on the State Department of Education (NDE) website through the Superintendent Pay Transparency Act related to contractual salaries for school superintendents and ESU administrators. Some districts and ESU's also provide information on the benefit package for these individuals. However, NDE does not have specific information by school district or ESU on beginning teacher salaries and benefits for each district and ESU. Some of this information is available on the Nebraska State Education Association website. But, comprehensive data on benefits provided to school and ESU employees is not available at the state level to analyze the fiscal impact of the bill for individual school districts and ESU's.

It is probable the bill will have a fiscal impact for some school districts and ESU's in terms of the amount of compensation and benefits provided to superintendents and administrators. The fiscal impact for each entity will depend upon compensation and benefit packages offered to superintendents, administrators and beginning teachers.

ESU's: The ESU Coordinating Council looked at the impact of the bill on ESU's 2, 3 and 7 based upon FY2017-18 salaries and benefits. The fiscal note indicates the bill would currently have no fiscal impact for the three ESU's because the salary and benefit package of the administrator is not five times greater than that of a new teacher with a specialized endorsement in these ESU's.

School Districts: Omaha, Elkhorn, Lincoln and Grand Island Public Schools were contacted in order to provide examples of the fiscal impact of the bill. School district staff in Omaha, Lincoln and Grand Island indicated the differential between the superintendent salary/benefit package and the beginning teacher salary/benefit package was greater than five times, so, the bill would have had a fiscal impact for the districts if it had been effect this fiscal year. Elkhorn Public Schools indicates the compensation currently provided to the superintendent and beginning teachers would comply with the requirements of the bill.

NDE: The bill will increase the workload of NDE to keep track of violations that are reported to the department. It is assumed that any increased workload can be handled with existing staff and resources.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE				
LB: 851	AM:	AGENCY/POLT. SUB: Department of Education		
REVIEWED BY: Gary Bush	DATE:	01/17/18	PHONE:	(402) 471-4161
COMMENTS: Concur.				

Please complete ALL (5) blanks in the first three lines.

2018

LB⁽¹⁾ 851

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Dept of Education

Prepared by: ⁽³⁾ Bryce Wilson Date Prepared: ⁽⁴⁾ 1/11/18 Phone: ⁽⁵⁾ 402-471-4320

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 851 limits Superintendent compensation to five times the amount of compensation a beginning teacher would receive in the district or ESU.

No material fiscal impact to the State or Dept. of Education.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....			_____	_____
Operating.....			_____	_____
Travel.....			_____	_____
Capital outlay.....			_____	_____
Aid.....			_____	_____
Capital improvements.....			_____	_____
TOTAL.....			_____	_____

Please complete ALL (5) blanks in the first three lines.

2018

LB⁽¹⁾ 851

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ ESU Coordinating Council

Prepared by: ⁽³⁾ David Ludwig Date Prepared: ⁽⁴⁾ January 16, 2018 Phone: ⁽⁵⁾ 402-597-4915

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Explanation of Estimate:

Within the ESU's providing a Special Needs Contracted Program for member school districts, teachers with a specialized endorsement are employed. For example, the 2017-2018 new teacher salary/benefits package within ESU 3 equals \$60,604. This total compensation, when multiplied by 5, equals \$303,020, which would be the total allowable amount for the ESU Administrator. The current total compensation for the ESU Administrator is \$260,424. As the administrator and teacher's salaries increase each year, the gap would remain about the same between the two totals. The initial cost for implementing LB 851 will be \$0, with the exception of the time it takes for the administrator and business official to make all the calculations and submit the proper reports.

Example 2: The total compensation for a teacher with a specialized endorsement within ESU 7 equals \$59,132. When multiplied by 5, the total allowable compensation for the ESU Administrator is \$295,660. The current total compensation for the ESU Administrator is \$205,899.

Example 3: The total compensation for a teacher with a specialized endorsement within ESU 2 equals \$55,800. When multiplied by 5, the total allowable compensation for the ESU Administrator is \$279,000. The current costs for the ESU Administrator is \$216.068

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB851

Chairperson: Senator Mike Groene

Committee: Education

Date of Hearing: January 22, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB851 intends to slow the growth of superintendent compensation packages by setting a maximum based on a ratio of five times the starting teacher compensation package in a specific district. Compensation package includes base salary, retirement benefits, health benefits, FICA taxes, car allowance, membership dues, etc.

Principal Introducer: _____

Senator Lou Ann Linehan

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 876

Introduced by Kolowski, 31.

Read first time January 08, 2018

Committee: Education

- 1 A BILL FOR AN ACT relating to the Special Education Act; to amend
- 2 sections 79-1142 and 79-1145, Reissue Revised Statutes of Nebraska;
- 3 to change provisions relating to reimbursement; to harmonize
- 4 provisions; to repeal the original sections; and to declare an
- 5 emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1142, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-1142 (1) Level I services refers to services provided to children
4 with disabilities who require an aggregate of not more than three hours
5 per week of special education services and support services and includes
6 all administrative, diagnostic, consultative, and vocational-adjustment
7 counselor services.

8 (2) The total allowable reimbursable cost for support services shall
9 not exceed a percentage, established by the State Board of Education, of
10 the school district's or approved cooperative's total allowable
11 reimbursable cost for all special education programs and support
12 services. The percentage established by the State Board of Education for
13 support services shall not exceed the difference of ten percent minus the
14 percentage of the appropriations for special education approved by the
15 Legislature set aside for reimbursements for support services pursuant to
16 subsection (5) of this section.

17 (3)(a) For special education and support services provided in each
18 school fiscal year prior to school fiscal year 2017-18, the State
19 Department of Education shall reimburse each school district in the
20 following school fiscal year a pro rata amount determined by the
21 department. The reimbursement percentage shall be the ratio of the
22 difference of the appropriations for special education approved by the
23 Legislature minus the amounts set aside pursuant to subsection (5) of
24 this section divided by the total allowable excess costs for all special
25 education programs and support services.

26 (b) For special education and support services provided in school
27 fiscal year 2017-18 and each school fiscal year thereafter, the State
28 Department of Education shall reimburse each school district in the
29 following school fiscal year at least eighty percent of the total excess
30 allowable costs for all special education programs and support services
31 provided by such school district. If the appropriation for special

1 education approved by the Legislature exceeds, after subtracting amounts
2 set aside pursuant to subsection (5) of this section, an amount equal to
3 eighty percent of the aggregate total excess allowable costs for all
4 special education programs and support services provided by school
5 districts, the reimbursement percentage shall be the ratio of the
6 difference of the appropriation for special education approved by the
7 Legislature minus the amounts set aside pursuant to subsection (5) of
8 this section divided by the aggregate total excess allowable costs for
9 all special education programs and support services provided by school
10 districts.

11 (4) Cooperatives of school districts or educational service units
12 shall also be eligible for reimbursement for cooperative programs
13 pursuant to this section if such cooperatives or educational service
14 units have complied with the reporting and approval requirements of
15 section 79-1155 for cooperative programs which were offered the preceding
16 year. The payments shall be made by the department to the school district
17 of residence, cooperative of school districts, or educational service
18 unit each year in a minimum of seven payments between the fifth and
19 twentieth day of each month beginning in December. Additional payments
20 may be made based upon additional valid claims submitted. The State
21 Treasurer shall, between the fifth and twentieth day of each month,
22 notify the Director of Administrative Services of the amount of funds
23 available in the General Fund for payment purposes. The director shall,
24 upon receiving such certification, draw warrants against funds
25 appropriated.

26 (5) On and after August 1, 2010, residential settings described in
27 subdivision (10)(c) of section 79-215 shall be reimbursed for the
28 educational services, including special education services and support
29 services, provided pursuant to such subdivision on or after August 1,
30 2010, in an amount determined pursuant to the average per pupil cost of
31 the service agency. Reimbursements pursuant to this section shall be made

1 from funds set aside for such purpose within sixty days after receipt of
2 a reimbursement request submitted in the manner required by the
3 department and including any documentation required by the department for
4 educational services that have been provided, except that if there are
5 not any funds available for the remainder of the state fiscal year for
6 such reimbursements, the reimbursement shall occur within thirty days
7 after the beginning of the immediately following state fiscal year. The
8 department may audit any required documentation and subtract any payments
9 made in error from future reimbursements. The State Board of Education
10 shall set aside separate amounts from the appropriations for special
11 education approved by the Legislature for reimbursements pursuant to this
12 subsection for students receiving special education services and for
13 students receiving support services for each state fiscal year. The
14 amounts set aside for each purpose shall be based on estimates of the
15 reimbursements to be requested during the state fiscal year and shall not
16 be less than the total amount of reimbursements requested in the prior
17 state fiscal year plus any unpaid requests from the prior state fiscal
18 year.

19 Sec. 2. Section 79-1145, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 ~~79-1145 (1) For each fiscal year prior to fiscal year 2014-15, the~~
22 ~~aggregate amount of General Funds appropriated for special education~~
23 ~~programs and support services pursuant to sections 79-1129, 79-1132, and~~
24 ~~79-1144 shall not exceed the aggregate amount of General Funds~~
25 ~~appropriated pursuant to such sections for the previous fiscal year,~~
26 ~~increased by five percent.~~

27 (1) (2) For fiscal year 2014-15 and each fiscal year prior to fiscal
28 year 2018-19 thereafter, the aggregate amount of General Funds
29 appropriated for special education programs and support services pursuant
30 to sections 79-1129, 79-1132, and 79-1144 shall not exceed the aggregate
31 amount of General Funds appropriated pursuant to such sections for the

1 previous fiscal year, increased by ten percent. For purposes of this
2 section, for fiscal year 2016-17 the aggregate amount of General Funds
3 appropriated for special education programs and support services pursuant
4 to sections 79-1129, 79-1132, and 79-1144 for the previous fiscal year
5 shall be the net amount after any decrease required pursuant to section
6 43-2515.

7 (2) For fiscal year 2018-19 and each fiscal year thereafter, the
8 aggregate amount of General Funds appropriated for special education
9 programs and support services pursuant to sections 79-1129, 79-1132,
10 79-1142, and 79-1144 shall not be less than eighty percent of the total
11 excess allowable costs for all special education programs and support
12 services provided by school districts plus the amount to be set aside for
13 the reimbursement of residential settings pursuant to subsection (5) of
14 section 79-1142.

15 Sec. 3. Original sections 79-1142 and 79-1145, Reissue Revised
16 Statutes of Nebraska, are repealed.

17 Sec. 4. Since an emergency exists, this act takes effect when
18 passed and approved according to law.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 944

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

Read first time January 10, 2018

Committee: Appropriations

1 A BILL FOR AN ACT relating to appropriations; to amend Laws 2017, LB268A,
2 section 3; Laws 2017, LB327, sections 10, 11, 12, 13, 14, 15, 16,
3 17, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 37,
4 38, 39, 40, 45, 49, 50, 52, 54, 55, 57, 59, 62, 68, 69, 70, 71, 73,
5 82, 85, 86, 87, 92, 96, 97, 98, 100, 101, 102, 103, 104, 106, 107,
6 108, 109, 110, 112, 116, 125, 126, 128, 130, 132, 134, 136, 137,
7 138, 139, 140, 145, 146, 147, 148, 149, 150, 152, 153, 154, 155,
8 162, 163, 165, 166, 168, 169, 170, 172, 173, 176, 177, 182, 186,
9 189, 190, 192, 195, 196, 199, 201, 204, 208, 210, 211, 213, 214,
10 215, 216, 218, 221, 222, 227, 228, 229, 230, 231, 232, 233, 234,
11 235, 236, 237, 239, 240, 241, 242, 243, 244, 247, 249, 250, 251,
12 255, 260, 263, 265, and 272; Laws 2017, LB329, sections 5, 6, 7, 8,
13 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18; Laws 2017, LB330,
14 sections 25 and 42; and Laws 2017, LB512A, section 2; to define
15 terms; to provide, change, and eliminate appropriations for
16 operation of state government, state aid, postsecondary education,
17 and capital construction; to provide for transfers of funds; to
18 require reports; to repeal the original sections; and to declare an
19 emergency.

20 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, 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, 2017, 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, 2017, in excess of expended and certified
20 encumbrance amounts are hereby lapsed unless otherwise expressly
21 provided. All certified encumbrance amounts on June 30, 2017, and June
22 30, 2018, are hereby reappropriated for FY2017-18 and FY2018-19,
23 respectively, which amounts shall be in addition to the amounts shown in
24 this act.

25 Sec. 4. REAPPROPRIATION OF BALANCES, FY2017-18 to FY2018-19.

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, 2018, for FY2018-19 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 150 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. 16 – DEPARTMENT OF REVENUE

11 Program No. 164 - Gamblers Assistance Program

	<u>FY2017-18</u>	<u>FY2018-19</u>
12		
13	<u>SALARY LIMIT</u>	<u>-0-</u>
		<u>6,886</u>

14 Sec. 8. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

15 Program No. 519 - Nebraska Veterans' Homes

	<u>FY2017-18</u>	<u>FY2018-19</u>
16		
17	<u>GENERAL FUND</u>	<u>286,671</u>
		<u>238,197</u>
18	<u>CASH FUND</u>	<u>221,413</u>
		<u>222,858</u>
19	<u>FEDERAL FUND est.</u>	<u>349,418</u>
		<u>351,696</u>
20	<u>PROGRAM TOTAL</u>	<u>857,502</u>
		<u>812,751</u>
21	<u>SALARY LIMIT</u>	<u>711,934</u>
		<u>717,273</u>

22 Sec. 9. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

23 Program No. 929 - Nebraska State Penitentiary Dormitory

	<u>FY2017-18</u>	<u>FY2018-19</u>	<u>FUTURE</u>
24			
25	<u>NEBRASKA CAPITAL</u>		
26	<u>CONSTRUCTION FUND</u>	<u>-0-</u>	<u>5,800,000</u>
			<u>-0-</u>
27	<u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>5,800,000</u>
			<u>-0-</u>

28 The Department of Correctional Services is hereby authorized to
29 plan, design, and renovate existing facilities as necessary to
30 incorporate and construct a new one-hundred-bed dormitory within the

1 Nebraska State Penitentiary complex.

2 Sec. 10. AGENCY NO. 91 – NEBRASKA TOURISM COMMISSION

3 Program No. 618 - Tourism Promotion

	<u>FY2017-18</u>	<u>FY2018-19</u>
4		
5 <u>CASH FUND</u>	<u>500,000</u>	<u>500,000</u>
6 <u>PROGRAM TOTAL</u>	<u>500,000</u>	<u>500,000</u>
7 <u>SALARY LIMIT</u>	<u>-0-</u>	<u>-0-</u>

8 Sec. 11. Laws 2017, LB268A, section 3, is amended to read:

9 Sec. 3. AGENCY NO. 70 – FOSTER CARE REVIEW OFFICE

10 Program No. 353 - Children's Commission

	FY2017-18	FY2018-19
11		
12 <u>GENERAL FUND</u>	<u>176,400</u>	<u>172,800</u>
13 <u>PROGRAM TOTAL</u>	<u>176,400</u>	<u>172,800</u>
14 GENERAL FUND	180,000	180,000
15 PROGRAM TOTAL	180,000	180,000
16 SALARY LIMIT	100,392	101,144

17 Sec. 12. Laws 2017, LB327, section 10, is amended to read:

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

19 Program No. 122 - Legislative Services

	FY2017-18	FY2018-19
20		
21 <u>GENERAL FUND</u>	<u>9,510,388</u>	<u>9,449,125</u>
22 GENERAL FUND	9,704,478	9,842,839
23 CASH FUND	75,000	75,000
24 FEDERAL FUND est.	39,270	39,270
25 <u>PROGRAM TOTAL</u>	<u>9,624,658</u>	<u>9,563,395</u>
26 PROGRAM TOTAL	9,818,748	9,957,109
27 SALARY LIMIT	7,116,064	7,168,457

28 There is included in the appropriation to this program for FY2017-18
29 \$75,000 Cash Funds and for FY2018-19 \$75,000 Cash Funds from the Nebraska
30 Health Care Cash Fund for the purpose of ongoing health-related research

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

8 The unexpended General Fund appropriation balance existing on June
9 30, 2017, less \$24,831 is hereby reappropriated.

10 Of the unexpended June 30, 2017, General Fund appropriation balance
11 reappropriated to this program for FY2017-18 \$250,000 is designated for
12 new telephone equipment.

13 Sec. 13. Laws 2017, LB327, section 11, is amended to read:

14 Sec. 11. AGENCY NO. 3 – LEGISLATIVE COUNCIL

15 Program No. 123 - Clerk of the Legislature

	FY2017-18	FY2018-19
16		
17 <u>GENERAL FUND</u>	<u>3,914,136</u>	<u>3,879,399</u>
18 GENERAL FUND	3,994,016	4,041,041
19 CASH FUND	66,000	68,000
20 <u>PROGRAM TOTAL</u>	<u>3,980,136</u>	<u>3,947,399</u>
21 PROGRAM TOTAL	4,060,016	4,109,041
22 SALARY LIMIT	3,010,301	3,032,042

23 The unexpended General Fund appropriation balance existing on June
24 30, 2017, less \$46,359, is hereby reappropriated.

25 Of the unexpended June 30, 2017, General Fund appropriation balance
26 reappropriated to this program for FY2017-18 \$800,000 is designated for
27 legislative chamber and hearing room audio/video systems and for the
28 legislative chamber display board.

29 Sec. 14. Laws 2017, LB327, section 12, is amended to read:

30 Sec. 12. AGENCY NO. 3 – LEGISLATIVE COUNCIL

31 Program No. 126 - Legislative Research

	FY2017-18	FY2018-19
1		
2	<u>680,260</u>	<u>676,012</u>
3	<u>680,260</u>	<u>676,012</u>
4	694,143	704,179
5	694,143	704,179
6	589,546	593,183

7 The unexpended General Fund appropriation balance existing on June
8 30, 2017, less \$3,427, is hereby reappropriated.

9 Sec. 15. Laws 2017, LB327, section 13, is amended to read:

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

11 Program No. 127 - Revisor of Statutes

	FY2017-18	FY2018-19
12		
13	<u>1,397,526</u>	<u>1,385,452</u>
14	1,426,047	1,443,179
15	100,000	50,000
16	<u>1,497,526</u>	<u>1,435,452</u>
17	1,526,047	1,493,179
18	1,128,290	1,135,860

19 The unexpended General Fund appropriation balance existing on June
20 30, 2017, less \$7,520, is hereby reappropriated.

21 Sec. 16. Laws 2017, LB327, section 14, is amended to read:

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

23 Program No. 129 - Legislative Audit

	FY2017-18	FY2018-19
24		
25	<u>674,893</u>	<u>670,171</u>
26	<u>674,893</u>	<u>670,171</u>
27	688,666	698,095
28	688,666	698,095
29	525,493	529,414

30 The unexpended General Fund appropriation balance existing on June

1 30, 2017, is hereby reappropriated.

2 Sec. 17. Laws 2017, LB327, section 15, is amended to read:

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

4 Program No. 501 - Intergovernmental Cooperation

	FY2017-18	FY2018-19
5		
6 <u>GENERAL FUND</u>	<u>451,254</u>	<u>377,127</u>
7 <u>PROGRAM TOTAL</u>	<u>451,254</u>	<u>377,127</u>
8 GENERAL FUND	460,463	392,841
9 PROGRAM TOTAL	460,463	392,841
10 SALARY LIMIT	-0-	-0-

11 The unexpended General Fund appropriation balance existing on June
12 30, 2017, less \$434, is hereby reappropriated.

13 Sec. 18. Laws 2017, LB327, section 16, is amended to read:

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

15 Program No. 504 - Office of Public Counsel

	FY2017-18	FY2018-19
16		
17 <u>GENERAL FUND</u>	<u>1,522,770</u>	<u>1,514,054</u>
18 <u>PROGRAM TOTAL</u>	<u>1,522,770</u>	<u>1,514,054</u>
19 GENERAL FUND	1,553,847	1,577,140
20 PROGRAM TOTAL	1,553,847	1,577,140
21 SALARY LIMIT	1,229,792	1,238,743

22 The unexpended General Fund appropriation balance existing on June
23 30, 2017, is hereby reappropriated.

24 Sec. 19. Laws 2017, LB327, section 17, is amended to read:

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

26 Program No. 638 - Fiscal and Program Analysis

	FY2017-18	FY2018-19
27		
28 <u>GENERAL FUND</u>	<u>1,642,979</u>	<u>1,626,674</u>
29 <u>PROGRAM TOTAL</u>	<u>1,642,979</u>	<u>1,626,674</u>
30 GENERAL FUND	1,676,509	1,694,452

1	PROGRAM TOTAL	1,676,509	1,694,452
2	SALARY LIMIT	1,376,087	1,385,703

3 The unexpended General Fund appropriation balance existing on June
4 30, 2017, less \$3,333, is hereby reappropriated.

5 Sec. 20. Laws 2017, LB327, section 18, is amended to read:

6 Sec. 18. AGENCY NO. 5 – SUPREME COURT

7 Program No. 52 - Operations

8		FY2017-18	FY2018-19
9	<u>GENERAL FUND</u>	<u>33,724,757</u>	<u>34,382,798</u>
10	<u>CASH FUND est.</u>	<u>2,893,458</u>	<u>2,912,745</u>
11	GENERAL FUND	34,612,746	36,015,236
12	CASH FUND est.	2,693,458	2,712,745
13	FEDERAL FUND est.	490,103	495,756
14	<u>PROGRAM TOTAL</u>	<u>37,108,318</u>	<u>37,791,299</u>
15	PROGRAM TOTAL	37,796,307	39,223,737
16	SALARY LIMIT	24,954,767	25,207,198

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

- 20 No. 34 - Court Administration
- 21 No. 40 - State Law Library
- 22 No. 396 - County Court System
- 23 No. 399 - District Court Reporters
- 24 No. 405 - Court of Appeals

25 The unexpended General Fund appropriation balance, less aid,
26 existing on June 30, 2017, less \$13,783, is hereby reappropriated.

27 The budget division of the Department of Administrative Services
28 shall administratively transfer General Fund appropriations or Salary
29 Limits or both among Programs 52, 67, 420, 435, and 437 within Agency 5,
30 upon written certification by the State Court Administrator that the
31 Supreme Court has determined that such transfer is necessary for the

1 efficient functioning of statewide court operations and the proper
2 administration of justice.

3 There is included in the appropriation to this program for FY2017-18
4 \$270,000 Cash Funds for dispute resolution state aid, which shall only be
5 used for such purpose. There is included in the appropriation to this
6 program for FY2018-19 \$270,000 Cash Funds for dispute resolution state
7 aid, which shall only be used for such purpose.

8 There is included in the appropriation to this program for FY2017-18
9 \$550,000 Cash Funds for parenting plan mediation for indigent and lower-
10 income persons involved in Parenting Act cases, as state aid, which shall
11 only be used for such purpose. There is included in the appropriation to
12 this program for FY2018-19 \$550,000 Cash Funds for parenting plan
13 mediation for indigent and lower-income persons involved in Parenting Act
14 cases, as state aid, which shall only be used for such purpose.

15 There is included in the appropriation to this program for FY2017-18
16 \$300,000 General Funds for court appointed special advocate state aid,
17 which shall only be used for such purpose. There is included in the
18 appropriation to this program for FY2018-19 \$300,000 General Funds for
19 court appointed special advocate state aid, which shall only be used for
20 such purpose.

21 Cash Fund expenditures for this program shall not be limited to the
22 amounts shown.

23 Sec. 21. Laws 2017, LB327, section 19, is amended to read:

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

25 Program No. 67 - Probation Services

	FY2017-18	FY2018-19
26		
27 <u>GENERAL FUND</u>	<u>28,909,353</u>	<u>29,082,588</u>
28 GENERAL FUND	29,499,340	30,294,363
29 CASH FUND est.	1,139,370	1,321,843
30 FEDERAL FUND est.	215,967	217,203
31 <u>PROGRAM TOTAL</u>	<u>30,264,690</u>	<u>30,621,634</u>

1	PROGRAM TOTAL	30,854,677	31,833,409
2	SALARY LIMIT	21,277,852	21,561,765

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. 397 - Statewide Probation

7 No. 398 - Intensive Supervision Probation

8 Cash Fund expenditures for this program shall not be limited to the
9 amounts shown.

10 The unexpended General Fund appropriation balance existing on June
11 30, 2017, less \$4,870, is hereby reappropriated.

12 Sec. 22. Laws 2017, LB327, section 21, is amended to read:

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

14 Program No. 420 - State Specialized Court Operations

15		FY2017-18	FY2018-19
16	<u>GENERAL FUND</u>	<u>2,602,859</u>	<u>2,575,459</u>
17	<u>PROGRAM TOTAL</u>	<u>2,602,859</u>	<u>2,575,489</u>
18	GENERAL FUND	2,655,979	2,682,770
19	PROGRAM TOTAL	2,655,979	2,682,770
20	SALARY LIMIT	1,411,439	1,421,906

21 The unexpended General Fund appropriation balance existing on June
22 30, 2017, is hereby reappropriated.

23 The supervision and management of the State Specialized Courts shall
24 be under the direct jurisdiction of the Supreme Court and the State Court
25 Administrator.

26 Sec. 23. Laws 2017, LB327, section 22, is amended to read:

27 Sec. 22. AGENCY NO. 5 – SUPREME COURT

28 Program No. 435 - Probation Community Corrections

29		FY2017-18	FY2018-19
30	<u>GENERAL FUND</u>	<u>20,646,317</u>	<u>22,758,420</u>
31	GENERAL FUND	21,067,670	23,706,688

1	CASH FUND est.	6,625,708	6,625,708
2	<u>PROGRAM TOTAL</u>	<u>27,272,025</u>	<u>29,384,128</u>
3	PROGRAM TOTAL	27,693,378	30,332,396
4	SALARY LIMIT	7,229,857	7,302,102

5 The unexpended General Fund appropriation balance existing on June
6 30, 2017, less \$37,420, is hereby reappropriated.

7 Cash Fund expenditures for this program shall not be limited to the
8 amounts shown.

9 Sec. 24. Laws 2017, LB327, section 23, is amended to read:

10 Sec. 23. AGENCY NO. 5 – SUPREME COURT

11 Program No. 437 - Juvenile Justice

12		FY2017-18	FY2018-19
13	<u>GENERAL FUND</u>	<u>69,756,640</u>	<u>68,581,889</u>
14	GENERAL FUND	71,180,245	71,439,468
15	CASH FUND est.	25,000	25,000
16	<u>PROGRAM TOTAL</u>	<u>69,781,640</u>	<u>68,606,889</u>
17	PROGRAM TOTAL	71,205,245	71,464,468
18	SALARY LIMIT	13,284,846	13,384,811

19 The unexpended General Fund appropriation balance existing on June
20 30, 2017, less \$31,344, is hereby reappropriated.

21 Cash Fund expenditures for this program shall not be limited to the
22 amounts shown.

23 Sec. 25. Laws 2017, LB327, section 25, is amended to read:

24 Sec. 25. AGENCY NO. 7 – GOVERNOR

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

26		FY2017-18	FY2018-19
27	<u>GENERAL FUND</u>	<u>674,753</u>	<u>679,240</u>
28	<u>PROGRAM TOTAL</u>	<u>674,753</u>	<u>679,240</u>
29	GENERAL FUND	674,753	682,517
30	PROGRAM TOTAL	674,753	682,517

1 SALARY LIMIT 551,355 555,111

2 The unexpended General Fund appropriation balance existing on June
3 30, 2017, less \$10,453, is hereby reappropriated.

4 Sec. 26. Laws 2017, LB327, section 26, is amended to read:

5 Sec. 26. AGENCY NO. 7 – GOVERNOR

6 Program No. 21 - Office of the Governor

7 FY2017-18 FY2018-19

8 GENERAL FUND 1,287,066 1,281,944

9 PROGRAM TOTAL 1,287,066 1,281,944

10 ~~GENERAL FUND~~ ~~1,347,511~~ ~~1,363,797~~

11 ~~PROGRAM TOTAL~~ ~~1,347,511~~ ~~1,363,797~~

12 SALARY LIMIT 904,118 913,000

13 The unexpended General Fund appropriation balance existing on June
14 30, 2017, less \$8,397, is hereby reappropriated.

15 Sec. 27. Laws 2017, LB327, section 27, is amended to read:

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

17 Program No. 124 - Office of the Lieutenant Governor

18 FY2017-18 FY2018-19

19 GENERAL FUND 35,976 35,639

20 PROGRAM TOTAL 35,976 35,639

21 ~~GENERAL FUND~~ ~~36,710~~ ~~37,124~~

22 ~~PROGRAM TOTAL~~ ~~36,710~~ ~~37,124~~

23 SALARY LIMIT 24,578 24,674

24 The unexpended General Fund appropriation balance existing on June
25 30, 2017, less \$441, is hereby reappropriated.

26 Sec. 28. Laws 2017, LB327, section 28, is amended to read:

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

28 Program No. 22 - Departmental Administration

29 FY2017-18 FY2018-19

30 GENERAL FUND 267,474 259,391

1	GENERAL FUND	272,933	270,199
2	CASH FUND	179,743	187,750
3	<u>PROGRAM TOTAL</u>	<u>447,217</u>	<u>447,141</u>
4	PROGRAM TOTAL	452,676	457,949
5	SALARY LIMIT	255,086	257,006

6 Sec. 29. Laws 2017, LB327, section 29, is amended to read:

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

8 Program No. 45 - Election Administration

9		FY2017-18	FY2018-19
10	<u>GENERAL FUND</u>	<u>1,889,829</u>	<u>1,690,032</u>
11	GENERAL FUND	1,928,397	1,760,450
12	CASH FUND	40,476	20,893
13	<u>PROGRAM TOTAL</u>	<u>1,930,305</u>	<u>1,710,925</u>
14	PROGRAM TOTAL	1,968,873	1,781,343
15	SALARY LIMIT	383,671	386,558

16 Sec. 30. Laws 2017, LB327, section 30, is amended to read:

17 Sec. 30. AGENCY NO. 9 – SECRETARY OF STATE

18 Program No. 51 - Enforcement of Standards - Corporations

19		FY2017-18	FY2018-19
20	<u>CASH FUND</u>	<u>2,464,660</u>	<u>840,981</u>
21	<u>PROGRAM TOTAL</u>	<u>2,464,660</u>	<u>840,981</u>
22	CASH FUND	2,264,660	840,981
23	PROGRAM TOTAL	2,264,660	840,981
24	SALARY LIMIT	375,211	378,034

25 Sec. 31. Laws 2017, LB327, section 32, is amended to read:

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

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

28		FY2017-18	FY2018-19
29	<u>GENERAL FUND</u>	<u>153,692</u>	<u>152,393</u>
30	GENERAL FUND	156,829	158,743

1	CASH FUND	3,483,590	3,803,701
2	REVOLVING FUND	946,783	941,184
3	<u>PROGRAM TOTAL</u>	<u>4,584,065</u>	<u>4,897,278</u>
4	PROGRAM TOTAL	4,587,202	4,903,628
5	SALARY LIMIT	541,310	543,940
6	Sec. 32. Laws 2017, LB327, section 33, is amended to read:		
7	Sec. 33. AGENCY NO. 9 – SECRETARY OF STATE		
8	Program No. 89 - Uniform Commercial Code Central Filing		
9		FY2017-18	FY2018-19
10	<u>CASH FUND</u>	<u>1,873,687</u>	<u>1,225,483</u>
11	<u>PROGRAM TOTAL</u>	<u>1,873,687</u>	<u>1,225,483</u>
12	CASH FUND	2,073,687	1,225,483
13	PROGRAM TOTAL	2,073,687	1,225,483
14	SALARY LIMIT	520,418	524,334
15	Sec. 33. Laws 2017, LB327, section 34, is amended to read:		
16	Sec. 34. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
17	Program No. 506 - State Agency and County Post Audits		
18		FY2017-18	FY2018-19
19	<u>GENERAL FUND</u>	<u>2,385,006</u>	<u>2,362,579</u>
20	<u>PROGRAM TOTAL</u>	<u>2,385,006</u>	<u>2,362,579</u>
21	GENERAL FUND	2,433,680	2,461,020
22	PROGRAM TOTAL	2,433,680	2,461,020
23	SALARY LIMIT	1,800,420	1,813,968
24	Sec. 34. Laws 2017, LB327, section 35, is amended to read:		
25	Sec. 35. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
26	Program No. 525 - Cooperative Audits		
27		FY2017-18	FY2018-19
28	<u>CASH FUND</u>	<u>2,042,767</u>	<u>2,125,582</u>
29	<u>PROGRAM TOTAL</u>	<u>2,042,767</u>	<u>2,125,582</u>
30	CASH FUND	1,994,093	2,027,141

1	PROGRAM TOTAL	1,994,093	2,027,141
2	SALARY LIMIT	1,620,163	1,641,616

3 Sec. 35. Laws 2017, LB327, section 37, is amended to read:

4 Sec. 37. AGENCY NO. 11 – ATTORNEY GENERAL

5 Program No. 496 - Interstate Water Litigation

6 The unexpended General Fund appropriation balance existing on June
7 30, 2017, less \$28,343, is hereby reappropriated.

8 The salary limit for this program shall be limited to the amount of
9 the reappropriation.

10 Sec. 36. Laws 2017, LB327, section 38, is amended to read:

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

12 Program No. 507 - Interpretation and Application of Law

	FY2017-18	FY2018-19	
13			
14	<u>GENERAL FUND</u>	<u>6,222,914</u>	<u>6,159,328</u>
15	GENERAL FUND	6,349,912	6,415,967
16	CASH FUND	1,199,574	1,207,683
17	FEDERAL FUND est.	1,691,332	1,705,646
18	REVOLVING FUND	1,572,706	1,589,787
19	<u>PROGRAM TOTAL</u>	<u>10,686,526</u>	<u>10,662,444</u>
20	PROGRAM TOTAL	10,813,524	10,919,083
21	SALARY LIMIT	7,073,528	7,121,879

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. 270 - Administration

26 No. 271 - Civil Bureau

27 No. 272 - Criminal Bureau

28 No. 273 - Legal Services Bureau

29 No. 274 - Public Protection Bureau

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

1 General Fund expenditures within program classification number 271
2 shall only be coded against budget subprogram 1. Revolving Fund
3 expenditures within program classification number 271 shall only be coded
4 against budget subprogram 4.

5 With the exception of the medicaid fraud control unit and crimes
6 against children appropriations, all other General Fund expenditures
7 within program classification number 272 shall only be coded against
8 budget subprogram 1 and all other Federal Fund expenditures within
9 program classification number 272 shall only be coded against budget
10 subprogram 3.

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

14 There is included in the appropriation to this program for FY2017-18
15 \$80,000 General Funds and for FY2018-19 \$80,000 General Funds, which
16 appropriations shall only be administratively transferred to program
17 classification number 272, and such appropriations shall only be expended
18 from budget subprogram 6 as a separate and distinct budget subprogram and
19 shall not be commingled with any other expenses, and such appropriations
20 shall only be used to provide assistance for legal expenses incurred in
21 prosecuting crimes against children by state and local prosecutors,
22 including, but not limited to, expert witness costs, as determined by the
23 Attorney General.

24 There is included in the appropriation to this program for FY2017-18
25 \$50,000 General Funds and for FY2018-19 \$50,000 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 7 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 pay for child autopsy expenses, for legal expenses
31 incurred in prosecuting crimes against children by state and local

1 prosecutors, and for legal expenses incurred in prosecuting human
2 trafficking crimes, including, but not limited to, expert witness costs,
3 as determined by the Attorney General.

4 General Fund expenditures within program classification number 273
5 shall only be coded against budget subprogram 1. Revolving Fund
6 expenditures within program classification number 273 shall only be coded
7 against budget subprogram 4.

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

16 There is included in the appropriation to this program for FY2017-18
17 \$595,807 Cash Funds and for FY2018-19 \$595,807 Cash Funds, which
18 appropriations shall only be administratively transferred to program
19 classification number 274, and such appropriations shall only be expended
20 directly from the Nebraska Health Care Cash Fund from budget subprogram 4
21 for purposes of enforcing the tobacco settlement agreement.

22 The agency budget request submitted by the Attorney General for the
23 2019-2021 biennium for umbrella budget program number 507 shall be
24 prepared and submitted at the detailed account level within the specified
25 budget subprogram structure as required in this section.

26 Sec. 37. Laws 2017, LB327, section 39, is amended to read:

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

28 Program No. 24 - State Disbursement Unit

	FY2017-18	FY2018-19
29		
30	<u>1,103,705</u>	<u>1,088,118</u>
31	1,126,230	1,133,456

1	CASH FUND	47,500	47,500
2	FEDERAL FUND est.	1,697,476	1,708,371
3	<u>PROGRAM TOTAL</u>	<u>2,848,681</u>	<u>2,843,989</u>
4	PROGRAM TOTAL	2,871,206	2,889,327
5	SALARY LIMIT	1,259,056	1,268,681

6 Sec. 38. Laws 2017, LB327, section 40, is amended to read:

7 Sec. 40. AGENCY NO. 12 – STATE TREASURER

8 Program No. 117 - Mutual Finance Assistance

9		FY2017-18	FY2018-19
10	<u>CASH FUND</u>	<u>4,000,000</u>	<u>3,600,000</u>
11	<u>PROGRAM TOTAL</u>	<u>4,000,000</u>	<u>3,600,000</u>
12	CASH FUND	4,000,000	4,000,000
13	PROGRAM TOTAL	4,000,000	4,000,000

14 There is included in the appropriation to this program for FY2017-18
 15 \$4,000,000 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 \$3,600,000 ~~\$4,000,000~~ Cash Funds for state aid, which shall
 18 only be used for such purpose.

19 Sec. 39. Laws 2017, LB327, section 45, is amended to read:

20 Sec. 45. AGENCY NO. 12 – STATE TREASURER

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

22		FY2017-18	FY2018-19
23	<u>GENERAL FUND</u>	<u>22,295</u>	<u>-0-</u>
24	<u>PROGRAM TOTAL</u>	<u>22,295</u>	<u>-0-</u>
25	GENERAL FUND	33,275	-0-
26	PROGRAM TOTAL	33,275	-0-
27	SALARY LIMIT	10,402	-0-

28 The unexpended General Fund appropriation balance existing on June
 29 30, 2018, is not reappropriated.

30 Sec. 40. Laws 2017, LB327, section 49, is amended to read:

1 Sec. 49. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION
2 Program No. 25 - Education, Administration, and Support

	FY2017-18	FY2018-19	
3			
4	<u>GENERAL FUND</u>	<u>15,533,504</u>	<u>15,332,675</u>
5	GENERAL FUND	15,850,384	15,971,270
6	CASH FUND	1,532,782	1,540,973
7	<u>FEDERAL FUND est.</u>	<u>23,820,543</u>	<u>23,987,576</u>
8	FEDERAL FUND est.	23,595,543	23,762,576
9	REVOLVING FUND	204,728	204,728
10	<u>PROGRAM TOTAL</u>	<u>41,091,557</u>	<u>41,065,952</u>
11	PROGRAM TOTAL	41,183,437	41,479,547
12	SALARY LIMIT	14,412,915	14,521,868

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. 25 - Commissioner's Office
- 17 No. 403 - Assessment/Report Card
- 18 No. 440 - Human Resources
- 19 No. 441 - Teaching and Learning
- 20 No. 442 - Communications
- 21 No. 443 - Network Education and Technology Services
- 22 No. 444 - Office of Early Childhood
- 23 No. 445 - Data, Research, Evaluation, and Information Technology
- 24 No. 446 - Adult Program Services
- 25 No. 447 - School Improvement/Accreditation
- 26 No. 448 - Diversity Populations: Special Education
- 27 No. 449 - Federal Programs
- 28 No. 450 - Select Department-wide Costs
- 29 No. 451 - Finance and Organization Services

30 There is included in the appropriation to this program for FY2017-18
31 \$4,751,600 General Funds for statewide assessment and reporting, which

1 shall only be used for such purpose. There is included in the
2 appropriation to this program for FY2018-19 \$4,751,600 General Funds for
3 statewide assessment and reporting, which shall only be used for such
4 purpose.

5 There is included in the appropriation to this program for FY2017-18
6 \$75,000 General Funds for the review of poverty and limited English
7 proficiency plans, including at least \$25,000 General Funds for
8 performance auditing. There is included in the appropriation to this
9 program for FY2018-19 \$75,000 General Funds for the review of poverty and
10 limited English proficiency plans, including at least \$25,000 General
11 Funds for performance auditing.

12 There is included in the appropriation to this program for FY2017-18
13 \$10,000 General Funds and FY2018-19 \$10,000 General Funds for the
14 Educational Opportunity for Military Children Program.

15 There is included in the appropriation to this program for FY2017-18
16 \$225,000 Federal Funds and for FY2018-19 \$225,000 Federal Funds for the
17 Nebraska Career Connections contract. It is the intent of the Legislature
18 that the department bill the participating school districts and state
19 agencies for the use of this service beginning July 1, 2019.

20 Sec. 41. Laws 2017, LB327, section 50, is amended to read:

21 Sec. 50. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

22 Program No. 158 - Education Aid

	FY2017-18	FY2018-19
23		
24 <u>GENERAL FUND</u>	<u>1,225,738,238</u>	<u>1,230,649,448</u>
25 <u>CASH FUND</u>	<u>4,264,283</u>	<u>3,790,938</u>
26 <u>GENERAL FUND</u>	<u>1,222,470,090</u>	<u>1,251,433,303</u>
27 <u>CASH FUND</u>	<u>3,790,938</u>	<u>3,790,938</u>
28 FEDERAL FUND est.	312,630,674	312,630,674
29 <u>PROGRAM TOTAL</u>	<u>1,542,633,195</u>	<u>1,547,071,060</u>
30 <u>PROGRAM TOTAL</u>	<u>1,538,891,702</u>	<u>1,567,854,915</u>

31 There is included in the appropriation to this program for FY2017-18

1 ~~\$1,225,738,238~~ ~~\$1,222,470,090~~ General Funds, ~~\$4,264,283~~ ~~\$3,790,938~~ Cash
2 Funds, and \$312,630,674 Federal Funds estimate for state aid, which shall
3 only be used for such purpose. There is included in the appropriation to
4 this program for FY2018-19 ~~\$1,230,649,448~~ ~~\$1,251,433,303~~ General Funds,
5 \$3,790,938 Cash Funds, and \$312,630,674 Federal Funds estimate for state
6 aid, which shall only be used for such purpose.

7 There is included in the amount shown for FY2017-18 ~~\$973,666,434~~
8 ~~\$970,011,577~~ General Funds which are hereby appropriated to the Tax
9 Equity and Educational Opportunities Fund, which fund is hereby
10 appropriated to provide state aid to public school districts pursuant to
11 the Tax Equity and Educational Opportunities Support Act. There is
12 included in the amount shown for FY2018-19 ~~\$977,000,000~~ ~~\$996,731,953~~
13 General Funds which are hereby appropriated to the Tax Equity and
14 Educational Opportunities Fund, which fund is hereby appropriated to
15 provide state aid to public school districts pursuant to the Tax Equity
16 and Educational Opportunities Support Act.

17 There is included in the amount shown for this program \$224,283,748
18 General Funds provided as state aid for FY2017-18 for special education
19 reimbursement. There is included in the amount shown for this program
20 \$226,526,585 General Funds provided as state aid for FY2018-19 for
21 special education reimbursement.

22 There is included in the amount shown for this program ~~\$456,190~~
23 ~~\$465,500~~ General Funds provided as state aid for FY2017-18 and ~~\$446,880~~
24 ~~\$465,500~~ General Funds provided as state aid for FY2018-19 to carry out
25 the provisions of subsection (2) of section 79-734.

26 There is included in the amount shown for this program ~~\$9,970,377~~
27 ~~\$10,173,854~~ General Funds provided as state aid for FY2017-18 and
28 ~~\$9,766,900~~ ~~\$10,173,854~~ General Funds provided as state aid for FY2018-19
29 for core services for educational service units.

30 There is included in the amount shown for this program ~~\$3,111,206~~
31 ~~\$3,174,700~~ General Funds provided as state aid for FY2017-18 and

1 ~~\$3,047,712~~ ~~\$3,174,700~~ General Funds provided as state aid for FY2018-19
2 for technology infrastructure for educational service units.

3 There is included in the amount shown for this program \$276,021
4 ~~\$281,654~~ General Funds provided as state aid for FY2017-18 and \$270,388
5 ~~\$281,654~~ General Funds provided as state aid for FY2018-19 for distance
6 education aid to educational service units.

7 There is included in the amount shown for this program \$668,948
8 ~~\$561,042~~ General Funds provided as state aid for FY2017-18 and \$668,948
9 ~~\$561,042~~ General Funds provided as state aid for FY2018-19 for the school
10 breakfast program.

11 There is included in the amount shown for this program \$384,191
12 ~~\$392,032~~ General Funds provided as state aid for FY2017-18 and \$376,351
13 ~~\$392,032~~ General Funds provided as state aid for FY2018-19 for the school
14 lunch program.

15 There is included in the amount shown for this program \$128,200
16 ~~\$130,000~~ General Funds provided as state aid for FY2017-18 and \$126,400
17 ~~\$130,000~~ General Funds provided as state aid for FY2018-19 for the Summer
18 Food Service Program.

19 There is included in the amount shown for this program \$210,371
20 ~~\$214,664~~ General Funds provided as state aid for FY2017-18 and \$206,077
21 ~~\$214,664~~ General Funds provided as state aid for FY2018-19 for adult
22 basic education programs.

23 There is included in the amount shown for this program \$735,000
24 ~~\$750,000~~ General Funds provided as state aid for FY2017-18 and \$720,000
25 ~~\$750,000~~ General Funds provided as state aid for FY2018-19 for aid to
26 institutions offering high school equivalency programs.

27 There is included in the amount shown for this program \$3,546,970
28 ~~\$3,619,357~~ General Funds provided as state aid for FY2017-18 and
29 \$3,474,583 ~~\$3,619,357~~ General Funds provided as state aid for FY2018-19
30 for early childhood education projects.

31 There is included in the amount shown for this program \$4,900,000

1 ~~\$5,000,000~~ General Funds provided as state aid for FY2017-18 and
2 ~~\$4,800,000~~ ~~\$5,000,000~~ General Funds provided as state aid for FY2018-19
3 for the Early Childhood Education Grant Program for at-risk children from
4 birth to age three. It is the intent of the Legislature that a maximum of
5 five percent of General Funds appropriated each fiscal year for the Early
6 Childhood Education Grant Program for at-risk children from birth to age
7 three may be used for evaluation and technical assistance.

8 There is included in the amount shown for this program \$98,000
9 ~~\$100,000~~ General Funds provided as state aid for FY2017-18 and \$96,000
10 ~~\$100,000~~ General Funds provided as state aid for FY2018-19 for
11 scholarships for early childhood education providers.

12 There is included in the amount shown for this program \$67,620
13 ~~\$69,000~~ General Funds provided as state aid for FY2017-18 and \$66,240
14 ~~\$69,000~~ General Funds provided as state aid for FY2018-19 for incentive
15 bonuses for providers of child care and early childhood education
16 programs.

17 There is included in the amount shown for this program \$392,000
18 ~~\$400,000~~ General Funds provided as state aid for FY2017-18 and \$384,000
19 ~~\$400,000~~ General Funds provided as state aid for FY2018-19 for the
20 Nurturing Healthy Behaviors program.

21 There is included in the amount shown for this program \$500,000
22 General Funds provided as state aid for FY2017-18 and \$470,000 ~~\$500,000~~
23 General Funds provided as state aid for FY2018-19 for learning community
24 aid.

25 There is included in the amount shown for this program \$2,342,962
26 General Funds provided as state aid for FY2017-18 and \$2,202,384
27 ~~\$2,342,962~~ General Funds provided as state aid for FY2018-19 for programs
28 for learners with high ability.

29 Sec. 42. Laws 2017, LB327, section 52, is amended to read:

30 Sec. 52. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION

31 Program No. 351 - Vocational Rehabilitation

1		FY2017-18	FY2018-19
2	<u>GENERAL FUND</u>	<u>5,066,923</u>	<u>5,279,297</u>
3	GENERAL FUND	5,066,923	5,301,491
4	CASH FUND	500,000	500,000
5	FEDERAL FUND est.	23,965,916	25,936,743
6	<u>PROGRAM TOTAL</u>	<u>29,532,839</u>	<u>31,716,040</u>
7	PROGRAM TOTAL	29,532,839	31,738,234
8	SALARY LIMIT	11,699,711	11,784,472

9 There is included in the appropriation to this program for FY2017-18
10 \$9,099 General Funds and \$7,544,526 Federal Funds estimate for state aid,
11 which shall only be used for such purpose. There is included in the
12 appropriation to this program for FY2018-19 \$49,289 General Funds and
13 \$8,560,706 Federal Funds estimate for state aid, which shall only be used
14 for such purpose.

15 It is the intent of the Legislature that the Division of
16 Rehabilitation Services in the State Department of Education and the
17 Division of Developmental Disabilities of the Department of Health and
18 Human Services work collaboratively to focus on employment for
19 individuals with disabilities and to maximize federal matching funds in
20 compliance with the federal Workforce Innovation and Opportunity Act and
21 the federal Home and Community-Based Services Final Rule.

22 The unexpended Cash Fund appropriation balance existing on June 30,
23 2017, up to \$1,708,838, is hereby reappropriated.

24 Sec. 43. Laws 2017, LB327, section 54, is amended to read:

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

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

27		FY2017-18	FY2018-19
28	<u>GENERAL FUND</u>	<u>2,002,534</u>	<u>1,961,858</u>
29	GENERAL FUND	2,043,402	2,043,602
30	CASH FUND	2,965	2,965
31	<u>PROGRAM TOTAL</u>	<u>2,005,499</u>	<u>1,964,823</u>

1	PROGRAM TOTAL	2,046,367	2,046,567
2	SALARY LIMIT	14,477	14,586
3	Sec. 44. Laws 2017, LB327, section 55, is amended to read:		
4	Sec. 55. AGENCY NO. 13 – STATE DEPARTMENT OF EDUCATION		
5	Program No. 402 - Nebraska Center for the Education of Children who		
6	are Blind or Visually Impaired		
7		FY2017-18	FY2018-19
8	<u>GENERAL FUND</u>	<u>1,978,258</u>	<u>1,938,071</u>
9	<u>PROGRAM TOTAL</u>	<u>1,978,258</u>	<u>1,938,071</u>
10	GENERAL FUND	2,018,631	2,018,824
11	PROGRAM TOTAL	2,018,631	2,018,824
12	SALARY LIMIT	14,361	14,469
13	Sec. 45. Laws 2017, LB327, section 57, is amended to read:		
14	Sec. 57. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
15	Program No. 16 - Expenses, Constitutional Officers		
16		FY2017-18	FY2018-19
17	<u>GENERAL FUND</u>	<u>67,206</u>	<u>60,729</u>
18	<u>PROGRAM TOTAL</u>	<u>67,206</u>	<u>60,729</u>
19	GENERAL FUND	83,884	78,884
20	PROGRAM TOTAL	83,884	78,884
21	Sec. 46. Laws 2017, LB327, section 59, is amended to read:		
22	Sec. 59. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
23	Program No. 54 - Enforcement of Standards - Common Carriers		
24		FY2017-18	FY2018-19
25	<u>GENERAL FUND</u>	<u>1,746,023</u>	<u>1,735,808</u>
26	GENERAL FUND	1,765,840	1,791,988
27	CASH FUND	41,809	42,366
28	<u>PROGRAM TOTAL</u>	<u>1,787,832</u>	<u>1,778,174</u>
29	<u>SALARY LIMIT</u>	<u>1,161,709</u>	<u>1,170,778</u>
30	PROGRAM TOTAL	1,807,649	1,834,354

	FY2017-18	FY2018-19
1		
2	<u>24,615,910</u>	<u>24,126,678</u>
3	25,118,276	25,131,956
4	1,955,343	1,978,511
5	<u>26,571,253</u>	<u>26,105,189</u>
6	27,073,619	27,110,467
7	16,784,414	16,911,297

8 There is included in the appropriation to this program for FY2017-18
 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 FY2018-19 \$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. 50. Laws 2017, LB327, section 70, is amended to read:

16 Sec. 70. AGENCY NO. 16 – DEPARTMENT OF REVENUE

17 Program No. 108 - Homestead Exemption

	FY2017-18	FY2018-19
18		
19	<u>81,300,000</u>	<u>84,100,000</u>
20	<u>81,300,000</u>	<u>84,100,000</u>
21	78,200,000	81,000,000
22	78,200,000	81,000,000

23 There is included in the appropriation to this program for FY2017-18
 24 ~~\$81,300,000~~ ~~\$78,200,000~~ General Funds for state aid, which shall only be
 25 used for such purpose. There is included in the appropriation to this
 26 program for FY2018-19 ~~\$84,100,000~~ ~~\$81,000,000~~ General Funds for state
 27 aid, which shall only be used for such purpose.

28 Sec. 51. Laws 2017, LB327, section 71, is amended to read:

29 Sec. 71. AGENCY NO. 16 – DEPARTMENT OF REVENUE

30 Program No. 109 - Personal Property Tax Exemption

1		FY2017-18	FY2018-19
2	<u>GENERAL FUND</u>	<u>13,900,000</u>	<u>14,200,000</u>
3	<u>PROGRAM TOTAL</u>	<u>13,900,000</u>	<u>14,200,000</u>
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 ~~\$13,900,000~~ ~~\$15,200,000~~ General Funds for state aid, which shall only be
8 used for such purpose. There is included in the appropriation to this
9 program for FY2018-19 ~~\$14,200,000~~ ~~\$16,200,000~~ General Funds for state
10 aid, which shall only be used for such purpose.

11 Sec. 52. Laws 2017, LB327, section 73, is amended to read:

12 Sec. 73. AGENCY NO. 16 – DEPARTMENT OF REVENUE

13 Program No. 112 - Property Assessment

14		FY2017-18	FY2018-19
15	<u>GENERAL FUND</u>	<u>1,710,290</u>	<u>1,887,468</u>
16	GENERAL FUND	1,745,194	1,966,113
17	CASH FUND	833,184	645,799
18	<u>PROGRAM TOTAL</u>	<u>2,543,474</u>	<u>2,533,267</u>
19	PROGRAM TOTAL	2,578,378	2,611,912
20	SALARY LIMIT	1,626,461	1,639,091

21 Sec. 53. Laws 2017, LB327, section 82, is amended to read:

22 Sec. 82. AGENCY NO. 18 – DEPARTMENT OF AGRICULTURE

23 Program No. 78 - Department of Agriculture

24		FY2017-18	FY2018-19
25	<u>GENERAL FUND</u>	<u>6,014,367</u>	<u>5,950,103</u>
26	GENERAL FUND	6,137,109	6,198,024
27	CASH FUND	7,833,466	7,966,565
28	FEDERAL FUND est.	4,260,234	4,282,715
29	REVOLVING FUND	653,930	671,278
30	<u>PROGRAM TOTAL</u>	<u>18,761,997</u>	<u>18,870,661</u>

1	PROGRAM TOTAL	18,884,739	19,118,582
2	SALARY LIMIT	8,354,182	8,429,797

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. 27 - Shared Services
- 7 No. 57 - Food Safety and Consumer Protection
- 8 No. 63 - Animal and Plant Health Protection
- 9 No. 564 - Ag Promotion and Development

10 There is included in the appropriation to this program for FY2017-18
11 ~~\$465,500~~ ~~\$475,000~~ General Funds and \$420,000 Federal Funds estimate for
12 state aid, which shall only be used for such purpose. There is included
13 in the appropriation to this program for FY2018-19 ~~\$456,000~~ ~~\$475,000~~
14 General Funds and \$420,000 Federal Funds estimate for state aid, which
15 shall only be used for such purpose.

16 Sec. 54. Laws 2017, LB327, section 85, is amended to read:

17 Sec. 85. AGENCY NO. 21 – STATE FIRE MARSHAL

18 Program No. 193 - Public Protection

	FY2017-18	FY2018-19
19		
20	<u>3,079,706</u>	<u>3,135,744</u>
21	3,142,557	3,266,400
22	CASH FUND	1,911,683
23	FEDERAL FUND est.	445,344
24	<u>PROGRAM TOTAL</u>	<u>5,492,771</u>
25	<u>SALARY LIMIT</u>	<u>3,318,447</u>
26	PROGRAM TOTAL	5,623,427
27	3,249,325	3,318,447

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

- 31 No. 225 - General Operations

- 1 No. 226 - Pipeline Safety
- 2 No. 227 - Underground Storage Tanks
- 3 No. 229 - Cigarette Ignition Propensity Testing

4 There is included in the appropriation to this program for FY2017-18
 5 \$55,000 Federal Funds estimate for state aid, which shall only be used
 6 for such purpose. There is included in the appropriation to this program
 7 for FY2018-19 \$55,000 Federal Funds estimate for state aid, which shall
 8 only be used for such purpose. If federal restrictions prevent using
 9 these Federal Funds for state aid, the State Fire Marshal may reallocate
 10 available funds in the Underground Storage Tank Fund to provide state aid
 11 payments to the affected political subdivisions.

12 There is included in the appropriation to this program for FY2017-18
 13 \$20,000 Cash Funds for fireworks testing, which shall only be used for
 14 such purpose. There is included in the appropriation to this program for
 15 FY2018-19 \$20,000 Cash Funds for fireworks testing, which shall only be
 16 used for such purpose.

17 Sec. 55. Laws 2017, LB327, section 86, is amended to read:

18 Sec. 86. AGENCY NO. 21 – STATE FIRE MARSHAL
 19 Program No. 340 - Training Division

	FY2017-18	FY2018-19
21 <u>GENERAL FUND</u>	<u>850,202</u>	<u>843,390</u>
22 GENERAL FUND	867,553	878,531
23 CASH FUND	22,004	22,004
24 <u>PROGRAM TOTAL</u>	<u>872,206</u>	<u>865,394</u>
25 PROGRAM TOTAL	889,557	900,535
26 SALARY LIMIT	483,362	487,135

27 Sec. 56. Laws 2017, LB327, section 87, is amended to read:

28 Sec. 87. AGENCY NO. 21 – STATE FIRE MARSHAL
 29 Program No. 845 - Nebraska Public Safety Communication System

	FY2017-18	FY2018-19
31 <u>GENERAL FUND</u>	<u>133,936</u>	<u>108,670</u>

1	GENERAL FUND	136,669	113,198
2	CASH FUND	79,981	71,734
3	<u>PROGRAM TOTAL</u>	<u>213,917</u>	<u>180,404</u>
4	PROGRAM TOTAL	216,650	184,932

5 Sec. 57. Laws 2017, LB327, section 92, is amended to read:

6 Sec. 92. AGENCY NO. 23 – DEPARTMENT OF LABOR

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

8		FY2017-18	FY2018-19
9	<u>GENERAL FUND</u>	<u>624,148</u>	<u>609,288</u>
10	GENERAL FUND	636,886	634,675
11	CASH FUND	1,853,069	1,810,549
12	FEDERAL FUND est.	682,337	682,337
13	<u>PROGRAM TOTAL</u>	<u>3,159,554</u>	<u>3,102,174</u>
14	PROGRAM TOTAL	3,172,292	3,127,561
15	SALARY LIMIT	1,637,904	1,652,264

16 There is included in the Cash Fund appropriation to this program for
17 FY2017-18 \$-0- from the Contractor and Professional Employer Organization
18 Registration Cash Fund to employ a bilingual investigator for enforcement
19 of the Employee Classification Act. There is included in the Cash Fund
20 appropriation to this program for FY2018-19 \$-0- from the Contractor and
21 Professional Employer Organization Registration Cash Fund to employ a
22 bilingual investigator for enforcement of the Employee Classification
23 Act.

24 Sec. 58. Laws 2017, LB327, section 96, is amended to read:

25 Sec. 96. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

26 Program No. 33 - Administration

27		FY2017-18	FY2018-19
28	<u>GENERAL FUND</u>	<u>135,264,484</u>	<u>135,640,291</u>
29	GENERAL FUND	137,519,858	140,254,358
30	CASH FUND	26,471,999	26,607,533

1	FEDERAL FUND est.	320,862,298	308,500,737
2	<u>PROGRAM TOTAL</u>	<u>482,598,781</u>	<u>470,748,561</u>
3	PROGRAM TOTAL	484,854,155	475,362,628
4	SALARY LIMIT	153,784,867	153,834,679

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

- 8 No. 261 - General Operations
- 9 No. 262 - Public Health Administration
- 10 No. 263 - Medicaid and Long-Term Care Administration
- 11 No. 264 - Children and Family Services Administration
- 12 No. 265 - Protection and Safety
- 13 No. 266 - Economic and Family Support
- 14 No. 267 - Developmental Disabilities Service Coordination
- 15 No. 268 - Behavioral Health Administration
- 16 No. 269 - Developmental Disabilities Administration

17 (2) There is included in the appropriation to this program for
18 FY2017-18 \$13,688 Cash Funds for regulatory support for out-of-hospital
19 emergency care providers licensing from the Nebraska Health Care Cash
20 Fund. There is included in the appropriation to this program for
21 FY2018-19 \$13,688 Cash Funds for regulatory support for out-of-hospital
22 emergency care providers licensing from the Nebraska Health Care Cash
23 Fund.

24 (3) There is included in the appropriation to this program for
25 FY2017-18 \$26,000 Cash Funds from the Nebraska Health Care Cash Fund to
26 continue the Parkinson's Disease Registry. There is included in the
27 appropriation to this program for FY2018-19 \$26,000 Cash Funds from the
28 Nebraska Health Care Cash Fund to continue the Parkinson's Disease
29 Registry.

30 (4) There is included in the appropriation to this program \$404,643
31 Cash Funds for FY2017-18 and \$404,643 Cash Funds for FY2018-19 from the

1 Nebraska Health Care Cash Fund for respite services in each of the
2 service areas designated by the Department of Health and Human Services
3 and for administrative costs, including personnel costs, associated with
4 the Nebraska Lifespan Respite Services Program.

5 (5) There is included in the appropriation to this program for
6 FY2017-18 \$6,000 Cash Funds from the Nebraska Health Care Cash Fund for
7 costs of smoking cessation covered by medicaid. There is included in the
8 appropriation to this program for FY2018-19 \$6,000 Cash Funds from the
9 Nebraska Health Care Cash Fund for costs of smoking cessation covered by
10 medicaid.

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

15 (7) There is included in the appropriation to this program for
16 FY2017-18 \$1,000,000 General Funds for the electronic records initiative,
17 to be used only for this purpose. There is included in the appropriation
18 to this program for FY2018-19 \$1,000,000 General Funds for the electronic
19 records initiative, to be used only for this purpose.

20 (8) There is included in the appropriation to this program for
21 FY2017-18 \$220,000 Cash Funds to operate a satellite office of minority
22 health in the second and third congressional districts to coordinate and
23 administer state policy relating to minority health from the Nebraska
24 Health Care Cash Fund. There is included in the appropriation to this
25 program for FY2018-19 \$220,000 Cash Funds to operate a satellite office
26 of minority health in the second and third congressional districts to
27 coordinate and administer state policy relating to minority health from
28 the Nebraska Health Care Cash Fund.

29 (9) There is included in the appropriation to this program for
30 FY2017-18 \$100,000 Cash Funds for staff and operating expenses for public
31 health from the Nebraska Health Care Cash Fund. There is included in the

1 appropriation to this program for FY2018-19 \$100,000 Cash Funds for staff
2 and operating expenses for public health from the Nebraska Health Care
3 Cash Fund.

4 Sec. 59. Laws 2017, LB327, section 97, is amended to read:

5 Sec. 97. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
6 Program No. 38 - Behavioral Health Aid

	FY2017-18	FY2018-19
8 <u>GENERAL FUND</u>	<u>72,099,091</u>	<u>71,872,571</u>
9 GENERAL FUND	72,243,240	72,243,240
10 CASH FUND	13,699,660	13,699,660
11 FEDERAL FUND est.	10,504,971	10,504,971
12 <u>PROGRAM TOTAL</u>	<u>96,303,722</u>	<u>96,077,202</u>
13 PROGRAM TOTAL	96,447,871	96,447,871

14 There is included in the appropriation to this program for FY2017-18
15 ~~\$72,099,091~~ ~~\$72,243,240~~ General Funds, \$13,699,660 Cash Funds, and
16 \$10,504,971 Federal Funds estimate for state aid, which shall only be
17 used for such purpose. There is included in the appropriation to this
18 program for FY2018-19 ~~\$71,872,571~~ ~~\$72,243,240~~ General Funds, \$13,699,660
19 Cash Funds, and \$10,504,971 Federal Funds estimate for state aid, which
20 shall only be used for such purpose.

21 There is included in the amount shown as Cash Fund aid in this
22 program \$6,500,000 Cash Funds for FY2017-18 and \$6,500,000 Cash Funds for
23 FY2018-19 from the Nebraska Health Care Cash Fund to be used for
24 community-based mental health and substance abuse services, including
25 intermediate-level residential mental health services. It is the intent
26 of the Legislature that these funds shall be distributed to each of the
27 six behavioral health regions based upon a formula determined by the
28 Department of Health and Human Services.

29 There is included in the amount shown as Cash Fund aid in this
30 program \$2,599,660 Cash Funds for FY2017-18 and \$2,599,660 Cash Funds for
31 FY2018-19 from the Nebraska Health Care Cash Fund to be used for rates

1 paid to providers of mental health and substance abuse services.

2 There is included in the amount shown as Cash Fund aid in this
3 program \$1,500,000 Cash Funds for FY2017-18 and \$1,500,000 Cash Funds for
4 FY2018-19 from the Nebraska Health Care Cash Fund to be used for the cost
5 of maintenance and treatment of persons in emergency protective custody
6 under the Nebraska Mental Health Commitment Act.

7 Sec. 60. Laws 2017, LB327, section 98, is amended to read:

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

9 Program No. 175 - Rural Health Provider Incentive Program

	FY2017-18	FY2018-19
10		
11 <u>GENERAL FUND</u>	<u>694,904</u>	<u>680,723</u>
12 <u>CASH FUND</u>	<u>2,256,815</u>	<u>2,256,815</u>
13 <u>FEDERAL FUND est.</u>	<u>-0-</u>	<u>300,000</u>
14 <u>PROGRAM TOTAL</u>	<u>2,951,719</u>	<u>3,237,538</u>
15 GENERAL FUND	709,086	709,086
16 CASH FUND	2,056,815	2,056,815
17 PROGRAM TOTAL	2,765,901	2,765,901

18 There is included in the appropriation to this program for FY2017-18
19 ~~\$694,904~~ ~~\$709,086~~ General Funds and ~~\$2,256,815~~ ~~\$2,056,815~~ Cash Funds for
20 state aid, which shall only be used for such purpose. There is included
21 in the appropriation to this program for FY2018-19 ~~\$680,723~~ ~~\$709,086~~
22 General Funds, ~~\$2,256,815~~ and ~~\$2,056,815~~ Cash Funds, and \$300,000 Federal
23 Funds estimate for state aid, which shall only be used for such purpose.

24 Sec. 61. Laws 2017, LB327, section 100, is amended to read:

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

26 Program No. 178 - Professional Licensure

	FY2017-18	FY2018-19
27		
28 <u>GENERAL FUND</u>	<u>55,738</u>	<u>55,738</u>
29 GENERAL FUND	104,912	104,912
30 CASH FUND	7,121,016	7,184,274
31 <u>PROGRAM TOTAL</u>	<u>7,176,754</u>	<u>7,240,012</u>

1	PROGRAM TOTAL	7,225,928	7,289,186
2	SALARY LIMIT	3,057,981	3,080,992

3 Sec. 62. Laws 2017, LB327, section 101, is amended to read:
4 Sec. 101. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
5 Program No. 250 - Juvenile Services Operations

6		FY2017-18	FY2018-19
7	<u>GENERAL FUND</u>	<u>21,789,549</u>	<u>22,536,231</u>
8	GENERAL FUND	22,349,549	22,652,972
9	CASH FUND	1,106,866	1,124,985
10	FEDERAL FUND est.	770,917	831,688
11	<u>PROGRAM TOTAL</u>	<u>23,667,332</u>	<u>24,492,904</u>
12	PROGRAM TOTAL	24,227,332	24,609,645
13	SALARY LIMIT	13,661,053	13,805,090

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

- 17 No. 315 - Office of Juvenile Services
- 18 No. 345 - Juvenile Community-Based Services
- 19 No. 371 - Youth Rehabilitation and Treatment Center-Geneva
- 20 No. 374 - Youth Rehabilitation and Treatment Center-Kearney

21 There is included in the appropriation to this program for FY2017-18
22 \$1,000,000 Cash Funds for mental health services to juvenile offenders
23 under section 43-407 from the Nebraska Health Care Cash Fund. There is
24 included in the appropriation to this program for FY2018-19 \$1,000,000
25 Cash Funds for mental health services to juvenile offenders under section
26 43-407 from the Nebraska Health Care Cash Fund.

27 Sec. 63. Laws 2017, LB327, section 102, is amended to read:
28 Sec. 102. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
29 Program No. 344 - Children's Health Insurance

30		FY2017-18	FY2018-19
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1	<u>GENERAL FUND</u>	<u>3,663,940</u>	<u>6,208,871</u>
2	GENERAL FUND	6,163,940	6,208,871
3	CASH FUND	7,085,700	7,085,700
4	FEDERAL FUND est.	102,895,262	104,533,970
5	<u>PROGRAM TOTAL</u>	<u>113,644,902</u>	<u>117,828,541</u>
6	PROGRAM TOTAL	116,144,902	117,828,541

7 There is included in the appropriation to this program for FY2017-18
8 \$3,663,940 ~~\$6,163,940~~ General Funds, \$7,085,700 Cash Funds, and
9 \$102,895,262 Federal Funds estimate for state aid, which shall only be
10 used for such purpose. There is included in the appropriation to this
11 program for FY2018-19 \$6,208,871 General Funds, \$7,085,700 Cash Funds,
12 and \$104,533,970 Federal Funds estimate for state aid, which shall only
13 be used for such purpose.

14 There is included in the appropriation to this program for FY2017-18
15 \$6,835,700 Cash Funds for state aid from the Nebraska Health Care Cash
16 Fund. There is included in the appropriation to this program for
17 FY2018-19 \$6,835,700 Cash Funds for state aid from the Nebraska Health
18 Care Cash Fund.

19 There is included in the amount shown as aid for this program for
20 FY2017-18 up to \$250,000 Cash Funds and for FY2018-19 up to \$250,000 Cash
21 Funds from the Health and Human Services Cash Fund for the state match
22 for utilization of the unused administrative cap as allowed under the
23 Children's Health Insurance Program for payments to the Nebraska Regional
24 Poison Center funded through the University of Nebraska Medical Center.
25 The match is from Cash Funds transferred from the University of Nebraska
26 Medical Center.

27 It is the intent of the Legislature that phased-down state
28 contributions to the federal government as defined and required by the
29 federal Medicare Prescription Drug, Improvement, and Modernization Act of
30 2003 may be made from appropriations to this program.

31 Sec. 64. Laws 2017, LB327, section 103, is amended to read:

1 Sec. 103. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
2 Program No. 347 - Public Assistance

	FY2017-18	FY2018-19
4 <u>GENERAL FUND</u>	<u>93,988,027</u>	<u>94,994,043</u>
5 GENERAL FUND	104,794,067	104,794,067
6 CASH FUND	3,560,000	3,560,000
7 FEDERAL FUND est.	110,125,004	110,125,004
8 <u>PROGRAM TOTAL</u>	<u>207,673,031</u>	<u>208,679,047</u>
9 PROGRAM TOTAL	218,479,071	218,479,071

10 There is included in the appropriation to this program for FY2017-18
11 \$93,988,027 ~~\$104,794,067~~ General Funds, \$3,560,000 Cash Funds, and
12 \$110,125,004 Federal Funds estimate for state aid, which shall only be
13 used for such purpose. There is included in the appropriation to this
14 program for FY2018-19 \$94,994,043 ~~\$104,794,067~~ General Funds, \$3,560,000
15 Cash Funds, and \$110,125,004 Federal Funds estimate for state aid, which
16 shall only be used for such purpose.

17 There is included in the amount shown as aid for this program for
18 FY2017-18 \$810,000 Cash Funds from the Nebraska Health Care Cash Fund to
19 aid in carrying out the Nebraska Lifespan Respite Services Program and to
20 provide payment to caregivers to purchase services under the respite
21 subsidy program. There is included in the amount shown as aid for this
22 program for FY2018-19 \$810,000 Cash Funds from the Nebraska Health Care
23 Cash Fund to aid in carrying out the Nebraska Lifespan Respite Services
24 Program and to provide payment to caregivers to purchase services under
25 the respite subsidy program.

26 Sec. 65. Laws 2017, LB327, section 104, is amended to read:

27 Sec. 104. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES
28 Program No. 348 - Medical Assistance

	FY2017-18	FY2018-19
30 <u>GENERAL FUND</u>	<u>835,565,260</u>	<u>850,012,184</u>
31 GENERAL FUND	833,065,260	837,224,033

1	CASH FUND	46,851,581	46,851,581
2	<u>FEDERAL FUND est.</u>	<u>1,143,123,143</u>	<u>1,174,464,419</u>
3	<u>PROGRAM TOTAL</u>	<u>2,025,539,984</u>	<u>2,071,328,184</u>
4	FEDERAL FUND est.	1,143,123,143	1,189,442,647
5	PROGRAM TOTAL	2,023,039,984	2,073,518,261

6 There is included in the appropriation to this program for FY2017-18
7 ~~\$835,565,260~~ ~~\$833,065,260~~ General Funds, \$46,851,581 Cash Funds, and
8 \$1,143,123,143 Federal Funds estimate for state aid, which shall only be
9 used for such purpose. There is included in the appropriation to this
10 program for FY2018-19 \$850,012,184 ~~\$837,224,033~~ General Funds,
11 \$46,851,581 Cash Funds, and \$1,174,464,419 ~~\$1,189,442,647~~ Federal Funds
12 estimate for state aid, which shall only be used for such purpose.

13 There is included in the amount shown as aid for this program for
14 FY2017-18 \$4,765,896 Cash Funds for the continuation of the behavioral
15 health provider rate increase and behavioral health provider rate
16 increase for managed care, inpatient services, and residential treatment
17 services provided with funds from the Nebraska Health Care Cash Fund.
18 There is included in the amount shown as aid for this program for
19 FY2018-19 \$4,765,896 Cash Funds for the continuation of the behavioral
20 health provider rate increase and behavioral health provider rate
21 increase for managed care, inpatient services, and residential treatment
22 services provided with funds from the Nebraska Health Care Cash Fund.

23 There is included in the amount shown as aid for this program for
24 FY2017-18 \$450,000 Cash Funds from the Nebraska Health Care Cash Fund for
25 a state plan amendment covering tobacco-use cessation in compliance with
26 Title XIX of the federal Social Security Act. There is included in the
27 amount shown as aid for this program for FY2018-19 \$450,000 Cash Funds
28 from the Nebraska Health Care Cash Fund for a state plan amendment
29 covering tobacco-use cessation in compliance with Title XIX of the
30 federal Social Security Act. The smoking cessation funding for FY2017-18
31 and FY2018-19 is for the costs of tobacco-use cessation counseling and

1 tobacco-use cessation pharmaceuticals approved by the federal Food and
2 Drug Administration for such purpose.

3 There is included in the appropriation to this program for FY2017-18
4 \$5,067,237 Cash Funds from funds transferred from the University of
5 Nebraska Medical Center and an estimated \$5,456,619 Federal Funds for
6 supplemental payments to Nebraska Medicine. There is included in the
7 appropriation to this program for FY2018-19 \$5,549,744 Cash Funds from
8 funds transferred from the University of Nebraska Medical Center and an
9 estimated \$6,083,888 Federal Funds for supplemental payments to Nebraska
10 Medicine, for payments as allowed and approved by the Medicaid State Plan
11 Amendment by the Centers for Medicare and Medicaid Services.

12 There is included in the appropriation to this program for FY2017-18
13 \$2,600,000 General Funds and \$2,859,891 Federal Funds for rebasing rates
14 by three percent for hospitals paid under the prospective payment system.
15 There is included in the appropriation to this program for FY2018-19
16 \$2,600,000 General Funds and \$2,962,687 Federal Funds for rebasing rates
17 by three percent for hospitals paid under the prospective payment system.

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

22 The chief executive officer of the Department of Health and Human
23 Services may certify to the budget administrator of the budget division
24 of the Department of Administrative Services FY2017-18 and FY2018-19
25 unexpended appropriation balances for Medical Assistance, Program No.
26 348, available to transfer to Developmental Disabilities Aid, Program No.
27 424, to be used only to maintain individuals with an intellectual or
28 developmental disability in a medicaid program that best serves their
29 needs at a cost that does not exceed the cost of services provided in an
30 institution. The budget administrator of the budget division of the
31 Department of Administrative Services shall administratively transfer

1 during FY2017-18 and FY2018-19 available appropriations as certified by
2 the chief executive officer of the Department of Health and Human
3 Services from Medical Assistance, Program No. 348, to Developmental
4 Disabilities Aid, Program No. 424.

5 It is the intent of the Legislature that the Division of
6 Rehabilitation Services in the State Department of Education and the
7 Division of Developmental Disabilities of the Department of Health and
8 Human Services work collaboratively to focus on employment for
9 individuals with disabilities and to maximize federal matching funds in
10 compliance with the federal Workforce Innovation and Opportunity Act and
11 the federal Home and Community-Based Services Final Rule.

12 Sec. 66. Laws 2017, LB327, section 106, is amended to read:

13 Sec. 106. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

14 Program No. 354 - Child Welfare Aid

	FY2017-18	FY2018-19
15		
16 <u>GENERAL FUND</u>	<u>190,749,126</u>	<u>197,071,388</u>
17 <u>CASH FUND</u>	<u>2,734,444</u>	<u>17,734,444</u>
18 GENERAL FUND	166,067,300	166,067,300
19 CASH FUND	2,734,444	2,734,444
20 FEDERAL FUND est.	29,352,073	29,352,073
21 <u>PROGRAM TOTAL</u>	<u>222,835,643</u>	<u>244,157,905</u>
22 PROGRAM TOTAL	198,153,817	198,153,817

23 There is included in the appropriation to this program for FY2017-18
24 \$190,749,126 ~~\$166,067,300~~ General Funds, \$2,734,444 Cash Funds, and
25 \$29,352,073 Federal Funds estimate for state aid, which shall only be
26 used for such purpose. There is included in the appropriation to this
27 program for FY2018-19 \$197,071,388 ~~\$166,067,300~~ General Funds,
28 \$17,734,444 ~~\$2,734,444~~ Cash Funds, and \$29,352,073 Federal Funds estimate
29 for state aid, which shall only be used for such purpose.

30 There is included in the amount shown as aid for this program for
31 FY2017-18 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund

1 for the continuation of the behavioral health provider rate increase.
2 There is included in the amount shown as aid for this program for
3 FY2018-19 \$2,734,444 Cash Funds from the Nebraska Health Care Cash Fund
4 for the continuation of the behavioral health provider rate increase.

5 Sec. 67. Laws 2017, LB327, section 107, is amended to read:

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

7 Program No. 359 - Bridge to Independence

	FY2017-18	FY2018-19
8		
9	<u>1,784,760</u>	<u>1,785,961</u>
10	1,784,760	1,787,085
11	1,943,641	1,954,990
12	<u>3,728,401</u>	<u>3,740,951</u>
13	3,728,401	3,742,075
14	813,274	820,002

15 Sec. 68. Laws 2017, LB327, section 108, is amended to read:

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

17 Program No. 365 - Mental Health Operations

	FY2017-18	FY2018-19
18		
19	<u>56,308,657</u>	<u>57,585,143</u>
20	56,904,953	57,996,887
21	4,490,880	4,303,578
22	5,820,186	5,821,692
23	<u>66,619,723</u>	<u>67,710,413</u>
24	67,216,019	68,122,157
25	38,883,254	39,324,981

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. 361 - Hastings Regional Center

30 No. 363 - Lincoln Regional Center

1 No. 379 - Evaluation and Screening - Community-Based Residential
2 Services

3 No. 870 - Norfolk Sex Offender Treatment

4 Sec. 69. Laws 2017, LB327, section 109, is amended to read:

5 Sec. 109. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

6 Program No. 421 - Beatrice State Developmental Center

	FY2017-18	FY2018-19
8 <u>GENERAL FUND</u>	<u>13,984,233</u>	<u>16,524,912</u>
9 GENERAL FUND	16,484,233	16,674,185
10 CASH FUND	2,711,482	2,711,482
11 <u>FEDERAL FUND est.</u>	<u>22,159,326</u>	<u>19,943,988</u>
12 <u>PROGRAM TOTAL</u>	<u>38,855,041</u>	<u>39,180,382</u>
13 FEDERAL FUND est.	19,659,326	19,943,988
14 PROGRAM TOTAL	38,855,041	39,329,655
15 SALARY LIMIT	23,764,773	23,927,821

16 The chief executive officer of the Department of Health and Human
17 Services shall certify to the budget administrator of the budget division
18 of the Department of Administrative Services the FY2017-18 and FY2018-19
19 unexpended appropriation balances for the Beatrice State Developmental
20 Center, Program 421, which are available to transition and maintain
21 persons transferred from the Beatrice State Developmental Center to
22 community-based developmental disability or other services. The budget
23 administrator of the budget division of the Department of Administrative
24 Services shall administratively transfer during FY2017-18 and FY2018-19
25 available unexpended appropriation balances as certified by the chief
26 executive officer of the Department of Health and Human Services from the
27 Beatrice State Developmental Center, Program 421, to Developmental
28 Disability Aid, Program 424, and Medical Assistance, Program 348.

29 Sec. 70. Laws 2017, LB327, section 110, is amended to read:

30 Sec. 110. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

31 Program No. 424 - Developmental Disability Aid

	FY2017-18	FY2018-19
1		
2	<u>149,225,944</u>	<u>150,279,443</u>
3	149,225,944	148,089,366
4	6,312,000	6,312,000
5	<u>155,537,944</u>	<u>156,591,443</u>
6	155,537,944	154,401,366

7 There is included in the appropriation to this program for FY2017-18
8 \$149,225,944 General Funds and \$6,312,000 Cash Funds for state aid, which
9 shall only be used for such purpose. There is included in the
10 appropriation to this program for FY2018-19 \$150,279,443 ~~\$148,089,366~~
11 General Funds and \$6,312,000 Cash Funds for state aid, which shall only
12 be used for such purpose.

13 There is included in the amount shown as Cash Fund aid in this
14 program for FY2017-18 \$5,000,000 Cash Funds and for FY2018-19 \$5,000,000
15 Cash Funds from the Nebraska Health Care Cash Fund to be used for
16 services for persons with developmental disabilities (1) who were on the
17 waiting list for such services prior to July 1, 2001, and began receiving
18 such services on and after such date and (2) who are on the waiting list
19 for such services on and after July 1, 2017, beginning with those who
20 have been on the waiting list for the greatest length of time past their
21 date of need.

22 There is included in the amount shown as General Fund aid in this
23 program for FY2017-18 \$1,697,234 General Funds to serve individuals on
24 the waiting list for developmental disability services, which shall only
25 be used for such purpose. There is included in the amount shown as
26 General Fund aid in this program for FY2018-19 \$3,474,752 General Funds
27 to serve individuals on the waiting list for developmental disability
28 services, which shall only be used for such purpose.

29 Sec. 71. Laws 2017, LB327, section 112, is amended to read:

30 Sec. 112. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

31 Program No. 514 - Health Aid

	FY2017-18	FY2018-19
1		
2 <u>GENERAL FUND</u>	<u>6,157,091</u>	<u>6,151,907</u>
3 GENERAL FUND	6,192,491	6,192,491
4 CASH FUND	11,745,817	11,745,817
5 FEDERAL FUND est.	54,042,225	54,042,225
6 <u>PROGRAM TOTAL</u>	<u>71,945,133</u>	<u>71,939,949</u>
7 PROGRAM TOTAL	71,980,533	71,980,533

8 There is included in the appropriation to this program for FY2017-18
9 ~~\$6,157,091~~ ~~\$6,192,491~~ General Funds, \$11,745,817 Cash Funds, and
10 \$54,042,225 Federal Funds estimate for state aid, which shall only be
11 used for such purpose. There is included in the appropriation to this
12 program for FY2018-19 \$6,151,907 ~~\$6,192,491~~ General Funds, \$11,745,817
13 Cash Funds, and \$54,042,225 Federal Funds estimate for state aid, which
14 shall only be used for such purpose.

15 There is included in the amount shown as aid for this program
16 \$653,759 General Funds for FY2017-18 and \$653,759 General Funds for
17 FY2018-19, which shall only be used for the following purposes:
18 Reimbursement for the provision of pap smears, colposcopy, cervical
19 biopsy, cryotherapy, loop electrosurgical excision procedure (LEEP), and
20 such other treatments and procedures as may be developed for the followup
21 of abnormal pap smears; the diagnosis and treatment of sexually
22 transmitted diseases, including, but not limited to, chlamydia,
23 gonorrhea, HPV (genital warts), and herpes; and associated laboratory and
24 equipment costs and staff training costs relating to the use of
25 colposcopy equipment. None of the General Funds provided under this
26 program shall be used to perform or facilitate the performance of
27 abortion or to counsel or refer for abortion.

28 Pursuant to the requirement of 42 U.S.C. 300a-6 that no funds
29 disbursed under the Federal Title X Program are to be used in programs
30 where abortion is a method of family planning, none of the funds
31 disbursed under such program shall be paid or granted to an organization

1 that performs, assists with the performance of, provides directive
2 counseling in favor of, or refers for abortion. An otherwise qualified
3 organization shall not be disqualified from receipt of these funds
4 because of its affiliation with an organization that performs, assists
5 with the performance of, provides directive counseling in favor of, or
6 refers for abortion, provided that the affiliated organization is
7 objectively independent of the qualified organization. Objective
8 independence includes, but is not limited to, legal, physical, and
9 financial separation between the affiliated organization and the
10 qualified organization.

11 There is included in the amount shown as aid in this program for
12 FY2017-18 \$484,750 General Funds for Citizen Advocacy. There is included
13 in the amount shown as aid in this program for FY2018-19 \$484,750 General
14 Funds for Citizen Advocacy.

15 There is included in the amount shown as aid for this program for
16 FY2017-18 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for
17 the Poison Control Center at the University of Nebraska Medical Center,
18 which shall only be used by the medical center for the Poison Control
19 Center. There is included in the amount shown as aid for this program for
20 FY2018-19 \$200,000 Cash Funds from the Nebraska Health Care Cash Fund for
21 the Poison Control Center at the University of Nebraska Medical Center,
22 which shall only be used by the medical center for the Poison Control
23 Center.

24 There is included in the amount shown as aid for this program for
25 FY2017-18 \$250,000 Cash Funds from the Nebraska Health Care Cash Fund for
26 the Medical Cannabidiol Pilot Study at the University of Nebraska Medical
27 Center, which shall only be used by the medical center for the Medical
28 Cannabidiol Pilot Study. There is included in the amount shown as aid for
29 this program for FY2018-19 \$250,000 Cash Funds from the Nebraska Health
30 Care Cash Fund for the Medical Cannabidiol Pilot Study at the University
31 of Nebraska Medical Center, which shall only be used by the medical

1 center for the Medical Cannabidiol Pilot Study. The unexpended balance
2 existing on June 30, 2018, and June 30, 2019, is hereby reappropriated.

3 There is included in the amount shown as aid for this program for
4 FY2017-18 \$1,100,000 General Funds for evidence-based early intervention
5 home visitation programs. There is included in the amount shown as aid
6 for this program for FY2018-19 \$1,100,000 General Funds for evidence-
7 based early intervention home visitation programs.

8 There is included in the amount shown as aid for this program for
9 FY2017-18 up to \$100,000 General Funds to contract with the University of
10 Nebraska Medical Center for the Nebraska Perinatal Quality Improvement
11 Collaborative. There is included in the amount shown as aid for this
12 program for FY2018-19 up to \$100,000 General Funds to contract with the
13 University of Nebraska Medical Center for the Nebraska Perinatal Quality
14 Improvement Collaborative.

15 There is included in the amount shown as aid for this program for
16 FY2017-18 up to ~~\$294,600~~ ~~\$300,000~~ General Funds to contract for services
17 for implementation of a statewide drug disposal project. There is
18 included in the amount shown as aid for this program for FY2018-19 up to
19 ~~\$289,416~~ ~~\$300,000~~ General Funds to contract for services for
20 implementation of a statewide drug disposal project.

21 There is included in the amount shown as aid for this program for
22 FY2017-18 up to \$292,000 General Funds for tuition reimbursement for
23 emergency medical services responders' initial and ongoing training.
24 There is included in the amount shown as aid for this program for
25 FY2018-19 up to \$292,000 General Funds for tuition reimbursement for
26 emergency medical services responders' initial and ongoing training.

27 Sec. 72. Laws 2017, LB327, section 116, is amended to read:

28 Sec. 116. AGENCY NO. 25 – DEPARTMENT OF HEALTH AND HUMAN SERVICES

29 Program No. 621 - Stem Cell Research

	FY2017-18	FY2018-19
30		
31 CASH FUND	450,000	450,000

1	PROGRAM TOTAL	450,000	450,000
2	SALARY LIMIT	13,500	13,500

3 There is included in the appropriation to this program for FY2017-18
 4 ~~\$425,000~~ ~~\$435,000~~ Cash Funds for state aid, from the Nebraska Health Care
 5 ~~Cash Fund~~, which shall only be used for such purpose. There is included
 6 in the appropriation to this program for FY2018-19 ~~\$425,000~~ ~~\$435,000~~ Cash
 7 Funds for state aid, from the Nebraska Health Care Cash Fund, which shall
 8 only be used for such purpose.

9 There is included in the appropriation to this program for FY2017-18
 10 \$435,000 Cash Funds from the Nebraska Health Care Cash Fund. There is
 11 included in the appropriation to this program for FY2018-19 \$435,000 Cash
 12 Funds from the Nebraska Health Care Cash Fund.

13 Sec. 73. Laws 2017, LB327, section 125, is amended to read:

14 Sec. 125. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS

15 Program No. 36 - Departmental Administration

	FY2017-18	FY2018-19
16		
17	<u>1,845,202</u>	<u>1,860,312</u>
18	<u>418,587</u>	<u>417,142</u>
19	<u>660,582</u>	<u>658,304</u>
20	<u>2,924,371</u>	<u>2,935,758</u>
21	<u>1,736,731</u>	<u>1,754,497</u>
22	2,256,530	2,313,933
23	640,000	640,000
24	1,010,000	1,010,000
25	3,906,530	3,963,933
26	2,448,665	2,471,770

27 Sec. 74. Laws 2017, LB327, section 126, is amended to read:

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

29 Program No. 37 - Veterans' Cemeteries

30	FY2017-18	FY2018-19
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1	<u>GENERAL FUND</u>	<u>12,527</u>	<u>179,973</u>
2	GENERAL FUND	12,783	187,472
3	CASH FUND	295,557	125,557
4	<u>PROGRAM TOTAL</u>	<u>308,084</u>	<u>305,530</u>
5	PROGRAM TOTAL	308,340	313,029
6	SALARY LIMIT	151,752	152,872

7 Sec. 75. Laws 2017, LB327, section 128, is amended to read:

8 Sec. 128. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

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

10		FY2017-18	FY2018-19
11	<u>GENERAL FUND</u>	<u>1,843,740</u>	<u>1,806,112</u>
12	GENERAL FUND	1,881,367	1,881,367
13	CASH FUND	50,000	50,000
14	<u>PROGRAM TOTAL</u>	<u>1,893,740</u>	<u>1,856,112</u>
15	PROGRAM TOTAL	1,931,367	1,931,367

16 The unexpended General Fund appropriation balance existing on June
17 30, 2017, is hereby reappropriated.

18 There is included in the appropriation to this program for FY2017-18
19 ~~\$1,843,740~~ ~~\$1,881,367~~ General Funds, any reappropriated amounts, and
20 \$50,000 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 FY2018-19 \$1,806,112 ~~\$1,881,367~~ General Funds, any reappropriated
23 amounts, and \$50,000 Cash Funds for state aid, which shall only be used
24 for such purpose.

25 Sec. 76. Laws 2017, LB327, section 130, is amended to read:

26 Sec. 130. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

27 Program No. 307 - Nebraska Resources Development Fund

28		FY2017-18	FY2018-19
29	<u>GENERAL FUND</u>	<u>3,077,518</u>	<u>3,014,712</u>
30	GENERAL FUND	3,140,325	3,140,325

1	CASH FUND	47,500	47,500
2	<u>PROGRAM TOTAL</u>	<u>3,125,018</u>	<u>3,062,212</u>
3	PROGRAM TOTAL	3,187,825	3,187,825

4 The unexpended General Fund and Cash Fund appropriation balances
5 existing on June 30, 2017, are hereby reappropriated.

6 There is included in the appropriation to this program for FY2017-18
7 ~~\$3,077,518~~ ~~\$3,140,325~~ General Funds, any reappropriated amounts, and
8 \$47,500 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 \$3,014,712 ~~\$3,140,325~~ General Funds, any reappropriated
11 amounts, and \$47,500 Cash Funds for state aid, which shall only be used
12 for such purpose.

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

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

23 Sec. 77. Laws 2017, LB327, section 132, is amended to read:

24 Sec. 132. AGENCY NO. 29 – DEPARTMENT OF NATURAL RESOURCES

25 Program No. 313 - Water Sustainability Fund

	FY2017-18	FY2018-19
26		
27	<u>CASH FUND</u>	<u>10,739,077</u>
28	<u>PROGRAM TOTAL</u>	<u>10,309,520</u>
29	CASH FUND	10,739,077
30	PROGRAM TOTAL	10,739,077

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

1 2017, is hereby reappropriated.

2 There is included in the appropriation to this program for FY2017-18
3 \$10,739,077 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 FY2018-19 ~~\$10,739,077~~ \$10,309,520 Cash
6 Funds, plus any reappropriated amounts, for state aid, which shall only
7 be used for such purpose.

8 Sec. 78. Laws 2017, LB327, section 134, is amended to read:

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

10 Program No. 334 - Soil and Water Conservation

	FY2017-18	FY2018-19
11		
12	<u>10,069,531</u>	<u>9,962,194</u>
13	10,275,032	10,377,285
14	7,413,469	7,417,658
15	781,454	794,606
16	<u>18,264,454</u>	<u>18,174,458</u>
17	18,469,955	18,589,549
18	6,681,741	6,738,783

19 There is hereby reappropriated an amount certified by the Department
20 of Natural Resources to the budget administrator of the budget division
21 of the Department of Administrative Services of the unexpended General
22 Fund and Cash Fund appropriation balances existing on June 30, 2017, that
23 are allocated in budget subprograms 19, 20, and 21 of Program 334.
24 Reappropriated funds shall be allocated to the same budget subprogram.
25 The reappropriated amount of the unexpended General Fund appropriation
26 balance existing on June 30, 2017, that is allocated in budget subprogram
27 19 is hereby reduced by \$500,000.

28 There is included in the appropriation to this program for FY2017-18
29 \$6,450,000 Cash Funds plus any reappropriated amounts and \$5,000 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 FY2018-19

1 \$6,450,000 Cash Funds plus any reappropriated amounts and \$5,000 Federal
2 Funds estimate, for state aid, which shall only be used for such purpose.

3 Sec. 79. Laws 2017, LB327, section 136, is amended to read:

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

5 Program No. 192 - Governor's Emergency Aid

	FY2017-18	FY2018-19
6		
7 CASH FUND <u>est.</u>	250,000	250,000
8 FEDERAL FUND est.	4,500,000	4,500,000
9 PROGRAM TOTAL	4,750,000	4,750,000

10 There is no salary limitation for this program.

11 Cash Fund expenditures for this program shall not be limited to the
12 amount shown.

13 The unexpended General Fund and Cash Fund appropriation balances
14 existing on June 30, 2017, are hereby reappropriated.

15 There is included in the appropriation to this program for FY2017-18
16 \$250,000 Cash Funds and \$4,500,000 Federal Funds estimate for state aid.

17 There is included in the appropriation to this program for FY2018-19
18 \$250,000 Cash Funds and \$4,500,000 Federal Funds estimate for state aid.

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

22 Sec. 80. Laws 2017, LB327, section 137, is amended to read:

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

24 Program No. 544 - National and State Guard

	FY2017-18	FY2018-19
25		
26 <u>GENERAL FUND</u>	<u>2,914,407</u>	<u>2,875,548</u>
27 GENERAL FUND	2,973,885	2,995,363
28 CASH FUND	399,808	399,808
29 FEDERAL FUND est.	16,646,169	16,738,709
30 <u>PROGRAM TOTAL</u>	<u>19,960,384</u>	<u>20,014,065</u>
31 PROGRAM TOTAL	20,019,862	20,133,880

1	SALARY LIMIT	5,938,758	5,986,724
2	Sec. 81. Laws 2017, LB327, section 138, is amended to read:		
3	Sec. 138. AGENCY NO. 31 – MILITARY DEPARTMENT		
4	Program No. 545 - Emergency Management		
5		FY2017-18	FY2018-19
6	<u>GENERAL FUND</u>	<u>1,354,553</u>	<u>1,329,190</u>
7	GENERAL FUND	1,382,197	1,384,573
8	CASH FUND est.	556,782	560,452
9	FEDERAL FUND est.	3,421,165	3,441,975
10	<u>PROGRAM TOTAL</u>	<u>5,332,500</u>	<u>5,331,617</u>
11	PROGRAM TOTAL	5,360,144	5,387,000
12	SALARY LIMIT	1,985,113	2,000,050

13 Cash Fund expenditures shall not be limited to the amounts shown.
 14 There is included in the appropriation to this program for FY2017-18
 15 \$1,570,604 Federal Funds estimate for state aid, which shall only be used
 16 for such purpose. There is included in the appropriation to this program
 17 for FY2018-19 \$1,570,604 Federal Funds estimate for state aid, which
 18 shall only be used for such purpose.

19 Sec. 82. Laws 2017, LB327, section 139, is amended to read:
 20 Sec. 139. AGENCY NO. 31 – MILITARY DEPARTMENT
 21 Program No. 548 - Tuition Assistance

22		FY2017-18	FY2018-19
23	<u>GENERAL FUND</u>	<u>596,599</u>	<u>584,424</u>
24	<u>PROGRAM TOTAL</u>	<u>596,599</u>	<u>584,424</u>
25	GENERAL FUND	608,775	608,775
26	PROGRAM TOTAL	608,775	608,775
27	SALARY LIMIT	-0-	-0-

28 There is included in the appropriation to this program for FY2017-18
 29 \$596,599 ~~\$608,775~~ General Funds for state aid, which shall only be used
 30 for such purpose. There is included in the appropriation to this program

1 for FY2018-19 ~~\$584,424~~ ~~\$608,775~~ General Funds for state aid, which shall
2 only be used for such purpose.

3 Sec. 83. Laws 2017, LB327, section 140, is amended to read:

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

5 Program No. 529 - Land Surveys

	FY2017-18	FY2018-19
6		
7 <u>GENERAL FUND</u>	<u>372,991</u>	<u>332,159</u>
8 GENERAL FUND	380,603	345,999
9 CASH FUND	23,624	23,841
10 <u>PROGRAM TOTAL</u>	<u>396,615</u>	<u>356,000</u>
11 PROGRAM TOTAL	404,227	369,840
12 SALARY LIMIT	305,125	267,608

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

16 Sec. 84. Laws 2017, LB327, section 145, is amended to read:

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

18 Program No. 336 - Wildlife Conservation

	FY2017-18	FY2018-19
19		
20 <u>GENERAL FUND</u>	<u>1,329,247</u>	<u>1,317,773</u>
21 GENERAL FUND	1,356,375	1,372,680
22 CASH FUND	25,241,470	25,413,215
23 FEDERAL FUND est.	3,712,098	3,734,535
24 <u>PROGRAM TOTAL</u>	<u>30,282,815</u>	<u>30,465,523</u>
25 PROGRAM TOTAL	30,309,943	30,520,430
26 SALARY LIMIT	14,480,415	14,605,553

27 There is included in the appropriation to this program for FY2017-18
28 \$585,000 Cash 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 \$585,000 Cash Funds for state aid, which shall only be used for

1 such purpose.

2 Sec. 85. Laws 2017, LB327, section 146, is amended to read:

3 Sec. 146. AGENCY NO. 33 – GAME AND PARKS COMMISSION

4 Program No. 337 - Administration

	FY2017-18	FY2018-19
5		
6 <u>GENERAL FUND</u>	<u>807,543</u>	<u>799,377</u>
7 GENERAL FUND	824,023	832,684
8 CASH FUND	4,433,619	4,480,345
9 <u>PROGRAM TOTAL</u>	<u>5,241,162</u>	<u>5,279,722</u>
10 PROGRAM TOTAL	5,257,642	5,313,029
11 SALARY LIMIT	2,723,971	2,744,392

12 Sec. 86. Laws 2017, LB327, section 147, is amended to read:

13 Sec. 147. AGENCY NO. 33 – GAME AND PARKS COMMISSION

14 Program No. 338 - Niobrara Council

	FY2017-18	FY2018-19
15		
16 <u>GENERAL FUND</u>	<u>41,171</u>	<u>40,331</u>
17 GENERAL FUND	42,011	42,011
18 CASH FUND	1,000	1,000
19 FEDERAL FUND est.	125,000	125,000
20 <u>PROGRAM TOTAL</u>	<u>167,171</u>	<u>166,331</u>
21 PROGRAM TOTAL	168,011	168,011

22 The unexpended Cash Fund appropriation balance existing on June 30,
23 2017, is hereby reappropriated.

24 There is included in the appropriation to this program for FY2017-18
25 \$41,171 ~~\$42,011~~ General Funds, \$1,000 Cash Funds, and \$125,000 Federal
26 Funds estimate for state aid, which shall only be used for such purpose.

27 There is included in the appropriation to this program for FY2018-19
28 \$40,331 ~~\$42,011~~ General Funds, \$1,000 Cash Funds, and \$125,000 Federal
29 Funds estimate for state aid, which shall only be used for such purpose.

30 Sec. 87. Laws 2017, LB327, section 148, is amended to read:

31 Sec. 148. AGENCY NO. 33 – GAME AND PARKS COMMISSION

1 Program No. 549 - Parks - Administration and Operation

	FY2017-18	FY2018-19
2		
3 <u>GENERAL FUND</u>	<u>6,654,588</u>	<u>6,577,243</u>
4 GENERAL FUND	6,790,396	6,851,295
5 CASH FUND	20,325,539	21,332,057
6 FEDERAL FUND est.	50,000	50,000
7 <u>PROGRAM TOTAL</u>	<u>27,030,127</u>	<u>27,959,300</u>
8 PROGRAM TOTAL	27,165,935	28,233,352
9 SALARY LIMIT	12,282,796	13,073,500

10 Sec. 88. Laws 2017, LB327, section 149, is amended to read:

11 Sec. 149. AGENCY NO. 33 – GAME AND PARKS COMMISSION

12 Program No. 550 - Planning and Trails Coordination

	FY2017-18	FY2018-19
13		
14 <u>GENERAL FUND</u>	<u>446,701</u>	<u>442,284</u>
15 GENERAL FUND	455,817	460,713
16 CASH FUND	1,100,745	1,113,717
17 FEDERAL FUND est.	105,491	105,491
18 <u>PROGRAM TOTAL</u>	<u>1,652,937</u>	<u>1,661,492</u>
19 PROGRAM TOTAL	1,662,053	1,679,921
20 SALARY LIMIT	901,608	908,392

21 It is the intent of the Legislature that the amount expended for the
22 development and maintenance of boundary fences along the Cowboy Trail be
23 limited to \$64,000 Cash Funds during each fiscal year.

24 Sec. 89. Laws 2017, LB327, section 150, is amended to read:

25 Sec. 150. AGENCY NO. 33 – GAME AND PARKS COMMISSION

26 Program No. 617 - Engineering and Area Maintenance

	FY2017-18	FY2018-19
27		
28 <u>GENERAL FUND</u>	<u>2,042,921</u>	<u>2,025,553</u>
29 GENERAL FUND	2,084,613	2,109,951
30 CASH FUND	1,171,268	1,182,179

1	<u>PROGRAM TOTAL</u>	<u>3,214,189</u>	<u>3,207,732</u>
2	PROGRAM TOTAL	3,255,881	3,292,130
3	SALARY LIMIT	1,685,630	1,698,280

4 Sec. 90. Laws 2017, LB327, section 152, is amended to read:

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

6 Program No. 846 - Nebraska Public Safety Communication System

7		FY2017-18	FY2018-19
8	<u>GENERAL FUND</u>	<u>36,636</u>	<u>15,388</u>
9	GENERAL FUND	37,384	16,029
10	CASH FUND	303,957	303,957
11	<u>PROGRAM TOTAL</u>	<u>340,593</u>	<u>319,345</u>
12	PROGRAM TOTAL	341,341	319,986

13 There is included in the appropriation to this program for FY2017-18
14 a retainer fee of up to \$36,636 ~~\$37,384~~ General Funds and up to \$93,957
15 Cash Funds which shall be paid in four equal quarterly amounts to the
16 Nebraska Public Safety Communication System Revolving Fund on or before
17 July 15, October 15, January 15, and April 15 for Department of
18 Administrative Services central costs of operating the Nebraska Public
19 Safety Communication System, which shall only be used for such purpose.
20 The retainer fee amounts shall only be expended against budget subprogram
21 1 as a separate and distinct budget subprogram and shall not be
22 commingled with any other expenses.

23 There is included in the appropriation to this program for FY2018-19
24 a retainer fee of up to \$15,388 ~~\$16,029~~ General Funds and up to \$93,957
25 Cash Funds which shall be paid in four equal quarterly amounts to the
26 Nebraska Public Safety Communication System Revolving Fund on or before
27 July 15, October 15, January 15, and April 15 for Department of
28 Administrative Services central costs of operating the Nebraska Public
29 Safety Communication System, which shall only be used for such purpose.
30 The retainer fee amounts shall only be expended against budget subprogram
31 1 as a separate and distinct budget subprogram and shall not be

1 commingled with any other expenses.

2 Sec. 91. Laws 2017, LB327, section 153, is amended to read:

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

4 Program No. 252 - Library and Information Services

	FY2017-18	FY2018-19
5		
6 <u>GENERAL FUND</u>	<u>2,512,102</u>	<u>2,514,251</u>
7 GENERAL FUND	2,563,369	2,619,011
8 CASH FUND	94,085	94,085
9 FEDERAL FUND est.	900,830	900,830
10 <u>PROGRAM TOTAL</u>	<u>3,507,017</u>	<u>3,509,166</u>
11 PROGRAM TOTAL	3,558,284	3,613,926
12 SALARY LIMIT	2,106,770	2,118,867

13 Sec. 92. Laws 2017, LB327, section 154, is amended to read:

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

15 Program No. 302 - Library Development

	FY2017-18	FY2018-19
16		
17 <u>GENERAL FUND</u>	<u>1,269,183</u>	<u>1,243,282</u>
18 GENERAL FUND	1,295,085	1,295,085
19 FEDERAL FUND est.	611,395	611,395
20 <u>PROGRAM TOTAL</u>	<u>1,880,578</u>	<u>1,854,677</u>
21 PROGRAM TOTAL	1,906,480	1,906,480

22 There is included in the appropriation to this program for FY2017-18

23 ~~\$1,269,183~~ ~~\$1,295,085~~ General Funds estimate and \$611,395 Federal Funds

24 estimate for state aid, which shall only be used for such purpose. There

25 is included in the appropriation to this program for FY2018-19 \$1,243,282

26 ~~\$1,295,085~~ General Funds estimate and \$611,395 Federal Funds estimate for

27 state aid, which shall only be used for such purpose.

28 Sec. 93. Laws 2017, LB327, section 155, is amended to read:

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

30 Program No. 73 - Licensing and Regulation

1		FY2017-18	FY2018-19
2	<u>GENERAL FUND</u>	<u>1,259,598</u>	<u>1,247,899</u>
3	GENERAL FUND	1,285,304	1,299,895
4	CASH FUND	70,719	70,719
5	<u>PROGRAM TOTAL</u>	<u>1,330,317</u>	<u>1,318,618</u>
6	PROGRAM TOTAL	1,356,023	1,370,614
7	SALARY LIMIT	793,997	799,458

8 Sec. 94. Laws 2017, LB327, section 162, is amended to read:
9 Sec. 162. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES
10 Program No. 200 - Operations

11		FY2017-18	FY2018-19
12	<u>GENERAL FUND</u>	<u>206,213,457</u>	<u>209,739,182</u>
13	GENERAL FUND	206,213,457	210,708,920
14	CASH FUND	3,126,000	2,126,000
15	FEDERAL FUND est.	1,762,858	1,762,858
16	REVOLVING FUND est.	19,797,665	19,949,835
17	<u>PROGRAM TOTAL</u>	<u>230,899,980</u>	<u>233,577,875</u>
18	<u>SALARY LIMIT</u>	<u>114,993,233</u>	<u>119,739,653</u>
19	PROGRAM TOTAL	230,899,980	234,547,613
20	SALARY LIMIT	112,726,638	117,019,072

21 The unexpended General Fund appropriation balance existing on June
22 30, 2017, less \$238,195, is hereby reappropriated.

23 Included in the salary limitations provided by this section is
24 \$4,033,364 for FY2017-18 and \$4,033,364 for FY2018-19 for Revolving Fund
25 salaries for program classifications 390 and 563, that shall not be
26 limited to the amounts shown.

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

30 No. 260 - Nebraska Correctional Youth Facility

- 1 No. 300 - Tecumseh Correctional Center
- 2 No. 368 - Lincoln Community Corrections Center
- 3 No. 369 - Omaha Community Corrections Center
- 4 No. 370 - Central Office
- 5 No. 372 - Nebraska State Penitentiary
- 6 No. 373 - Nebraska Center for Women - York
- 7 No. 375 - Diagnostic and Evaluation Center
- 8 No. 376 - Lincoln Correctional Center
- 9 No. 377 - Omaha Correctional Center
- 10 No. 386 - McCook Incarceration Work Camp
- 11 No. 390 - Federal Surplus Property
- 12 No. 495 - Department Central Warehouse
- 13 No. 563 - Correctional Industries
- 14 Revolving Fund expenditures shall not be limited to the amounts
- 15 shown.

16 It is intended that the Department of Correctional Services shall
17 maintain a Department Contingency Fund and a Department Equipment Fund.

18 There is included in the appropriation to this program a salary
19 limit increase of \$100,000 to fund the position of Justice Reinvestment
20 Implementation Coordinator in the department who reports directly to the
21 Director of Correctional Services. It is the intent of the Legislature
22 for the coordinator to assist state agencies and committees, including,
23 but not limited to, the Board of Parole, the Office of Probation
24 Administration, the Nebraska Commission on Law Enforcement and Criminal
25 Justice, the Justice Reinvestment Implementation Coordinating Committee,
26 and the Committee on Justice Reinvestment Oversight, in developing
27 relevant implementation policies, procedures, manuals, and training
28 curricula that utilize identified best practices. The coordinator shall
29 also act as a liaison between the Governor, members of the Legislature,
30 and any other relevant state agencies, bodies, or groups. The coordinator
31 shall provide verbal and written progress reports, data, and information

1 as requested to the Justice Reinvestment Implementation Coordinating
2 Committee and the Committee on Justice Reinvestment Oversight.

3 Sec. 95. Laws 2017, LB327, section 163, is amended to read:

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

5 Program No. 214 - Vocational and Life Skills

	FY2017-18	FY2018-19
6		
7 <u>GENERAL FUND</u>	<u>5,122,578</u>	<u>5,134,370</u>
8 <u>PROGRAM TOTAL</u>	<u>5,122,578</u>	<u>5,134,370</u>
9 GENERAL FUND	5,122,578	5,141,427
10 PROGRAM TOTAL	5,122,578	5,141,427
11 SALARY LIMIT	1,193,041	1,202,019

12 The unexpended General Fund appropriation balance, less aid,
13 existing on June 30, 2017, less \$10,819, is hereby reappropriated.

14 There is included in the appropriation to this program for FY2017-18
15 \$3,500,000 General 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 \$3,500,000 General Funds for state aid, which shall only be
18 used for such purpose.

19 Sec. 96. Laws 2017, LB327, section 165, is amended to read:

20 Sec. 165. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS

21 COMMISSION

22 Program No. 533 - Network Operations

	FY2017-18	FY2018-19
23		
24 <u>GENERAL FUND</u>	<u>9,455,705</u>	<u>9,332,416</u>
25 GENERAL FUND	9,648,679	9,721,267
26 CASH FUND	310,206	310,206
27 <u>PROGRAM TOTAL</u>	<u>9,765,911</u>	<u>9,642,622</u>
28 PROGRAM TOTAL	9,958,885	10,031,473
29 SALARY LIMIT	2,895,692	2,925,250

30 Sec. 97. Laws 2017, LB327, section 166, is amended to read:

31 Sec. 166. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS

1 COMMISSION

2 Program No. 566 - Public Radio

	FY2017-18	FY2018-19
4 <u>GENERAL FUND</u>	<u>437,972</u>	<u>431,568</u>
5 GENERAL FUND	446,910	449,550
6 CASH FUND	27,549	27,549
7 <u>PROGRAM TOTAL</u>	<u>465,521</u>	<u>459,117</u>
8 PROGRAM TOTAL	474,459	477,099
9 SALARY LIMIT	178,366	179,708

10 The limitation on expenditures for permanent and temporary salaries
11 and per diems contained in this section does not include expenditures
12 from trust funds.

13 Sec. 98. Laws 2017, LB327, section 168, is amended to read:

14 Sec. 168. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
15 EDUCATION

16 Program No. 640 - Postsecondary Education Coordination

	FY2017-18	FY2018-19
18 <u>GENERAL FUND</u>	<u>1,259,239</u>	<u>1,256,489</u>
19 GENERAL FUND	1,282,591	1,304,051
20 CASH FUND	35,000	35,000
21 FEDERAL FUND est.	6,023	6,023
22 <u>PROGRAM TOTAL</u>	<u>1,300,262</u>	<u>1,297,512</u>
23 PROGRAM TOTAL	1,323,614	1,345,074
24 SALARY LIMIT	902,946	909,740

25 There is included in the appropriation to this program for FY2017-18
26 an estimated \$115,000 General Funds and for FY2018-19 an estimated
27 \$115,000 General Funds for Midwestern Higher Education Compact state
28 membership dues.

29 Sec. 99. Laws 2017, LB327, section 169, is amended to read:

30 Sec. 169. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY

1 EDUCATION

2 Program No. 690 - Nebraska Opportunity Grant Program

	FY2017-18	FY2018-19
4 <u>GENERAL FUND</u>	<u>6,730,793</u>	<u>6,593,430</u>
5 GENERAL FUND	6,868,156	6,868,156
6 CASH FUND	10,580,146	11,080,146
7 <u>PROGRAM TOTAL</u>	<u>17,310,939</u>	<u>17,673,576</u>
8 PROGRAM TOTAL	17,448,302	17,948,302

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 FY2017-18
12 \$6,730,793 ~~\$6,868,156~~ General Funds and \$10,580,146 Cash Funds for state
13 aid, which shall only be used for such purpose. There is included in the
14 appropriation to this program for FY2018-19 \$6,593,430 ~~\$6,868,156~~ General
15 Funds and \$11,080,146 Cash Funds for state aid, which shall only be used
16 for such purpose.

17 It is intended that the extent to which Cash Fund appropriations to
18 this program for FY2017-18 and FY2018-19 exceed the Cash Fund
19 appropriation to this program for FY2016-17, such excess amounts do not
20 constitute a permanent adjustment to the FY2016-17 base Cash Fund
21 appropriation level for this program.

22 Sec. 100. Laws 2017, LB327, section 170, is amended to read:

23 Sec. 170. AGENCY NO. 48 – COORDINATING COMMISSION FOR POSTSECONDARY
24 EDUCATION

25 Program No. 691 - Access College Early Scholarship Program

	FY2017-18	FY2018-19
27 <u>GENERAL FUND</u>	<u>965,300</u>	<u>945,600</u>
28 <u>PROGRAM TOTAL</u>	<u>965,300</u>	<u>945,600</u>
29 GENERAL FUND	985,000	985,000
30 PROGRAM TOTAL	985,000	985,000

31 There are no personal services included in the appropriations in

1 this section.

2 There is included in the appropriation to this program for FY2017-18
3 ~~\$965,300~~ ~~\$985,000~~ General Funds for state aid, which shall only be used
4 for such purpose. There is included in the appropriation to this program
5 for FY2018-19 ~~\$945,600~~ ~~\$985,000~~ General Funds for state aid, which shall
6 only be used for such purpose.

7 Sec. 101. Laws 2017, LB327, section 172, is amended to read:

8 Sec. 172. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
9 COLLEGES

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

	FY2017-18	FY2018-19
11 <u>GENERAL FUND</u>	<u>51,099,382</u>	<u>50,056,538</u>
12 GENERAL FUND	52,142,227	52,142,227
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 <u>PROGRAM TOTAL</u>	<u>145,400,354</u>	<u>144,357,510</u>
17 PROGRAM TOTAL	146,443,199	146,443,199

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

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

29 The Legislature reaffirms its intent to utilize the Integrated
30 Postsecondary Education ~~Nebraska Educational~~ Data System created by Laws
31 1978, LB 897, to support the appropriations and oversight process for

1 postsecondary education. It is further the intent of the Legislature that
2 all institutions provide the data in the precise formats required by the
3 Coordinating Commission for Postsecondary Education.

4 The Legislature reaffirms its commitment to long-range and short-
5 range computer planning by the Nebraska state colleges. It is the intent
6 of the Legislature that comprehensive computer plans of the Nebraska
7 state colleges be updated biennially and submitted to the Legislative
8 Fiscal Analyst, the Department of Administrative Services, and the
9 Coordinating Commission for Postsecondary Education on or before October
10 15 of each odd-numbered year. The plans required to be submitted to the
11 Legislative Fiscal Analyst by this section shall be submitted
12 electronically.

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

19 Sec. 102. Laws 2017, LB327, section 173, is amended to read:

20 Sec. 173. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

21 Program No. 781 - University - Administration

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

	FY2017-18	FY2018-19
26		
27	<u>559,189,360</u>	<u>557,329,332</u>
28	<u>559,189,360</u>	<u>557,329,332</u>
29	570,601,388	580,551,388
30	570,601,388	580,551,388

31 (2) It is intended that the University of Nebraska Central

1 Administration, upon approval of the Board of Regents of the University
2 of Nebraska, divide and distribute the funds appropriated in this section
3 among all the campuses and the central administration, including the
4 Nebraska College of Technical Agriculture at Curtis. At the direction of
5 the board, these funds may be supplemented by Cash Funds, Federal Funds,
6 Revolving Funds, and Trust Funds.

7 (3) There is included in the appropriation to this program for
8 FY2017-18 an estimated \$3,398,163 General Funds and for FY2018-19 an
9 estimated \$3,398,163 General Funds for the Nebraska College of Technical
10 Agriculture at Curtis.

11 There is included in the appropriation to this program for FY2017-18
12 an estimated \$2,804,862 General Funds and for FY2018-19 an estimated
13 \$2,804,862 General Funds for the Nebraska Forest Service Program.

14 There is included in the appropriation to this program \$1,800,000
15 General Funds for FY2017-18 and \$1,800,000 General Funds for FY2018-19
16 for pediatric cancer of which \$1,500,000 per year is for pediatric cancer
17 research and \$300,000 per year is for pediatric cancer specialists.

18 There is included in the appropriation to this program an additional
19 \$3,000,000 General Funds for FY2018-19 for the academic program costs and
20 the operating and maintenance costs associated with the Center for
21 Advanced Interprofessional Learning.

22 There is included in the appropriation to this program \$400,000
23 General Funds for FY2017-18 and \$400,000 General Funds for FY2018-19 for
24 the University to partner with the Department of Correctional Services,
25 the regional centers, or both to develop and offer programs for students
26 studying to become behavioral health professionals. Such programs shall
27 include clinical rotations at the Department of Correctional Services,
28 the regional center, or both, clinical supervision, stipends, and student
29 coordination and recruitment services. The University shall include a
30 report on the outcomes of such recruitment efforts with its biennial
31 budget request submitted in 2020 and 2022. The reports shall include

1 information on whether the students that participated in the clinical
2 rotations subsequently worked in Nebraska as behavioral health
3 professionals.

4 It is the intent of the Legislature that the Institute of
5 Agriculture and Natural Resources and the Cooperative Extension Program
6 are treated fairly in the University of Nebraska 2017-2019 biennial
7 budget-setting process.

8 (4)(a) There is included in the appropriation to this program for
9 the Board of Regents of the University of Nebraska for FY2017-18 an
10 estimated \$11,719,478 General Funds and for FY2018-19 an estimated
11 \$11,719,478 General Funds, to be administered by Central Administration,
12 for the purpose of targeted research activities at the University of
13 Nebraska. It is intended that none of these funds be used for new capital
14 construction or renovation, except that a small portion may be used for
15 short-term cash flow. Further, it is intended that an estimated \$315,291
16 of the estimated \$11,719,478 for FY2017-18 and an estimated \$315,291 of
17 the estimated \$11,719,478 for FY2018-19 be used in conjunction with the
18 Experimental Program to Stimulate Competitive Research (EPSCoR) which is
19 expected to have an increased emphasis on applied research and technology
20 transfer.

21 (b) It is intended that faculty teams, research centers, or
22 individual faculty from the various colleges and departments of all of
23 the campuses of the University of Nebraska should present research
24 proposals to the Research Fund Advisory Committee and Central
25 Administration for the various targeted research areas after the
26 FY2017-18 appropriation has been made but prior to August 15, 2017.
27 Inherent in this process is the concept that the best proposals be
28 selected regardless of the campus of origin and that selections be made
29 on a competitive basis.

30 (c) It is intended for the EPSCoR Program that faculty teams,
31 clusters, research centers, or individual faculty from the various

1 colleges and departments of all of the campuses of the University of
2 Nebraska and Creighton University should present to the EPSCoR Planning
3 Committee research proposals to be funded by the EPSCoR Program. Inherent
4 in this process is the concept that the best proposals be selected
5 regardless of the campus of origin and that selections be made on a
6 competitive basis. Emphasis shall be placed on technology transfer and
7 the research needs of business and industry. It is intended that the
8 EPSCoR Planning Committee shall continue to develop the Nebraska State
9 Science and Technology Transfer Plan as part of the EPSCoR Program. It is
10 further intended that the existing Research Fund Advisory Committee and
11 the existing EPSCoR Planning Committee coordinate and integrate the
12 planning and project evaluation criteria and procedures for both the
13 Nebraska Research Initiative Program and the EPSCoR Program. Matching
14 funds for any research grants to Creighton University shall be in the
15 form of a contract in which specific services are identified and a time
16 period is specified. Creighton University shall provide an appropriate
17 share of any match.

18 (5) It is intended that:

19 (a) The University of Nebraska shall report its expenditures on the
20 Allotment Status Report and Regular Budget Status Report according to its
21 internal operational and organizational structure, subject to approval by
22 the Accounting Administrator and the budget administrator of the budget
23 division of the Department of Administrative Services;

24 (b) The University of Nebraska shall report its expenditures on the
25 Program Classification Expenditure Report in the NCHEMS-Program
26 Classification Structure, Second Edition, subject to approval by the
27 Accounting Administrator and the budget administrator of the budget
28 division of the Department of Administrative Services;

29 (c) The University of Nebraska shall submit the budget request in
30 the NCHEMS-Program Classification Structure, Second Edition, for the
31 University of Nebraska-Lincoln with an informational budget request for

1 the Institute of Agriculture and Natural Resources, University of
2 Nebraska at Omaha, University of Nebraska Medical Center, University of
3 Nebraska at Kearney, Nebraska College of Technical Agriculture at Curtis,
4 and University of Nebraska Central Administration;

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

9 (e) The Nebraska Educational Data System created by Laws 1978, LB
10 897, shall be utilized to support the appropriations and oversight
11 process for postsecondary education. It is further the intent of the
12 Legislature that all institutions shall provide the data in the precise
13 formats required by the Coordinating Commission for Postsecondary
14 Education and that any expenditure of General Funds on the development of
15 new information systems, including any student information system, meet
16 the requirements of the Nebraska Educational Data System as determined by
17 the Coordinating Commission for Postsecondary Education.

18 Sec. 103. Laws 2017, LB327, section 176, is amended to read:

19 Sec. 176. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY

20 Program No. 553 - Sesquicentennial Commission

	FY2017-18	FY2018-19
21		
22	<u>57,258</u>	<u>-0-</u>
23	58,427	-0-
24	90,932	-0-
25	<u>148,190</u>	<u>-0-</u>
26	149,359	-0-
27	69,599	-0-

28 There is included in the appropriation to this program for FY2017-18
29 \$20,450 Cash Funds, for state aid, which shall only be used for such
30 purpose.

31 Sec. 104. Laws 2017, LB327, section 177, is amended to read:

1 Sec. 177. AGENCY NO. 54 – NEBRASKA STATE HISTORICAL SOCIETY
2 Program No. 648 - Nebraska State Historical Society

	FY2017-18	FY2018-19
4 <u>GENERAL FUND</u>	<u>4,268,428</u>	<u>4,224,108</u>
5 GENERAL FUND	4,355,539	4,400,113
6 CASH FUND	2,585,494	2,612,778
7 FEDERAL FUND est.	820,725	827,799
8 <u>PROGRAM TOTAL</u>	<u>7,674,647</u>	<u>7,664,685</u>
9 <u>SALARY LIMIT</u>	<u>4,042,468</u>	<u>3,981,756</u>
10 PROGRAM TOTAL	7,761,758	7,840,690
11 SALARY LIMIT	3,956,171	3,981,756

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

24 There is included in the appropriation to this program for FY2017-18
25 \$100,000 Federal Funds estimate for state aid, which shall only be used
26 for such purpose. There is included in the appropriation to this program
27 for FY2018-19 \$100,000 Federal Funds estimate for state aid, which shall
28 only be used for such purpose.

29 There is included in the appropriation to this program for FY2017-18
30 \$25,000 General Funds and for FY2018-19 \$25,000 General Funds to carry
31 out obligations of the agency under the Unmarked Human Burial Sites and

1 Skeletal Remains Protection Act, which shall only be used for such
2 purpose.

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

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

10 Sec. 105. Laws 2017, LB327, section 182, is amended to read:

11 Sec. 182. AGENCY NO. 60 – NEBRASKA ETHANOL BOARD

12 Program No. 516 - Ethanol

	FY2017-18	FY2018-19
14 CASH FUND	718,376	735,507
15 PROGRAM TOTAL	718,376	735,507
16 <u>SALARY LIMIT</u>	<u>309,655</u>	<u>326,800</u>
17 SALARY LIMIT	309,655	311,800

18 Sec. 106. Laws 2017, LB327, section 186, is amended to read:

19 Sec. 186. AGENCY NO. 64 – NEBRASKA STATE PATROL

20 Program No. 100 - Public Protection

	FY2017-18	FY2018-19
22 <u>GENERAL FUND</u>	<u>58,243,794</u>	<u>57,775,673</u>
23 GENERAL FUND	59,432,443	60,182,993
24 CASH FUND	6,387,102	6,397,609
25 FEDERAL FUND est.	396,365	414,339
26 <u>PROGRAM TOTAL</u>	<u>65,027,261</u>	<u>64,587,621</u>
27 PROGRAM TOTAL	66,215,910	66,994,941
28 SALARY LIMIT	40,381,282	40,829,435

29 The unexpended General Fund appropriation balance existing on June
30 30, 2017, less \$22,245, is hereby reappropriated.

31 The Department of Administrative Services shall monitor the

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

3 No. 189 - Command and Support

4 No. 190 - Criminal Investigations

5 No. 195 - Road Operations

6 There is included in the appropriation to this program for FY2017-18
7 \$150,000 General Funds and \$100,000 Federal Funds from the Byrne Criminal
8 History Improvement set-aside funds, subject to available federal
9 appropriation, which shall only be expended for criminal justice
10 information systems improvements. There is included in the appropriation
11 to this program for FY2018-19 \$150,000 General Funds and \$100,000 Federal
12 Funds from the Byrne Criminal History Improvement set-aside funds,
13 subject to available federal appropriation, which shall only be expended
14 for criminal justice information systems improvements. Federal Funds
15 transferred to the Nebraska State Patrol pursuant to this section shall
16 be expended consistent with all applicable federal laws, rules, and
17 regulations pertaining to Byrne Criminal History Improvement set-aside
18 funds.

19 There is included in the appropriation to this program for FY2017-18
20 \$485,979 Cash Funds and for FY2018-19 \$485,979 Cash Funds, which
21 appropriation amounts shall only be expended to provide law enforcement
22 coverage along state road construction zones. The Department of Roads
23 shall contract with the Nebraska State Patrol for such law enforcement
24 coverage and shall pay for such services from the Roads Operations Cash
25 Fund to the Nebraska State Patrol Cash Fund in four equal quarterly
26 amounts to be transferred by the State Treasurer on or before July 15,
27 October 15, January 15, and April 15, for both FY2017-18 and FY2018-19.

28 Sec. 107. Laws 2017, LB327, section 189, is amended to read:

29 Sec. 189. AGENCY NO. 64 – NEBRASKA STATE PATROL

30 Program No. 630 - State Capitol Security

31

FY2017-18

FY2018-19

1	<u>GENERAL FUND</u>	<u>247,386</u>	<u>242,338</u>
2	GENERAL FUND	252,435	252,435
3	REVOLVING FUND	1,271,531	1,287,992
4	<u>PROGRAM TOTAL</u>	<u>1,518,917</u>	<u>1,530,330</u>
5	PROGRAM TOTAL	1,523,966	1,540,427
6	SALARY LIMIT	770,637	776,226

7 The unexpended General Fund appropriation balance existing on June
8 30, 2017, less \$6,311, is hereby reappropriated.

9 Any security agreements entered into by the Nebraska State Patrol,
10 on behalf of the state capitol security division, shall require that all
11 such revenue be credited directly to the Capitol Security Revolving Fund.

12 For budgeting purposes only, the amount of projected revenue to be
13 received from security agreements entered into by the Nebraska State
14 Patrol, on behalf of the state capitol security division, to be credited
15 directly to the Capitol Security Revolving Fund is estimated to be
16 \$500,583 for FY2017-18 and \$500,583 for FY2018-19.

17 Sec. 108. Laws 2017, LB327, section 190, is amended to read:

18 Sec. 190. AGENCY NO. 64 – NEBRASKA STATE PATROL

19 Program No. 850 - Nebraska Public Safety Communication System

20		FY2017-18	FY2018-19
21	<u>GENERAL FUND</u>	<u>1,334,959</u>	<u>1,060,480</u>
22	GENERAL FUND	1,362,203	1,104,667
23	CASH FUND	3,820,000	3,704,662
24	<u>PROGRAM TOTAL</u>	<u>5,154,959</u>	<u>4,765,142</u>
25	PROGRAM TOTAL	5,182,203	4,809,329
26	SALARY LIMIT	91,282	91,969

27 The unexpended General Fund appropriation balance existing on June
28 30, 2017, less \$14,320, is hereby reappropriated.

29 Sec. 109. Laws 2017, LB327, section 192, is amended to read:

30 Sec. 192. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

31 Program No. 101 - Chief Information Officer

	FY2017-18	FY2018-19
1		
2	<u>339,086</u>	<u>335,517</u>
3	<u>339,086</u>	<u>335,517</u>
4	346,006	349,497
5	346,006	349,497
6	224,051	226,036

7 Sec. 110. Laws 2017, LB327, section 195, is amended to read:

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

9 Program No. 172 - Information Management Services Division

	FY2017-18	FY2018-19
10		
11	<u>70,213,556</u>	<u>69,326,288</u>
12	<u>70,213,556</u>	<u>69,326,288</u>
13	<u>14,458,232</u>	<u>14,904,616</u>
14	70,692,795	69,805,527
15	70,692,795	69,805,527
16	<u>14,771,837</u>	<u>15,218,221</u>

17 Sec. 111. Laws 2017, LB327, section 196, is amended to read:

18 Sec. 196. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

19 Program No. 173 - Communications Division

	FY2017-18	FY2018-19
20		
21	<u>41,806,174</u>	<u>45,912,863</u>
22	<u>41,806,174</u>	<u>45,912,863</u>
23	<u>3,941,228</u>	<u>3,980,899</u>
24	41,870,434	41,927,123
25	41,870,434	41,927,123
26	3,976,517	4,016,188

27 There is included in the appropriation to this program for FY2018-19
 28 \$4,050,000 Revolving Funds for e-rate and invoice consolidation. It is
 29 the intent of the Legislature that this \$4,050,000 be reappropriated for
 30 FY2019-20 by the One Hundred Sixth Legislature.

1 Sec. 112. Laws 2017, LB327, section 199, is amended to read:

2 Sec. 199. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

3 Program No. 509 - Budget Division

	FY2017-18	FY2018-19
4		
5	<u>1,193,398</u>	<u>1,187,071</u>
6	<u>1,193,398</u>	<u>1,187,071</u>
7	1,217,753	1,236,532
8	1,217,753	1,236,532
9	821,474	827,655

10 The unexpended General Fund appropriation balance existing on June
11 30, 2017, less \$8,159, is hereby reappropriated.

12 Sec. 113. Laws 2017, LB327, section 201, is amended to read:

13 Sec. 201. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

14 Program No. 560 - State Building Division

	FY2017-18	FY2018-19
15		
16	<u>218,248</u>	<u>214,404</u>
17	222,702	223,337
18	933,457	933,457
19	35,756,235	35,825,841
20	<u>36,907,940</u>	<u>36,973,702</u>
21	36,912,394	36,982,635
22	3,524,268	3,547,896

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

27 (1) Multiply the insured replacement value of the Ferguson House
28 property by two one-hundredths;

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

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

3 Sec. 114. Laws 2017, LB327, section 204, is amended to read:

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

5 Program No. 591 - Tort Claims

	FY2017-18	FY2018-19
6 GENERAL FUND	210,000	210,000
7 CASH FUND	50,000	50,000
8 PROGRAM TOTAL	260,000	260,000

9
10 (1) The following amounts are hereby transferred to the Tort Claims
11 Fund from the respective agency fund balances:

12 (a) \$55,005 from the Department of Roads; and

13 (b) \$2,604 from the Game and Parks Commission.

14 Such sums shall be transferred to the risk management and state
15 claims division no later than August 1, 2017, or in four equal payments
16 on August 1, October 1, January 1, and April 1, at the discretion of the
17 Risk Manager.

18 (2) The following amounts are hereby transferred to the Tort Claims
19 Fund from the respective agency fund balances:

20 (a) \$43,814 ~~\$55,005~~ from the Department of Transportation; Roads;
21 ~~and~~

22 (b) \$12,607 ~~\$2,604~~ from the Game and Parks Commission; and -

23 (c) \$162 from the Department of Revenue.

24 Such sums shall be transferred to the risk management and state
25 claims division no later than August 1, 2018, or in four equal payments
26 on August 1, October 1, January 1, and April 1, at the discretion of the
27 Risk Manager.

28 It is the intent of the Legislature that transfers specified in this
29 section for FY2018-19 be adjusted by the One Hundred Fifth Legislature,
30 Second Session, 2018, in accordance with information available after July
31 1, 2017.

1 Sec. 115. Laws 2017, LB327, section 208, is amended to read:

2 Sec. 208. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

3 Program No. 605 - Personnel Division

	FY2017-18	FY2018-19
4		
5	<u>1,434,341</u>	<u>1,422,151</u>
6	1,463,613	1,481,407
7	8,065,541	8,131,939
8	<u>9,499,882</u>	<u>9,554,090</u>
9	9,529,154	9,613,346
10	6,490,949	6,539,791

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

15 Sec. 116. Laws 2017, LB327, section 210, is amended to read:

16 Sec. 210. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

17 Program No. 608 - Employee Relations Division

	FY2017-18	FY2018-19
18		
19	<u>401,775</u>	<u>412,665</u>
20	<u>401,775</u>	<u>412,665</u>
21	409,974	414,676
22	409,974	414,676
23	282,191	284,188

24 The unexpended General Fund appropriation balance existing on June
25 30, 2017, less \$8,991, is hereby reappropriated.

26 Sec. 117. Laws 2017, LB327, section 211, is amended to read:

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

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

	FY2017-18	FY2018-19
29		
30	<u>4,187,329</u>	<u>4,126,095</u>

1	GENERAL FUND	4,272,785	4,298,016
2	CASH FUND	133,804	140,064
3	REVOLVING FUND	4,750	4,750
4	<u>PROGRAM TOTAL</u>	<u>4,325,883</u>	<u>4,270,909</u>
5	PROGRAM TOTAL	4,411,339	4,442,830
6	SALARY LIMIT	1,362,050	1,372,897

7 The unexpended General Fund appropriation balance existing on June
8 30, 2017, less \$11,520, is hereby reappropriated. It is the intent of the
9 Legislature that any reappropriated balance be used for unexpected
10 increases in utility expenses.

11 Sec. 118. Laws 2017, LB327, section 213, is amended to read:

12 Sec. 213. AGENCY NO. 67 – EQUAL OPPORTUNITY COMMISSION

13 Program No. 59 - Enforcement of Standards

14		FY2017-18	FY2018-19
15	<u>GENERAL FUND</u>	<u>1,246,488</u>	<u>1,234,635</u>
16	GENERAL FUND	1,271,927	1,286,078
17	FEDERAL FUND est.	824,381	836,991
18	<u>PROGRAM TOTAL</u>	<u>2,070,869</u>	<u>2,071,626</u>
19	<u>SALARY LIMIT</u>	<u>1,281,702</u>	<u>1,290,858</u>
20	PROGRAM TOTAL	2,096,308	2,123,069
21	SALARY LIMIT	1,281,702	1,290,858

22 Sec. 119. Laws 2017, LB327, section 214, is amended to read:

23 Sec. 214. AGENCY NO. 68 – COMMISSION ON LATINO-AMERICANS

24 Program No. 537 - Commission on Latino-Americans

25		FY2017-18	FY2018-19
26	<u>GENERAL FUND</u>	<u>203,520</u>	<u>202,582</u>
27	GENERAL FUND	207,673	211,023
28	CASH FUND	5,000	5,000
29	<u>PROGRAM TOTAL</u>	<u>208,520</u>	<u>207,582</u>
30	PROGRAM TOTAL	212,673	216,023

1 SALARY LIMIT 135,920 136,943

2 Sec. 120. Laws 2017, LB327, section 215, is amended to read:

3 Sec. 215. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL

4 Program No. 326 - Promotion and Development of the Arts

5 FY2017-18 FY2018-19

6 GENERAL FUND 583,493 566,439

7 ~~GENERAL FUND~~ ~~595,401~~ ~~590,041~~

8 CASH FUND 60,000 60,000

9 FEDERAL FUND est. 193,247 193,247

10 PROGRAM TOTAL 836,740 819,686

11 ~~PROGRAM TOTAL~~ ~~848,648~~ ~~843,288~~

12 SALARY LIMIT 539,399 530,679

13 Sec. 121. Laws 2017, LB327, section 216, is amended to read:

14 Sec. 216. AGENCY NO. 69 – NEBRASKA ARTS COUNCIL

15 Program No. 327 - Aid to the Arts

16 FY2017-18 FY2018-19

17 GENERAL FUND 924,208 905,346

18 ~~GENERAL FUND~~ ~~943,069~~ ~~943,069~~

19 FEDERAL FUND est. 545,800 545,800

20 PROGRAM TOTAL 1,470,008 1,451,146

21 ~~PROGRAM TOTAL~~ ~~1,488,869~~ ~~1,488,869~~

22 There is included in the appropriation to this program for FY2017-18
23 \$924,208 ~~\$943,069~~ General Funds and \$545,800 Federal Funds estimate for
24 state aid, which shall only be used for such purpose. There is included
25 in the appropriation to this program for FY2018-19 \$905,346 ~~\$943,069~~
26 General Funds and \$545,800 Federal Funds estimate for state aid, which
27 shall only be used for such purpose.

28 Sec. 122. Laws 2017, LB327, section 218, is amended to read:

29 Sec. 218. AGENCY NO. 70 – FOSTER CARE REVIEW OFFICE

30 Program No. 116 - Foster Care Review Office

	FY2017-18	FY2018-19
1		
2	<u>1,844,271</u>	<u>1,829,309</u>
3	1,881,909	1,905,530
4	5,700	5,700
5	433,692	441,607
6	<u>2,283,663</u>	<u>2,276,616</u>
7	2,321,301	2,352,837
8	1,465,277	1,476,130

9 Sec. 123. Laws 2017, LB327, section 221, is amended to read:

10 Sec. 221. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

11 Program No. 601 - Community and Rural Development

	FY2017-18	FY2018-19
12		
13	<u>756,205</u>	<u>724,099</u>
14	761,434	764,686
15	11,914,648	11,921,850
16	20,729,708	20,742,482
17	<u>33,400,561</u>	<u>33,388,431</u>
18	33,405,790	33,429,018
19	1,176,533	1,184,848

20 There is included in the appropriation to this program for FY2017-18
21 \$500,000 General Funds, \$11,250,000 Cash Funds, and \$18,841,043 Federal
22 Funds estimate for state aid, which shall only be used for such purpose.

23 There is included in the appropriation to this program for FY2018-19
24 ~~\$470,000~~ ~~\$500,000~~ General Funds, \$11,250,000 Cash Funds, and \$18,841,043
25 Federal Funds estimate for state aid, which shall only be used for such
26 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 ~~\$470,000~~ ~~\$500,000~~ General Funds to provide aid funding to

1 development districts formed under sections 13-1901 to 13-1907.

2 Sec. 124. Laws 2017, LB327, section 222, is amended to read:

3 Sec. 222. AGENCY NO. 72 – DEPARTMENT OF ECONOMIC DEVELOPMENT

4 Program No. 603 - Industrial Recruitment

	FY2017-18	FY2018-19
5		
6 <u>GENERAL FUND</u>	<u>10,735,121</u>	<u>10,517,673</u>
7 GENERAL FUND	10,953,185	11,005,909
8 CASH FUND	10,397,287	10,398,240
9 FEDERAL FUND est.	496,971	496,971
10 <u>PROGRAM TOTAL</u>	<u>21,629,379</u>	<u>21,412,884</u>
11 PROGRAM TOTAL	21,847,443	21,901,120
12 SALARY LIMIT	2,690,127	2,711,182

13 There is included in the appropriation to this program for FY2017-18
14 \$6,195,776 ~~\$6,321,200~~ General Funds, \$9,897,194 Cash Funds, and \$249,341
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 FY2018-19 \$6,020,352 ~~\$6,321,200~~ General Funds, \$9,897,194 Cash Funds, and
18 \$249,341 Federal Funds estimate for state aid, which shall only be used
19 for such purpose.

20 There is included in the appropriation to this program for FY2017-18
21 \$250,000 General Funds for the Nebraska Developing Youth Talent
22 Initiative, which shall only be used for such purpose. There is included
23 in the appropriation to this program for FY2018-19 \$250,000 General Funds
24 for the Nebraska Developing Youth Talent Initiative, which shall only be
25 used for such purpose. The department shall establish a separate budget
26 subprogram to account for the expenditure of funds appropriated for the
27 Nebraska Developing Youth Talent Initiative. It is the intent of the
28 Legislature that the Department of Economic Development shall select up
29 to two industry partners or industry consortiums each fiscal year from
30 the manufacturing and information technology sectors to participate in
31 the initiative, which shall be in collaboration with public schools. The

1 initiative shall be designed to reach students beginning in the seventh
2 and eighth grades. At least one industry partner selected to participate
3 in the initiative shall be from a county that has a population of less
4 than one hundred thousand inhabitants. An annual evaluation report
5 detailing the outcomes of the initiative shall be provided to the
6 Legislature electronically and to the Governor, not later than September
7 15th each year.

8 Sec. 125. Laws 2017, LB327, section 227, is amended to read:

9 Sec. 227. AGENCY NO. 76 – COMMISSION ON INDIAN AFFAIRS

10 Program No. 584 - Indian Affairs

	FY2017-18	FY2018-19
11		
12	<u>221,308</u>	<u>220,923</u>
13	225,825	230,128
14	20,000	20,000
15	<u>241,308</u>	<u>240,923</u>
16	245,825	250,128
17	155,267	156,371

18 Sec. 126. Laws 2017, LB327, section 228, is amended to read:

19 Sec. 228. AGENCY NO. 77 – COMMISSION OF INDUSTRIAL RELATIONS

20 Program No. 490 - Commissioner Expenses

	FY2017-18	FY2018-19
21		
22	<u>64,331</u>	<u>63,018</u>
23	<u>64,331</u>	<u>63,018</u>
24	65,644	65,644
25	65,644	65,644
26	61,000	61,000

27 Sec. 127. Laws 2017, LB327, section 229, is amended to read:

28 Sec. 229. AGENCY NO. 77 – COMMISSION OF INDUSTRIAL RELATIONS

29 Program No. 531 - Administration

	FY2017-18	FY2018-19
30		

1	<u>GENERAL FUND</u>	<u>253,163</u>	<u>251,349</u>
2	<u>PROGRAM TOTAL</u>	<u>253,163</u>	<u>251,349</u>
3	GENERAL FUND	258,330	261,822
4	PROGRAM TOTAL	258,330	261,822
5	SALARY LIMIT	140,632	141,690

6 Sec. 128. Laws 2017, LB327, section 230, is amended to read:

7 Sec. 230. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
8 CRIMINAL JUSTICE

9 Program No. 150 - Juvenile Services Act

	FY2017-18	FY2018-19
10		
11	<u>697,818</u>	<u>685,080</u>
12	<u>697,818</u>	<u>685,080</u>
13	712,059	713,625
14	712,059	713,625
15	67,119	67,625

16 There is included in the appropriation to this program for FY2017-18
17 ~~\$576,056~~ ~~\$587,812~~ General Funds for state aid, which shall only be used
18 for such purpose. There is included in the appropriation to this program
19 for FY2018-19 ~~\$564,300~~ ~~\$587,812~~ General Funds for state aid, which shall
20 only be used for such purpose.

21 Sec. 129. Laws 2017, LB327, section 231, is amended to read:

22 Sec. 231. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
23 CRIMINAL JUSTICE

24 Program No. 155 - County Juvenile Services Aid

	FY2017-18	FY2018-19
25		
26	<u>7,160,846</u>	<u>7,019,099</u>
27	<u>7,160,846</u>	<u>7,019,099</u>
28	7,306,986	7,311,561
29	7,306,986	7,311,561
30	226,991	228,699

1 There is included in the appropriation to this program for FY2017-18
 2 ~~\$6,174,000~~ ~~\$6,300,000~~ General Funds for state aid, which shall only be
 3 used for such purpose. There is included in the appropriation to this
 4 program for FY2018-19 ~~\$6,048,000~~ ~~\$6,300,000~~ General Funds for state aid,
 5 which shall only be used for such purpose.

6 Sec. 130. Laws 2017, LB327, section 232, is amended to read:

7 Sec. 232. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
 8 CRIMINAL JUSTICE

9 Program No. 198 - Central Administration

	FY2017-18	FY2018-19
10		
11 <u>GENERAL FUND</u>	<u>977,980</u>	<u>964,378</u>
12 GENERAL FUND	997,939	1,004,560
13 CASH FUND	41,689	42,175
14 FEDERAL FUND est.	5,497,054	5,503,858
15 <u>PROGRAM TOTAL</u>	<u>6,516,723</u>	<u>6,510,411</u>
16 <u>SALARY LIMIT</u>	<u>666,007</u>	<u>641,092</u>
17 PROGRAM TOTAL	6,536,682	6,550,593
18 SALARY LIMIT	636,125	641,092

19 There is included in the appropriation to this program for FY2017-18
 20 ~~\$503,188~~ ~~\$513,457~~ General Funds and \$4,520,673 Federal Funds estimate for
 21 state aid, which shall only be used for such purpose. There is included
 22 in the appropriation to this program for FY2018-19 ~~\$492,919~~ ~~\$513,457~~
 23 General Funds and \$4,520,673 Federal Funds estimate for state aid, which
 24 shall only be used for such purpose.

25 There is included in the appropriation to this program for FY2017-18
 26 \$62,000 General Funds and \$194,233 Federal Funds estimate from the
 27 federal Victims of Crime Act of 1984 to operate a victim notification
 28 system, which shall only be used for such purpose. There is included in
 29 the appropriation to this program for FY2018-19 \$62,000 General Funds and
 30 \$194,233 Federal Funds estimate from the federal Victims of Crime Act of
 31 1984 to operate a victim notification system, which shall only be used

1 for such purpose.

2 The budget division of the Department of Administrative Services
3 shall administratively transfer Salary Limits among Programs 150, 155,
4 198, 201, 215, and 220 within Agency 78, upon written certification by
5 the director that the Nebraska Commission on Law Enforcement and Criminal
6 Justice has determined that such transfer is necessary for the efficient
7 functioning of agency operations.

8 Sec. 131. Laws 2017, LB327, section 233, is amended to read:

9 Sec. 233. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
10 CRIMINAL JUSTICE

11 Program No. 199 - Nebraska Law Enforcement Training Center

	FY2017-18	FY2018-19
12		
13 <u>GENERAL FUND</u>	<u>2,070,288</u>	<u>2,074,398</u>
14 GENERAL FUND	2,070,288	2,077,851
15 CASH FUND	909,225	918,882
16 FEDERAL FUND est.	61,235	61,789
17 <u>PROGRAM TOTAL</u>	<u>3,040,748</u>	<u>3,055,069</u>
18 PROGRAM TOTAL	3,040,748	3,058,522
19 SALARY LIMIT	909,702	916,548

20 The unexpended General Fund appropriation balance existing on June
21 30, 2017, less \$5,766, is hereby reappropriated.

22 There is included in the appropriation to this program for FY2017-18
23 \$916,523 General Funds for Training Center building rental charges to be
24 paid to the state building division of the Department of Administrative
25 Services, which shall only be used for such purpose. There is included in
26 the appropriation to this program for FY2018-19 \$916,523 General Funds
27 for Training Center building rental charges to be paid to the state
28 building division of the Department of Administrative Services, which
29 shall only be used for such purpose.

30 There is included in the appropriation to this program for FY2017-18
31 \$465,875 General Funds for the annual depreciation charge to be paid to

1 the state building division of the Department of Administrative Services,
2 which shall only be used for such purpose. There is included in the
3 appropriation to this program for FY2018-19 \$465,875 General Funds for
4 the annual depreciation charge to be paid to the state building division
5 of the Department of Administrative Services, which shall only be used
6 for such purpose.

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

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

14 Sec. 132. Laws 2017, LB327, section 234, is amended to read:

15 Sec. 234. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
16 CRIMINAL JUSTICE

17 Program No. 201 - Victim-Witness Assistance

	FY2017-18	FY2018-19
18 <u>GENERAL FUND</u>	<u>161,926</u>	<u>158,621</u>
19 GENERAL FUND	165,230	165,230
20 FEDERAL FUND est.	12,200,460	12,205,750
21 <u>PROGRAM TOTAL</u>	<u>12,362,386</u>	<u>12,364,371</u>
22 PROGRAM TOTAL	12,365,690	12,370,980
23 SALARY LIMIT	233,097	234,851

25 There is included in the appropriation to this program for FY2017-18
26 \$51,508 ~~\$52,559~~ General Funds and \$11,172,294 Federal Funds estimate for
27 state aid, which shall only be used for such purpose. There is included
28 in the appropriation to this program for FY2018-19 \$50,457 ~~\$52,559~~
29 General Funds and \$11,172,294 Federal Funds estimate for state aid, which
30 shall only be used for such purpose.

31 Sec. 133. Laws 2017, LB327, section 235, is amended to read:

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

3 Program No. 202 - Crime Victims' Reparations

	FY2017-18	FY2018-19
4		
5	<u>27,280</u>	<u>26,724</u>
6	27,837	27,837
7	253,474	253,474
8	128,400	128,400
9	<u>409,154</u>	<u>408,598</u>
10	409,711	409,711
11	-0-	-0-

12 There is included in the appropriation to this program for FY2017-18
13 ~~\$19,600~~ ~~\$20,000~~ General Funds, \$253,474 Cash Funds, and \$121,980 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 FY2018-19
16 ~~\$19,200~~ ~~\$20,000~~ General Funds, \$253,474 Cash Funds, and \$121,980 Federal
17 Funds estimate for state aid, which shall only be used for such purpose.

18 Sec. 134. Laws 2017, LB327, section 236, is amended to read:

19 Sec. 236. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
20 CRIMINAL JUSTICE

21 Program No. 203 - Jail Standards Board

	FY2017-18	FY2018-19
22		
23	<u>312,483</u>	<u>309,531</u>
24	<u>312,483</u>	<u>309,531</u>
25	318,860	322,428
26	318,860	322,428
27	195,638	197,111

28 Sec. 135. Laws 2017, LB327, section 237, is amended to read:

29 Sec. 237. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
30 CRIMINAL JUSTICE

31 Program No. 204 - Office of Violence Prevention

	FY2017-18	FY2018-19
1		
2	<u>433,498</u>	<u>425,746</u>
3	442,345	443,485
4	35,500	35,500
5	<u>468,998</u>	<u>461,246</u>
6	477,845	478,985
7	56,383	56,807

8 There is included in the appropriation to this program for FY2017-18
9 ~~\$343,000~~ ~~\$350,000~~ General Funds and \$25,000 Cash Funds 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 \$336,000 ~~\$350,000~~ General
12 Funds and \$25,000 Cash Funds for state aid, which shall only be used for
13 such purpose.

14 Sec. 136. Laws 2017, LB327, section 239, is amended to read:

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

17 Program No. 215 - Criminal Justice Information System

	FY2017-18	FY2018-19
18		
19	<u>155,041</u>	<u>152,700</u>
20	158,205	159,062
21	593,050	595,283
22	<u>748,091</u>	<u>747,983</u>
23	751,255	754,345
24	153,884	155,041

25 The unexpended General Fund appropriation balance existing on June
26 30, 2017, less \$1,250, 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. 137. Laws 2017, LB327, section 240, is amended to read:

1 Sec. 240. AGENCY NO. 78 – NEBRASKA COMMISSION ON LAW ENFORCEMENT AND
2 CRIMINAL JUSTICE
3 Program No. 220 - Community Corrections Division

	FY2017-18	FY2018-19
4		
5	<u>265,109</u>	<u>262,405</u>
6	270,519	273,339
7	634,336	635,487
8	<u>899,445</u>	<u>897,892</u>
9	904,855	908,826
10	212,016	213,611

11 Sec. 138. Laws 2017, LB327, section 241, is amended to read:

12 Sec. 241. AGENCY NO. 81 – COMMISSION FOR THE BLIND AND VISUALLY
13 IMPAIRED

14 Program No. 357 - Blind and Visually Impaired

	FY2017-18	FY2018-19
15		
16	<u>1,182,409</u>	<u>1,168,270</u>
17	1,206,540	1,216,948
18	148,746	148,746
19	<u>4,554,019</u>	<u>4,498,192</u>
20	<u>5,885,174</u>	<u>5,815,208</u>
21	4,646,958	4,685,617
22	6,002,244	6,051,311
23	2,477,446	2,494,858

24 There is included in the appropriation to this program for FY2017-18
25 ~~\$212,552~~ ~~\$216,890~~ General Funds, \$10,000 Cash Funds, and \$932,886
26 ~~\$949,593~~ 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 \$208,214 ~~\$216,890~~ General Funds, \$10,000 Cash Funds, and
29 \$916,189 ~~\$949,593~~ Federal Funds estimate for state aid, which shall only
30 be used for such purpose.

1 There is included in the appropriation to this program for FY2017-18
 2 \$128,250 General Funds and for FY2018-19 \$128,250 General Funds for
 3 services for the older blind, which shall only be used for such purpose.
 4 It is the intent of the Legislature that services for the older blind be
 5 coordinated and integrated to the extent possible with services provided
 6 to the aged by other state agencies.

7 Sec. 139. Laws 2017, LB327, section 242, is amended to read:

8 Sec. 242. AGENCY NO. 82 – COMMISSION FOR THE DEAF AND HARD OF
 9 HEARING

10 Program No. 578 - Hearing Impaired

	FY2017-18	FY2018-19
11		
12	<u>973,323</u>	<u>963,025</u>
13	993,187	1,003,151
14	16,600	16,600
15	<u>989,923</u>	<u>979,625</u>
16	1,009,787	1,019,751
17	658,404	662,612

18 Of the General Fund balance remaining on June 30, 2017, \$97,815
 19 ~~\$100,000~~ is hereby reappropriated.

20 Sec. 140. Laws 2017, LB327, section 243, is amended to read:

21 Sec. 243. AGENCY NO. 83 – AID TO COMMUNITY COLLEGES

22 Program No. 151 - Aid to Community Colleges

	FY2017-18	FY2018-19
23		
24	<u>98,317,683</u>	<u>96,315,999</u>
25	<u>98,317,683</u>	<u>96,315,999</u>
26	100,324,166	99,329,166
27	100,324,166	99,329,166

28 There is included in the appropriation to this program for FY2017-18
 29 \$98,317,683 ~~\$100,324,166~~ General Funds for state aid, which shall only be
 30 used for such purpose. There is included in the appropriation to this
 31 program for FY2018-19 \$96,315,999 ~~\$99,329,166~~ General Funds for state

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

2 Sec. 141. Laws 2017, LB327, section 244, is amended to read:

3 Sec. 244. AGENCY NO. 84 – DEPARTMENT OF ENVIRONMENTAL QUALITY

4 Program No. 513 - Environmental Quality

	FY2017-18	FY2018-19
5		
6 <u>GENERAL FUND</u>	<u>3,604,932</u>	<u>3,577,682</u>
7 GENERAL FUND	3,994,702	4,042,952
8 CASH FUND	33,606,467	33,701,904
9 FEDERAL FUND est.	16,714,225	16,802,681
10 <u>PROGRAM TOTAL</u>	<u>53,925,624</u>	<u>54,082,267</u>
11 PROGRAM TOTAL	54,315,394	54,547,537
12 SALARY LIMIT	12,852,242	12,948,572

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. 513 - Administration

17 No. 586 - Water Quality

18 No. 587 - Land Quality

19 No. 588 - Air Quality

20 There is included in the appropriation to this program for FY2017-18
21 ~~\$316,200—General Funds,~~ \$16,145,601 Cash Funds, and \$265,000 Federal
22 Funds estimate for state aid, which shall only be used for such purpose.

23 There is included in the appropriation to this program for FY2018-19
24 ~~\$316,200—General Funds,~~ \$16,145,601 Cash Funds, and \$265,000 Federal
25 Funds estimate for state aid, which shall only be used for such purpose.

26 Sec. 142. Laws 2017, LB327, section 247, is amended to read:

27 Sec. 247. AGENCY NO. 85 – PUBLIC EMPLOYEES RETIREMENT BOARD

28 Program No. 41 - Administration of Retirement Systems and Deferred
29 Compensation

	FY2017-18	FY2018-19
30		
31 CASH FUND	5,552,342	5,614,565

1	PROGRAM TOTAL	5,552,342	5,614,565
2	<u>SALARY LIMIT</u>	<u>2,395,114</u>	<u>2,374,023</u>
3	SALARY LIMIT	2,357,029	2,374,023

4 Sec. 143. Laws 2017, LB327, section 249, is amended to read:

5 Sec. 249. AGENCY NO. 85 – PUBLIC EMPLOYEES RETIREMENT BOARD

6 Program No. 515 - Public Employees Retirement

7		FY2017-18	FY2018-19
8	<u>GENERAL FUND</u>	<u>48,588,600</u>	<u>52,698,171</u>
9	<u>PROGRAM TOTAL</u>	<u>48,588,600</u>	<u>52,698,171</u>
10	GENERAL FUND	48,588,600	52,179,000
11	PROGRAM TOTAL	48,588,600	52,179,000

12 There is included in the appropriation to this program for FY2017-18
13 \$38,039,347 General Funds to provide additional funding to the School
14 Employees Retirement System of the State of Nebraska, which shall only be
15 used for such purpose. There is included in the appropriation to this
16 program for FY2018-19 \$39,339,378 ~~\$38,300,000~~ General Funds to provide
17 additional funding to the School Employees Retirement System of the State
18 of Nebraska, which shall only be used for such purpose.

19 There is included in the appropriation to this program for FY2017-18
20 \$7,888,981 General Funds to provide additional funding to the Class V
21 School Employees Retirement System, which shall only be used for such
22 purpose. There is included in the appropriation to this program for
23 FY2018-19 \$8,353,745 ~~\$8,000,000~~ General Funds to provide additional
24 funding to the Class V School Employees Retirement System, which shall
25 only be used for such purpose.

26 There is included in the appropriation to this program for FY2017-18
27 \$2,541,558 General Funds to provide additional funding to the Nebraska
28 State Patrol Retirement System, which shall only be used for such
29 purpose. There is included in the appropriation to this program for
30 FY2018-19 \$4,337,435 ~~\$4,900,000~~ General Funds to provide additional
31 funding to the Nebraska State Patrol Retirement System, which shall only

1 be used for such purpose.

2 There is included in the appropriation to this program for FY2017-18
3 \$118,714 General Funds to provide additional funding to the Nebraska
4 Judges Retirement System, which shall only be used for such purpose.

5 There is included in the appropriation to this program for FY2018-19
6 ~~\$667,613~~ ~~\$979,000~~ General Funds to provide additional funding to the
7 Nebraska Judges Retirement System, which shall only be used for such
8 purpose.

9 Pursuant to section 84-1319.01, each state agency participating in
10 the State Employees Retirement System of the State of Nebraska shall
11 contribute an amount to the State Equal Retirement Benefit Fund to
12 provide all similarly situated male and female members with equal
13 benefits. It is the intent of the Legislature that the Public Employees
14 Retirement Board notify each state agency of the amount to be paid to the
15 fund for FY2017-18 and FY2018-19.

16 Sec. 144. Laws 2017, LB327, section 250, is amended to read:

17 Sec. 250. AGENCY NO. 86 – DRY BEAN COMMISSION

18 Program No. 137 - Dry Bean Commission

	FY2017-18	FY2018-19
19		
20	<u>476,532</u>	<u>598,224</u>
21	<u>476,532</u>	<u>598,224</u>
22	476,532	498,224
23	476,532	498,224
24	51,056	51,380

25 Sec. 145. Laws 2017, LB327, section 251, is amended to read:

26 Sec. 251. AGENCY NO. 87 – NEBRASKA ACCOUNTABILITY AND DISCLOSURE
27 COMMISSION

28 Program No. 94 - Nebraska Political Accountability

	FY2017-18	FY2018-19
29		
30	<u>469,577</u>	<u>466,602</u>
31	<u>462,779</u>	<u>245,102</u>

1	<u>PROGRAM TOTAL</u>	<u>932,356</u>	<u>711,704</u>
2	GENERAL FUND	479,160	486,044
3	CASH FUND	241,904	245,102
4	PROGRAM TOTAL	721,064	731,146
5	SALARY LIMIT	484,205	487,735

6 Sec. 146. Laws 2017, LB327, section 255, is amended to read:

7 Sec. 255. AGENCY NO. 93 – TAX EQUALIZATION AND REVIEW COMMISSION

8 Program No. 115 - Operations

9		FY2017-18	FY2018-19
10	<u>GENERAL FUND</u>	<u>843,687</u>	<u>838,186</u>
11	GENERAL FUND	860,905	873,110
12	CASH FUND	45,000	45,000
13	<u>PROGRAM TOTAL</u>	<u>888,687</u>	<u>883,186</u>
14	PROGRAM TOTAL	905,905	918,110
15	SALARY LIMIT	602,709	607,244

16 Sec. 147. Laws 2017, LB327, section 260, is amended to read:

17 Sec. 260. CASH FUNDS.

18 The receipts for FY2017-18 and FY2018-19 inuring to the several Cash
19 Funds, together with any amounts held in account by the State Treasurer
20 on June 30, 2017, are hereby credited to each of the funds respectively.

21 Expenditure of Cash Funds appropriated in this act shall be limited
22 to the amount shown by program except when specific exceptions are made.

23 The amounts appropriated in this act include the following funds:

24 (1) Legislative Council: Nebraska Legislative Shared Information
25 System Cash Fund, Donations/Contributions Cash Fund, Nebraska Health Care
26 Cash Fund, Nebraska Statutes Cash Fund, Clerk of the Legislature Cash
27 Fund, Biotechnology Development Cash Fund;

28 (2) Supreme Court: Supreme Court Reports Cash Fund, Court Appointed
29 Special Advocate Fund, Nebraska Statutes Distribution Cash Fund, Supreme
30 Court Attorney Services Cash Fund, Probation Program Cash Fund, Probation
31 Cash Fund, State Probation Contractual Services Cash Fund, Dispute

1 Resolution Cash Fund, Counsel for Discipline Cash Fund, Supreme Court
2 Education Fund, Supreme Court Automation Cash Fund, Parenting Act Fund,
3 Public Guardianship Cash Fund;

4 (3) Governor: Governor's Policy Research Cash Fund;

5 (4) Secretary of State: Nebraska Collection Agency Fund, Records
6 Management Cash Fund, Secretary of State Administration Cash Fund,
7 Uniform Commercial Code Cash Fund, Corporation Cash Fund, Election
8 Administration Fund;

9 (5) Auditor of Public Accounts: Cooperative Audit Cash Fund;

10 (6) Attorney General: Motor Vehicle Fraud Cash Fund, Department of
11 Justice Natural Resources Enforcement Fund, State Settlement Cash Fund,
12 Nebraska Health Care Cash Fund, State Medicaid Fraud Control Unit Cash
13 Fund;

14 (7) State Treasurer: State Treasurer Administrative Fund, Unclaimed
15 Property Cash Fund, Mutual Finance Assistance Fund, College Savings Plan
16 Administrative Fund, College Savings Plan Expense Fund, Convention Center
17 Support Fund, State Disbursement Unit Cash Fund, Treasury Management Cash
18 Fund, Sports Arena Facility Support Fund, Political Subdivision Recapture
19 Cash Fund;

20 (8) State Department of Education: State Department of Education
21 Cash Fund, Certification Fund, Professional Practices Commission Fund,
22 Tax Equity and Educational Opportunities Fund, Education Innovation Fund,
23 School Technology Fund, Tuition Recovery Cash Fund, Private Postsecondary
24 Career Schools Cash Fund, Excellence in Teaching Cash Fund, School
25 District Reorganization Fund, Early Childhood Education Endowment Cash
26 Fund, Nebraska Education Improvement Fund, High School Equivalency Grant
27 Fund, Expanded Learning Opportunity Grant Fund;

28 (9) Public Service Commission: Nebraska Grain Warehouse Surveillance
29 Cash Fund, Nebraska Telecommunications Relay System Fund, Public Service
30 Commission Housing and Recreational Vehicle Cash Fund, Nebraska
31 Telecommunications Universal Service Fund, Nebraska Internet Enhancement

1 Fund, Nebraska Competitive Telephone Marketplace Fund, Enhanced Wireless
2 911 Fund, Moisture Testing Examination Fund, Grain Warehouse Auditing
3 Fund, Municipal Rate Negotiations Revolving Loan Fund, Public Service
4 Commission Pipeline Regulation Fund, 911 Service System Fund,
5 Transportation Network Company Regulation Cash Fund;
6 (10) Board of Parole: Parole Program Cash Fund;
7 (11) Department of Revenue: Department of Revenue Enforcement Fund,
8 State Lottery Operation Cash Fund, Marijuana and Controlled Substances
9 Tax Administration Cash Fund, Waste Reduction and Recycling Incentive
10 Fees Collection Fund, Petroleum Release Remedial Action Collection Fund,
11 Litter Fee Collection Fund, Severance Tax Administration Fund, Department
12 of Revenue Miscellaneous Receipts Fund, Charitable Gaming Operations
13 Fund, Tobacco Products Administration Cash Fund, Nebraska Incentives
14 Fund, Motor Fuel Tax Enforcement and Collection Cash Fund, Nebraska
15 Health Care Cash Fund, State Athletic Commissioner's Cash Fund,
16 Department of Revenue Property Assessment Division Cash Fund, Property
17 Tax Credit Cash Fund, Nebraska Advantage Transformational Tourism and
18 Redevelopment Act Cash Fund, Airline and Carline Cash Fund, Compulsive
19 Gamblers Assistance Fund;
20 (12) Department of Aeronautics: Department of Aeronautics Cash Fund;
21 (13) Department of Agriculture: Fertilizers and Soil Conditioners
22 Administrative Fund, Commercial Feed Administration Cash Fund, Pure Milk
23 Cash Fund, Soil and Plant Analysis Laboratory Cash Fund, Livestock
24 Auction Market Fund, Nebraska Potato Development Fund, Graded Egg Fund,
25 Weights and Measures Administrative Fund, Nebraska Poultry and Egg
26 Development, Utilization, and Marketing Fund, Agricultural Products
27 Marketing Information Cash Fund, Manufacturing Milk Cash Fund, Pure Food
28 Cash Fund, Nebraska Agricultural Products Marketing Cash Fund, State
29 Apiary Cash Fund, Pseudorabies Control Cash Fund, Weed Book Cash Fund,
30 Pesticide Administrative Cash Fund, Nebraska Seed Administrative Cash
31 Fund, Plant Protection and Plant Pest Cash Fund, Tractor Permit Cash

1 Fund, Nebraska Origin and Premium Quality Grain Cash Fund, Animal Damage
2 Control Cash Fund, Noxious Weed Cash Fund, Buffer Strip Incentive Fund,
3 Winery and Grape Producers Promotional Fund, Commercial Dog and Cat
4 Operator Inspection Program Cash Fund, Domesticated Cervine Animal Cash
5 Fund, Anthrax Control Act Cash Fund, Noxious Weed and Invasive Plant
6 Species Assistance Fund, Agricultural Laboratory Testing Services Cash
7 Fund, Agricultural Suppliers Lease Protection Cash Fund, Nebraska Beer
8 Industry Promotional Fund;

9 (14) Department of Banking and Finance: Financial Institution
10 Assessment Cash Fund, Securities Act Cash Fund, Department of Banking and
11 Finance Settlement Cash Fund;

12 (15) State Fire Marshal: Nebraska Natural Gas Pipeline Safety Cash
13 Fund, State Fire Marshal Cash Fund, Underground Storage Tank Fund,
14 Training Division Cash Fund, Reduced Cigarette Ignition Propensity Fund;

15 (16) Department of Insurance: Department of Insurance Cash Fund;

16 (17) Department of Labor: Employment Security Special Contingent
17 Fund, Boiler Inspection Cash Fund, Mechanical Safety Inspection Fund,
18 Nebraska Training and Support Cash Fund, Contractor and Professional
19 Employer Organization Registration Cash Fund, Sector Partnership Program
20 Fund;

21 (18) Department of Motor Vehicles: Motor Carrier Division Cash Fund,
22 Department of Motor Vehicles Cash Fund, Department of Motor Vehicles
23 Ignition Interlock Fund, License Plate Cash Fund;

24 (19) Department of Health and Human Services: Health and Human
25 Services Cash Fund, Veterans' Home Building Fund, Institution Cash Fund,
26 Small Business Enterprises Cash Fund, School District Reimbursement Fund,
27 Nebraska Child Abuse Prevention Fund, Nebraska Health Care Cash Fund,
28 Children's Health Insurance Cash Fund, Childhood Care Cash Fund,
29 University of Nebraska Medical Center Medical Education Revolving Fund,
30 Behavioral Health Services Fund, Health and Human Services Reimbursement
31 Fund, Professional and Occupational Credentialing Cash Fund, Rural Health

1 Professional Incentive Fund, Organ and Tissue Donor Awareness and
2 Education Fund, Prescription Drug Monitoring Program Fund;

3 (20) Department of Roads: Highway Cash Fund, Grade Crossing
4 Protection Fund, State Recreation Road Fund, Roads Operations Cash Fund,
5 State Highway Capital Improvement Fund, Transportation Infrastructure
6 Bank Fund, Aeronautics Cash Fund;

7 (21) Department of Veterans' Affairs: Veteran Cemetery Construction
8 Fund, Nebraska Veteran Cemetery System Operation Fund, Department of
9 Veterans' Affairs Cash Fund;

10 (22) Department of Natural Resources: Water Resources Cash Fund,
11 Small Watersheds Flood Control Fund, Nebraska Resources Development Fund,
12 Nebraska Soil and Water Conservation Fund, Natural Resources Water
13 Quality Fund, Water Well Decommissioning Fund, Carbon Sequestration
14 Assessment Cash Fund, Water Resources Trust Fund, Department of Natural
15 Resources Cash Fund, Water Sustainability Fund, Critical Infrastructure
16 Facilities Cash Fund;

17 (23) State Electrical Board: Electrical Division Fund;

18 (24) Military Department: Military Department Cash Fund, Governor's
19 Emergency Cash Fund, Nebraska Emergency Management Agency Cash Fund,
20 Nebraska Emergency Planning and Community Right to Know Cash Fund, Joint
21 Operations Center Cash Fund;

22 (25) Board of Educational Lands and Funds: Surveyors' Cash Fund,
23 Board of Educational Lands and Funds Cash Fund, Survey Record Repository
24 Fund;

25 (26) Game and Parks Commission: State Game Fund, State Park Cash
26 Revolving Fund, Nebraska Habitat Fund, Nebraska Aquatic Habitat Fund,
27 Nebraska Snowmobile Trail Cash Fund, Nebraska Outdoor Recreation
28 Development Cash Fund, Wildlife Conservation Fund, Nebraska Environmental
29 Trust Fund, Cowboy Trail Fund, Game Law Investigation Cash Fund, Niobrara
30 Council Fund, Nebraska Environmental Endowment Fund, Ferguson House Fund,
31 Nebraska Youth Conservation Program Fund, Hunters Helping the Hungry Cash

1 Fund, Game and Parks Commission Capital Maintenance Fund, Game and Parks
2 State Park Improvement and Maintenance Fund, Game and Parks Commission
3 Educational Fund;

4 (27) Nebraska Library Commission: Nebraska Library Commission Cash
5 Fund;

6 (28) Nebraska Liquor Control Commission: Nebraska Liquor Control
7 Commission Rule and Regulation Cash Fund;

8 (29) State Racing Commission: Racing Commission's Cash Fund, Track
9 Distribution Fund;

10 (30) Nebraska Workers' Compensation Court: Compensation Court Cash
11 Fund;

12 (31) Nebraska Brand Committee: Nebraska Brand Inspection and Theft
13 Prevention Fund;

14 (32) Nebraska Motor Vehicle Industry Licensing Board: Nebraska Motor
15 Vehicle Industry Licensing Fund;

16 (33) State Real Estate Commission: State Real Estate Commission's
17 Fund;

18 (34) Board of Barber Examiners: Board of Barber Examiners Fund;

19 (35) Department of Correctional Services: Department of Correctional
20 Services Facility Cash Fund, Reentry Cash Fund, Vocational and Life
21 Skills Programming Fund;

22 (36) Nebraska Educational Telecommunications Commission: State
23 Educational Telecommunications Fund, NEB*SAT Cash Fund;

24 (37) Coordinating Commission for Postsecondary Education:
25 Coordinating Commission for Postsecondary Education Cash Fund, Nebraska
26 Opportunity Grant Fund;

27 (38) Nebraska State Colleges: Chadron Cash Fund, Peru Cash Fund,
28 Wayne Cash Fund, Chadron State College Designated Cash Fund, Peru State
29 College Designated Cash Fund, Wayne State College Designated Cash Fund,
30 Board of Trustees Cash Fund, State Colleges Sport Facilities Cash Fund;

31 (39) University of Nebraska: Financial Literacy Cash Fund,

1 University Cash Fund, Temporary University Fund, University of Nebraska
2 at Omaha Cash Fund, University of Nebraska Medical Center Cash Fund,
3 University of Nebraska at Kearney Cash Fund, University of Nebraska
4 Central Administration Designated Cash Fund, University of Nebraska-
5 Lincoln Designated Cash Fund, University of Nebraska at Omaha Designated
6 Cash Fund, University of Nebraska Medical Center Designated Cash Fund,
7 University of Nebraska at Kearney Designated Cash Fund, State Anatomical
8 Board Cash Fund;

9 (40) Nebraska State Fair Board: Nebraska State Fair Support and
10 Improvement Cash Fund;

11 (41) Real Property Appraiser Board: Real Property Appraiser Fund,
12 Appraisal Management Company Fund;

13 (42) Nebraska State Historical Society: Historical Society Fund,
14 Historical Landmark Cash Fund, Nebraska Job Creation and Mainstreet
15 Revitalization Fund, Nebraska 150 Sesquicentennial Plate Proceeds Fund;

16 (43) Nebraska Wheat Development, Utilization, and Marketing Board:
17 Nebraska Wheat Development, Utilization, and Marketing Fund;

18 (44) Nebraska Oil and Gas Conservation Commission: Oil and Gas
19 Conservation Fund;

20 (45) Board of Engineers and Architects: Engineers and Architects
21 Regulation Fund;

22 (46) Board of Geologists: Geologists Regulation Fund;

23 (47) Nebraska Ethanol Board: Agricultural Alcohol Fuel Tax Fund,
24 Ethanol Production Incentive Cash Fund;

25 (48) Nebraska Dairy Industry Development Board: Nebraska Dairy
26 Industry Development Fund;

27 (49) State Board of Examiners for Land Surveyors: Land Surveyor
28 Examiner's Fund;

29 (50) Nebraska State Board of Public Accountancy: Certified Public
30 Accountants Fund;

31 (51) Nebraska State Patrol: Nebraska State Patrol Cash Fund,

1 Investigation Petty Cash Fund, Carrier Enforcement Cash Fund, Nebraska
2 State Patrol Drug Control and Education Cash Fund, Public Safety Cash
3 Fund, Nebraska State Patrol Vehicle Replacement Cash Fund, Nebraska
4 Public Safety Communication System Cash Fund, Combined Law Enforcement
5 Information Network Cash Fund, State DNA Sample and Database Fund,
6 Treasury Agency Forfeitures Cash Fund;

7 (52) Department of Administrative Services: Building Renewal
8 Allocation Fund, State Building Renewal Assessment Fund, University
9 Building Renewal Assessment Fund, State College Building Renewal
10 Assessment Fund, Capitol Restoration Cash Fund, Vacant Building and
11 Excess Land Cash Fund, Resource Recovery Fund, Tort Claims Fund,
12 Information Technology Infrastructure Fund, Health and Life Benefit
13 Administration Cash Fund, World Day on the Mall Cash Fund, Accounting
14 Division Cash Fund;

15 (53) Abstracters Board of Examiners: Abstracters Board of Examiners
16 Cash Fund;

17 (54) Commission on Latino-Americans: Hispanic Awareness Cash Fund,
18 Commission on Latino-Americans Cash Fund;

19 (55) Nebraska Arts Council: Nebraska Arts Council Cash Fund,
20 Nebraska Arts and Humanities Cash Fund;

21 (56) Foster Care Review Office: Foster Care Review Office Cash Fund;

22 (57) State Energy Office: State Energy Office Cash Fund, Clean-
23 burning Motor Fuel Development Fund;

24 (58) Department of Economic Development: Nebraska Agricultural
25 Products Research Fund, Job Training Cash Fund, Administrative Cash Fund,
26 Affordable Housing Trust Fund, Comprehensive Housing Strategy Cash Fund,
27 Economic Development Cash Fund, Civic and Community Center Financing
28 Fund;

29 (59) State Board of Landscape Architects: State Board of Landscape
30 Architects Cash Fund;

31 (60) Nebraska Power Review Board: Nebraska Power Review Fund;

1 (61) Nebraska Investment Council: State Investment Officer's Cash
2 Fund;

3 (62) Nebraska Commission on Law Enforcement and Criminal Justice:
4 Nebraska Law Enforcement Training Center Cash Fund, Law Enforcement
5 Improvement Fund, Victim's Compensation Fund, Community Corrections
6 Uniform Data Analysis Cash Fund, Violence Prevention Cash Fund;

7 (63) Commission for the Blind and Visually Impaired: Commission for
8 the Blind and Visually Impaired Cash Fund;

9 (64) Commission for the Deaf and Hard of Hearing: Commission for the
10 Deaf and Hard of Hearing Fund;

11 (65) Department of Environmental Quality: Integrated Solid Waste
12 Management Cash Fund, Nebraska Litter Reduction and Recycling Fund,
13 Department of Environmental Quality Cash Fund, Chemigation Costs Fund,
14 Low-Level Radioactive Waste Cash Fund, Petroleum Products and Hazardous
15 Substances Storage and Handling Fund, Petroleum Release Remedial Action
16 Cash Fund, Wastewater Treatment Operator Certification Cash Fund, Local
17 Site Selection Cash Fund, Local Monitoring Committee Cash Fund, Waste
18 Reduction and Recycling Incentive Fund, Wastewater Treatment Facilities
19 Construction Loan Fund, Remedial Action Plan Monitoring Fund, Livestock
20 Waste Management Cash Fund, Drinking Water Administration Fund, Clean Air
21 Title V Cash Fund, Air Quality Permit Cash Fund, Superfund Cost Share
22 Cash Fund, Private Onsite Wastewater Treatment System Certification and
23 Registration Cash Fund, Solid Waste Landfill Closure Assistance Fund,
24 Private Onsite Wastewater Treatment System Permit and Approval Cash Fund;

25 (66) Public Employees Retirement Board: School Expense Fund, Judges
26 Expense Fund, State Patrol Expense Fund, Deferred Compensation Expense
27 Fund, State Employees Retirement System Expense Fund, County Employees
28 Retirement System Expense Fund, State Cash Balance Expense Fund, County
29 Cash Balance Expense Fund;

30 (67) Dry Bean Commission: Dry Bean Development, Utilization,
31 Promotion, and Education Fund;

1 (68) Nebraska Accountability and Disclosure Commission: Nebraska
2 Accountability and Disclosure Commission Cash Fund;

3 (69) Corn Development, Utilization, and Marketing Board: Nebraska
4 Corn Development, Utilization, and Marketing Fund;

5 (70) Community College Aid: Nebraska Community College Aid Cash
6 Fund;

7 (71) Grain Sorghum Development, Utilization, and Marketing Board:
8 Grain Sorghum Development, Utilization, and Marketing Fund;

9 (72) Tax Equalization and Review Commission: Tax Equalization and
10 Review Commission Cash Fund;

11 (73) Commission on Public Advocacy: Legal Education for Public
12 Service and Rural Practice Loan Repayment Assistance Fund, Commission on
13 Public Advocacy Operations Cash Fund, Legal Aid and Services Fund, Civil
14 Legal Services Fund;

15 (74) Commission on Indian Affairs: Commission on Indian Affairs Cash
16 Fund, Designated Collection Fund, Native American Scholarship and
17 Leadership Fund; and

18 (75) Nebraska Tourism Commission: State Visitors Promotion Cash
19 Fund, Tourism Conference Cash Fund.

20 Sec. 148. Laws 2017, LB327, section 263, is amended to read:

21 Sec. 263. TRUST FUNDS.

22 The receipts for FY2017-18 and FY2018-19 inuring to the several
23 trust funds, together with any amounts held in account by the State
24 Treasurer on June 30, 2017, are hereby credited to each of the funds
25 respectively, which funds are hereby appropriated for FY2017-18 and
26 FY2018-19:

27 (1) Attorney General: State Settlement Trust Fund;

28 (2) State Treasurer: Highway Trust Fund, Highway Tax Trust Fund,
29 Bessey Memorial Fund, Common School Fund, Highway Revenue Bonds
30 Redemption Trust Fund, Revenue-Sharing Trust Fund, Michael B. Amos
31 Educational Trust Fund, James M. Amos Educational Trust Fund, Excess

1 Liability Fund, Insurance Investments Inc. Trust Fund, Financial
2 Responsibility Act Trust Fund, Importing Dealers Trust Fund, Special Fuel
3 Dealers Trust Fund, Nebraska Cultural Preservation Endowment Fund,
4 College Savings Plan Program Fund, Escheat Trust Fund, life insurance
5 corporation demutualization trust fund, ~~Excess Liability Fund,~~
6 Agricultural College Endowment Fund;

7 (3) State Department of Education: State Department of Education
8 Trust Fund, temporary school fund;

9 (4) Public Service Commission: Public Service Commission Elevator
10 Trust Fund;

11 (5) Department of Revenue: State Lottery Operation Trust Fund, State
12 Lottery Prize Trust Fund, Municipal Equalization Fund;

13 (6) Department of Aeronautics: Department of Aeronautics Trust Fund;

14 (7) Department of Insurance: Premium and Retaliatory Tax Suspense
15 Fund;

16 (8) Department of Labor: State Unemployment Insurance Trust Fund;

17 (9) Department of Motor Vehicles: Motor Vehicle Responsibility Act
18 Fund;

19 (10) Department of Health and Human Services: Dormant Trust Funds,
20 Institution Canteen Amusement Trust Funds, Alcoholism Contribution Trust
21 Fund, Visual Impairment Trust Fund, Finance and Support Trust Fund, State
22 Wards Accounts Trust Fund, Medically Handicapped Children Trust Fund,
23 Store and Canteen Accounts Trust Fund, Welfare and Club Accounts Trust
24 Fund, Juvenile Trust Fund, Nebraska Tobacco Settlement Trust Fund,
25 Nebraska Medicaid Intergovernmental Trust Fund;

26 (11) Department of Roads: Aeronautics Trust Fund, Highway
27 Restoration and Improvement Bond Fund;

28 (12) Department of Veterans' Affairs: Veterans' Aid Income Fund,
29 Nebraska Veteran Cemetery System Endowment Fund;

30 (13) Board of Educational Lands and Funds: Nebraska Veterans' Aid
31 Fund, Permanent University Fund, permanent school fund, Normal School

1 Endowment Investment Fund, Agricultural Endowment Fund, Agricultural and
2 University Land Lease Fund;

3 (14) Nebraska Library Commission: Nebraska Library Commission Trust
4 Fund;

5 (15) Nebraska Workers' Compensation Court: Workers' Compensation
6 Trust Fund;

7 (16) Department of Correctional Services: Store and Canteen Accounts
8 Trust Fund, Welfare and Club Accounts Trust Fund, Inmate Trust Fund;

9 (17) Nebraska Educational Telecommunications Commission: Public
10 Radio Nebraska Foundation Trust Fund, Nebraska Educational
11 Telecommunications Trust Fund;

12 (18) Coordinating Commission for Postsecondary Education:
13 Coordinating Commission for Postsecondary Education Trust Fund, SUN-MART
14 Scholarship Trust Fund;

15 (19) Board of Trustees of the Nebraska State Colleges: State College
16 Endowment Fund, Education Enhancement Trust Fund, LB 1100 Construction
17 Trust Fund, Davis Scholarship Trust Fund;

18 (20) Nebraska State Colleges: Student Activity Trust Funds at
19 Chadron, Peru, and Wayne State Colleges, Wayne State Bequests Trust Fund,
20 Wayne State College Electronic Funds Transfer Loan Trust Fund, Peru State
21 Construction Trust Fund;

22 (21) University of Nebraska: University Trust Fund, University of
23 Nebraska at Omaha Trust Fund, University of Nebraska Medical Center Trust
24 Fund, University of Nebraska at Kearney Trust Fund, University of
25 Nebraska-Lincoln Federal Student Loan Trust Fund, University of Nebraska
26 Medical Center Student Loan Trust Fund, University of Nebraska at Omaha
27 Electronic Funds Transfer Trust Fund, University of Nebraska at Omaha
28 Federal Student Loan Trust Fund, Deferred Maintenance Project Trust Fund,
29 Nebraska College of Technical Agriculture at Curtis Scholarship Trust
30 Fund, UNMC RHOP Loan Trust Fund, UNL Minority Students Scholarship Trust
31 Fund, UNMC Capital and Program Reserve Trust Fund;

1 (22) Nebraska State Historical Society: Hall of Fame Trust Fund,
2 Library Archives Trust Fund, Nebraska State Historical Society
3 Collections Trust Fund, Cheyenne Outbreak Barracks Trust Fund, Bridge
4 Book Sale Trust Fund;

5 (23) Nebraska Oil and Gas Conservation Commission: Oil and Gas
6 Conservation Trust Fund;

7 (24) Department of Administrative Services: Master Lease Program
8 Trust Fund, NIS Operating Trust Fund, Flexible Spending Fund, State
9 Employees Insurance Fund;

10 (25) Nebraska Arts Council: Nebraska Arts Council Trust Fund,
11 Nebraska Cultural Preservation Endowment Fund;

12 (26) State Energy Office: Nebraska Energy Settlement Fund;

13 (27) Department of Environmental Quality: Hazardous Waste Sites
14 Trust Fund, Leaking Underground Storage Tanks Trust Fund, Wastewater
15 Treatment Facilities Construction Loan Fund, Drinking Water Facilities
16 Loan Fund, Drinking Water State Revolving Fund, Recycled Principal Fund;
17 and

18 (28) Public Employees Retirement Board: Annuity Reserve Fund,
19 Nebraska Retirement Fund for Judges, Contingent Fund, School Employees
20 Savings Fund, State Patrol Retirement Fund, School Employers Deposit
21 Fund, Service Annuity Fund, Retired Teachers Supplementary Benefits Fund,
22 State Equal Retirement Benefit Fund, County Equal Retirement Benefit
23 Fund, County Employees Retirement Fund, Judges Contingent Trust Fund,
24 State Patrol Contingent Trust Fund, School Operating Trust Fund, School
25 Retirement Fund, State Cash Balance Retirement Fund, County Cash Balance
26 Retirement Fund, Class V Retirement System Payment Processing Fund.

27 Sec. 149. Laws 2017, LB327, section 265, is amended to read:

28 Sec. 265. 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 FY2017-18 shall occur on July 1, 2017, or as soon

1 thereafter as administratively possible, and transfers for FY2018-19
2 shall occur on July 1, 2018, 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 FY2017-18 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, 2017, 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, 2017, 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 FY2017-18 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: \$11,000,000 on or before June 15, 2018, on such dates and
24 in such amounts as directed by the budget administrator of the budget
25 division of the Department of Administrative Services;

26 (c) From the Charitable Gaming Operations Fund to the General Fund:
27 \$2,800,000 on or before June 15, 2018, on such dates and in such amounts
28 as directed by the budget administrator of the budget division of the
29 Department of Administrative Services;

30 (d) From the Securities Act Cash Fund to the General Fund:
31 \$7,500,000 on or before September 30, 2017, \$7,500,000 on or before

1 December 31, 2017, \$7,500,000 on or before March 31, 2018, and \$7,500,000
2 on or before June 30, 2018, on such dates as directed by the budget
3 administrator of the budget division of the Department of Administrative
4 Services;

5 (e) From the Health and Human Services Cash Fund to the University
6 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases
7 Cash Fund: \$500,000, pursuant to section 81-638;

8 (f) From the Department of Insurance Cash Fund to the General Fund:
9 \$4,125,000 on or before September 30, 2017, and \$4,125,000 on or before
10 March 31, 2018, on such dates as directed by the budget administrator of
11 the budget division of the Department of Administrative Services;

12 (g) From the State Building Renewal Assessment Fund to the General
13 Fund: \$4,067,333 on or after June 15, 2018, but before June 30, 2018, on
14 such dates and in such amounts as directed by the budget administrator of
15 the budget division of the Department of Administrative Services;

16 (h) From the Roads Operations Cash Fund to the Carrier Enforcement
17 Cash Fund: \$8,463,828, less the unexpended balance existing on June 30,
18 2017, 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, 2017;

23 (j) From the State Building Revolving Fund to the Capitol Security
24 Revolving Fund: \$770,948. 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: \$1,200,000. 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 \$1,200,000. Transfers shall be made as required
3 by the Department of Motor Vehicles to operate the Division of Motor
4 Carrier Services;

5 (m) From the Civic and Community Center Financing Fund to the
6 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2017, 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 \$3,000,000. 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, 2017, 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: \$1,151,814, less the June 30, 2017,
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 Department of Motor Vehicles Cash Fund to the General
29 Fund: \$1,000,000 on or before June 30, 2018, on such dates and in such
30 amounts as directed by the budget administrator of the budget division of
31 the Department of Administrative Services;

1 (t) From the Department of Motor Vehicles Ignition Interlock Fund to
2 the General Fund: \$400,000 on or before June 15, 2018, on such dates and
3 in such amounts as directed by the budget administrator of the budget
4 division of the Department of Administrative Services;

5 (u) From the Petroleum Release Remedial Action Cash Fund to the
6 General Fund: \$1,200,000 on or before June 30, 2018, on such dates and in
7 such amounts as directed by the budget administrator of the budget
8 division of the Department of Administrative Services;

9 (v) From the Waste Reduction and Recycling Incentive Fund to the
10 General Fund: \$900,000 on or before June 15, 2018, on such dates and in
11 such amounts as directed by the budget administrator of the budget
12 division of the Department of Administrative Services;

13 (w) From the Records Management Cash Fund to the General Fund:
14 \$530,000 on or before June 15, 2018, on such dates and in such amounts as
15 directed by the budget administrator of the budget division of the
16 Department of Administrative Services;

17 (x) From the Nebraska Training and Support Cash Fund to the Sector
18 Partnership Program Fund: \$500,000 on or before July 15, 2017, on such
19 date as directed by the budget administrator of the budget division of
20 the Department of Administrative Services;

21 (y) From the Nebraska Capital Construction Fund to the Capitol
22 Restoration Cash Fund: \$98,417 on or before June 30, 2018, on such date
23 as directed by the budget administrator of the budget division of the
24 Department of Administrative Services;

25 (z) From the Uniform Commercial Code Cash Fund to the General Fund:
26 \$1,000,000 on or before June 30, 2018, on such dates and in such amounts
27 as directed by the budget administrator of the budget division of the
28 Department of Administrative Services;

29 (aa) From the Resource Recovery Fund to the General Fund: \$100,000
30 on or before June 30, 2018, on such dates and in such amounts as directed
31 by the budget administrator of the budget division of the Department of

1 Administrative Services;

2 (bb) From the Health Care Cash Fund to the Tobacco Enforcement Fund:
3 \$200,000 on or before June 30, 2018;

4 (cc) From the State Athletic Commissioner's Cash Fund to the General
5 Fund: \$200,000 on or before June 15, 2018, on such dates and in such
6 amounts as directed by the budget administrator of the budget division of
7 the Department of Administrative Services;

8 (dd) From the Energy Conservation Improvement Fund to the General
9 Fund: \$12,730 on or before June 15, 2018, on such dates and in such
10 amounts as directed by the budget administrator of the budget division of
11 the Department of Administrative Services;

12 (ee) From the Marijuana and Controlled Substances Tax Administration
13 Cash Fund to the General Fund: \$25,000 on or before June 15, 2018, on
14 such dates and in such amounts as directed by the budget administrator of
15 the budget division of the Department of Administrative Services;

16 (ff) From the Department of Revenue Enforcement Fund to the General
17 Fund: \$200,000 on or before June 15, 2018, on such dates and in such
18 amounts as directed by the budget administrator of the budget division of
19 the Department of Administrative Services;

20 (gg) From the Department of Revenue Property Assessment Division
21 Cash Fund to the General Fund: \$50,000 on or before June 15, 2018, on
22 such dates and in such amounts as directed by the budget administrator of
23 the budget division of the Department of Administrative Services;

24 (hh) From the Motor Fuel Tax Enforcement and Collection Cash Fund to
25 the General Fund: \$1,200,000 on or before June 15, 2018, on such dates
26 and in such amounts as directed by the budget administrator of the budget
27 division of the Department of Administrative Services;

28 (ii) From the Civic and Community Center Financing Fund to the
29 General Fund: \$500,000 on or before June 30, 2018, on such dates and in
30 such amounts as directed by the budget administrator of the budget
31 division of the Department of Administrative Services;

1 (jj) From the Affordable Housing Trust Fund to the General Fund:
2 \$2,250,000 on or before June 30, 2018, on such dates and in such amounts
3 as directed by the budget administrator of the budget division of the
4 Department of Administrative Services;

5 (kk) From the Escheat Trust Fund to the General Fund: \$1,400,000 on
6 or before June 30, 2018, on such dates and in such amounts as directed by
7 the budget administrator of the budget division of the Department of
8 Administrative Services;

9 (ll) From the Treasury Management Cash Fund to the General Fund:
10 \$150,000 on or before June 30, 2018, on such dates and in such amounts as
11 directed by the budget administrator of the budget division of the
12 Department of Administrative Services; ~~and~~

13 (mm) From the life insurance corporation demutualization trust fund
14 to the General Fund: \$400,000 on or before June 30, 2018, on such dates
15 and in such amounts as directed by the budget administrator of the budget
16 division of the Department of Administrative Services; and -

17 (nn) From the Records Management Cash Fund to the Secretary of State
18 Administration Cash Fund: \$40,000 on or before June 30, 2018, on such
19 dates and in such amounts as directed by the budget administrator of the
20 budget division of the Department of Administrative Services.

21 (2) Transfers for FY2018-19 shall include:

22 (a) From the General Fund to the Nebraska State Patrol Cash Fund:
23 \$115,000 less the unexpended balance existing on June 30, 2018, in (i)
24 the Nebraska State Patrol Cash Fund, (ii) the Investigation Petty Cash
25 Fund, (iii) any special checking account or accounts used by the Nebraska
26 State Patrol, and (iv) the possession of agency personnel involved in
27 investigations, when the unexpended balances resulted from General Fund
28 transfers to the Nebraska State Patrol Cash Fund or from General Fund
29 appropriations. Any transfers made shall be subject to a final
30 reconciliation of available investigation cash fund balances as of June
31 30, 2018, by the Nebraska State Patrol.

1 It is the intent of the Legislature that the Nebraska State Patrol
2 have available a total of \$115,000 from the General Fund for FY2018-19 to
3 be used in making drug purchases, for enforcing Nebraska laws relating to
4 felonies, for enforcing the Nebraska liquor laws, and for payment of
5 investigative expenses;

6 (b) From the Tobacco Products Administration Cash Fund to the
7 General Fund: \$10,000,000 on or before June 15, 2019, on such dates and
8 in such amounts as directed by the budget administrator of the budget
9 division of the Department of Administrative Services;

10 (c) From the Charitable Gaming Operations Fund to the General Fund:
11 \$800,000 on or before June 15, 2019, on such dates and in such amounts as
12 directed by the budget administrator of the budget division of the
13 Department of Administrative Services;

14 (d) From the Securities Act Cash Fund to the General Fund:
15 \$8,000,000 on or before September 30, 2018, \$8,000,000 on or before
16 December 31, 2018, \$8,000,000 on or before March 31, 2019, and \$8,000,000
17 on or before June 30, 2019, on such dates as directed by the budget
18 administrator of the budget division of the Department of Administrative
19 Services;

20 (e) From the Health and Human Services Cash Fund to the University
21 of Nebraska Eppley Institute for Research in Cancer and Allied Diseases
22 Cash Fund: \$500,000, pursuant to section 81-638;

23 (f) From the Department of Insurance Cash Fund to the General Fund:
24 ~~\$7,625,000~~ ~~\$4,625,000~~ on or before September 30, 2018, and \$4,625,000 on
25 or before March 31, 2019, on such dates as directed by the budget
26 administrator of the budget division of the Department of Administrative
27 Services;

28 (g) From the State Building Renewal Assessment Fund to the General
29 Fund: \$2,900,000 on or after June 15, 2019, but before June 30, 2019, on
30 such dates and in such amounts as directed by the budget administrator of
31 the budget division of the Department of Administrative Services;

1 (h) From the Roads Operations Cash Fund to the Carrier Enforcement
2 Cash Fund: \$8,569,824. Transfers shall be made in four equal quarterly
3 amounts on or before July 15, October 15, January 15, and April 15;

4 (i) From the Petroleum Release Remedial Action Cash Fund to the
5 Underground Storage Tank Fund: \$50,000 on or before July 5, 2018;

6 (j) From the State Building Revolving Fund to the Capitol Security
7 Revolving Fund: \$787,409. Transfers shall be made in four equal quarterly
8 amounts on or before July 15, October 15, January 15, and April 15.
9 Transfers shall be made to pay non-General-Fund costs associated with the
10 operation of the state capitol security division of the Nebraska State
11 Patrol;

12 (k) From the Highway Trust Fund to the Motor Fuel Tax Enforcement
13 and Collection Cash Fund: \$1,200,000, less the unobligated balance in the
14 Motor Fuel Tax Enforcement and Collection Cash Fund on June 30, 2018.
15 Transfers shall be made in twelve equal monthly amounts;

16 (l) From the Highway Trust Fund to the Motor Carrier Division Cash
17 Fund: Up to a maximum of \$1,200,000. Transfers shall be made as required
18 by the Department of Motor Vehicles to operate the Division of Motor
19 Carrier Services;

20 (m) From the Civic and Community Center Financing Fund to the
21 Department of Revenue Enforcement Fund: \$43,900 on July 1, 2018, or as
22 soon thereafter as administratively possible, as provided for in sections
23 13-2704 and 77-5601;

24 (n) From the Highway Trust Fund to the License Plate Cash Fund: Up
25 to a maximum of \$2,400,000. Transfers shall be made as required by the
26 Department of Motor Vehicles to meet the expenditures of plate and
27 sticker production;

28 (o) From the Flexible Spending Trust Fund to the Health and Life
29 Benefit Administration Cash Fund: \$140,000, except that if the total
30 available unobligated balance of forfeitures in the Flexible Spending
31 Trust Fund as of June 30, 2018, is less than \$140,000, then the State

1 Treasurer shall transfer the difference, not to exceed \$140,000, from the
2 State Employees Insurance Fund. Transfers shall be made to pay the costs
3 associated with the administration of the Flexible Spending Account
4 program;

5 (p) From the State Employees Insurance Fund to the Health and Life
6 Benefit Administration Cash Fund: \$967,962;

7 (q) From the Severance Tax Fund to the Municipal Rate Negotiations
8 Revolving Loan Fund: \$10,000, pursuant to section 57-705;

9 (r) From the Severance Tax Fund to the State Energy Office Cash
10 Fund: \$300,000, pursuant to section 57-705. Transfers shall be made in
11 twelve equal monthly amounts;

12 (s) From the Department of Motor Vehicles Ignition Interlock Fund to
13 the General Fund: \$150,000 on or before June 15, 2019, on such dates and
14 in such amounts as directed by the budget administrator of the budget
15 division of the Department of Administrative Services;

16 (t) From the Records Management Cash Fund to the General Fund:
17 ~~\$826,000~~ ~~\$356,000~~ on or before June 15, 2019, on such dates and in such
18 amounts as directed by the budget administrator of the budget division of
19 the Department of Administrative Services;

20 (u) From the Nebraska Training and Support Cash Fund to the Sector
21 Partnership Program Fund: \$500,000 on or before July 15, 2018, on such
22 date as directed by the budget administrator of the budget division of
23 the Department of Administrative Services;

24 (v) From the Nebraska Capital Construction Fund to the Capitol
25 Restoration Cash Fund: \$104,677 on or before June 30, 2019, on such date
26 as directed by the budget administrator of the budget division of the
27 Department of Administrative Services;

28 (w) From the Petroleum Release Remedial Action Cash Fund to the
29 General Fund: \$500,000 on or before June 30, 2019, on such dates and in
30 such amounts as directed by the budget administrator of the budget
31 division of the Department of Administrative Services;

1 (x) From the Waste Reduction and Recycling Incentive Fund to the
2 General Fund: ~~\$900,000~~ ~~\$400,000~~ on or before June 15, 2019, on such dates
3 and in such amounts as directed by the budget administrator of the budget
4 division of the Department of Administrative Services;

5 (y) From the Health Care Cash Fund to the Tobacco Enforcement Fund:
6 \$200,000 on or before June 30, 2019;

7 (z) From the Affordable Housing Trust Fund to the General Fund:
8 \$2,250,000 on or before June 30, 2019, on such dates and in such amounts
9 as directed by the budget administrator of the budget division of the
10 Department of Administrative Services; ~~and~~

11 (aa) From the Civic and Community Center Financing Fund to the
12 General Fund: \$500,000 on or before June 30, 2019, on such dates and in
13 such amounts as directed by the budget administrator of the budget
14 division of the Department of Administrative Services; ~~-~~

15 (bb) From the Municipal Rate Negotiations Revolving Loan Fund to the
16 General Fund: \$250,000 on or before June 30, 2019, on such dates and in
17 such amounts as directed by the budget administrator of the budget
18 division of the Department of Administrative Services;

19 (cc) From the Records Management Cash Fund to the Secretary of State
20 Administration Cash Fund: \$40,000 on or before June 30, 2019, on such
21 dates and in such amounts as directed by the budget administrator of the
22 budget division of the Department of Administrative Services;

23 (dd) From the Buffer Strip Incentive Fund to the General Fund:
24 \$50,000 on or before June 30, 2019, on such dates and in such amounts as
25 directed by the budget administrator of the budget division of the
26 Department of Administrative Services;

27 (ee) From the Small Watersheds Flood Control Fund to the General
28 Fund: The unobligated June 30, 2018 balance, on or before June 30, 2019,
29 on such dates and in such amounts as directed by the budget administrator
30 of the budget division of the Department of Administrative Services; and

31 (ff) From the Chemigation Costs Fund to the General Fund: \$50,000 on

1 or before June 30, 2019, on such dates and in such amounts as directed by
2 the budget administrator of the budget division of the Department of
3 Administrative Services.

4 Sec. 150. Laws 2017, LB327, section 272, is amended to read:

5 Sec. 272. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

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

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

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

1 (4) The limitation on expenditures for permanent and temporary
2 salaries and per diems for FY2018-19 as enumerated in this act shall be
3 the basis for continuation funding for each fiscal year of the succeeding
4 biennium.

5 (5) The limitation on expenditures for permanent and temporary
6 salaries and per diems for FY2017-18 shall be increased by certified
7 encumbrance amounts from FY2016-17 for permanent and temporary salaries
8 and per diems. The limitation on expenditures for permanent and temporary
9 salaries and per diems for FY2018-19 shall be increased by certified
10 encumbrance amounts from FY2017-18 for permanent and temporary salaries
11 and per diems. Encumbered amounts shall be calculated in accordance with
12 section 81-138.01.

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

17 (7) The budget administrator of the budget division of the
18 Department of Administrative Services may administratively increase the
19 limitation on expenditures for permanent and temporary salaries and per
20 diems upon receipt of a request for such increase from the director of a
21 state agency certifying the actual amount of the payment to a former
22 employee of such agency, or his or her beneficiary upon the death of the
23 employee, of accumulated vacation and sick leave pursuant to section
24 81-1325 and the rules and regulations of the State Personnel System
25 governing such payments.

26 Sec. 151. Laws 2017, LB329, section 5, is amended to read:

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

28 Program No. 3 - Supreme Court Judges' Salaries

29		FY2017-18	FY2018-19
30	<u>GENERAL FUND</u>	<u>1,424,993</u>	<u>1,426,489</u>
31	<u>PROGRAM TOTAL</u>	<u>1,424,993</u>	<u>1,426,489</u>

1	GENERAL FUND	1,424,993	1,433,742
2	PROGRAM TOTAL	1,424,993	1,433,742
3	SALARY LIMIT	1,203,823	1,203,823

4 The unexpended appropriation balance in this program existing on
5 June 30, 2018, is not reappropriated.

6 Sec. 152. Laws 2017, LB329, section 6, is amended to read:

7 Sec. 6. AGENCY NO. 5 – SUPREME COURT

8 Program No. 4 - Court of Appeals Judges' Salaries

9		FY2017-18	FY2018-19
10	<u>GENERAL FUND</u>	<u>1,174,969</u>	<u>1,176,309</u>
11	<u>PROGRAM TOTAL</u>	<u>1,174,969</u>	<u>1,176,309</u>
12	GENERAL FUND	1,174,969	1,182,806
13	PROGRAM TOTAL	1,174,969	1,182,806
14	SALARY LIMIT	980,257	980,257

15 The unexpended appropriation balance in this program existing on
16 June 30, 2018, is not reappropriated.

17 Sec. 153. Laws 2017, LB329, section 7, is amended to read:

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

19 Program No. 5 - Retired Judges' Salaries

20		FY2017-18	FY2018-19
21	GENERAL FUND	72,436	72,436
22	PROGRAM TOTAL	72,436	72,436
23	SALARY LIMIT	69,832	69,832

24 The unexpended General Fund appropriation balance existing on June
25 30, 2017, less \$5,601, is hereby reappropriated.

26 The unexpended General Fund appropriation balance existing on June
27 30, 2018, is hereby reappropriated.

28 The budget division of the Department of Administrative Services
29 shall administratively transfer General Fund appropriations or Salary
30 Limits or both among Programs 3, 4, 5, 6, 7, 52, 67, 420, 435, and 437

1 within Agency 5, upon written certification by the State Court
2 Administrator that the Nebraska Supreme Court has determined that such
3 transfer is necessary for the efficient functioning of statewide court
4 operations and the proper administration of justice.

5 Sec. 154. Laws 2017, LB329, section 8, is amended to read:

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

7 Program No. 6 - District and Juvenile Court Judges' Salaries

	FY2017-18	FY2018-19
9 <u>GENERAL FUND</u>	<u>12,538,135</u>	<u>12,550,248</u>
10 <u>PROGRAM TOTAL</u>	<u>12,538,135</u>	<u>12,550,248</u>
11 GENERAL FUND	12,538,135	12,608,991
12 PROGRAM TOTAL	12,538,135	12,608,991
13 SALARY LIMIT	10,658,135	10,658,135

14 The unexpended appropriation balance in this program existing on
15 June 30, 2018, is not reappropriated.

16 Sec. 155. Laws 2017, LB329, section 9, is amended to read:

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

18 Program No. 7 - County Court Judges' Salaries

	FY2017-18	FY2018-19
20 <u>GENERAL FUND</u>	<u>10,617,567</u>	<u>10,628,216</u>
21 <u>PROGRAM TOTAL</u>	<u>10,617,567</u>	<u>10,628,216</u>
22 GENERAL FUND	10,617,567	10,679,862
23 PROGRAM TOTAL	10,617,567	10,679,862
24 SALARY LIMIT	8,977,082	8,977,082

25 The unexpended appropriation balance in this program existing on
26 June 30, 2018, is not reappropriated.

27 Sec. 156. Laws 2017, LB329, section 10, is amended to read:

28 Sec. 10. AGENCY NO. 7 – GOVERNOR

29 Program No. 2 - Salary - Governor

	FY2017-18	FY2018-19
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1	<u>GENERAL FUND</u>	<u>146,974</u>	<u>147,244</u>
2	<u>PROGRAM TOTAL</u>	<u>146,974</u>	<u>147,244</u>
3	GENERAL FUND	146,974	148,555
4	PROGRAM TOTAL	146,974	148,555
5	SALARY LIMIT	105,000	105,000

6 The unexpended appropriation balance in this program existing on
7 June 30, 2018, is not reappropriated.

8 Sec. 157. Laws 2017, LB329, section 11, is amended to read:

9 Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR

10 Program No. 8 - Salary - Lieutenant Governor

11		FY2017-18	FY2018-19
12	<u>GENERAL FUND</u>	<u>112,462</u>	<u>112,737</u>
13	<u>PROGRAM TOTAL</u>	<u>112,462</u>	<u>112,737</u>
14	GENERAL FUND	112,462	114,073
15	PROGRAM TOTAL	112,462	114,073
16	SALARY LIMIT	75,000	75,000

17 The unexpended appropriation balance in this program existing on
18 June 30, 2018, is not reappropriated.

19 Sec. 158. Laws 2017, LB329, section 12, is amended to read:

20 Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE

21 Program No. 9 - Salary - Secretary of State

22		FY2017-18	FY2018-19
23	<u>GENERAL FUND</u>	<u>117,920</u>	<u>118,116</u>
24	<u>PROGRAM TOTAL</u>	<u>117,920</u>	<u>118,116</u>
25	GENERAL FUND	117,920	119,069
26	PROGRAM TOTAL	117,920	119,069
27	SALARY LIMIT	85,000	85,000

28 The unexpended appropriation balance in this program existing on
29 June 30, 2018, is not reappropriated.

30 Sec. 159. Laws 2017, LB329, section 13, is amended to read:

1 Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS
2 Program No. 10 - Salary - Auditor of Public Accounts

	FY2017-18	FY2018-19
4 <u>GENERAL FUND</u>	<u>99,012</u>	<u>122,635</u>
5 <u>PROGRAM TOTAL</u>	<u>99,012</u>	<u>122,635</u>
6 GENERAL FUND	122,406	123,749
7 PROGRAM TOTAL	122,406	123,749
8 SALARY LIMIT	85,000	85,000

9 The unexpended appropriation balance in this program existing on
10 June 30, 2018, is not reappropriated.

11 Sec. 160. Laws 2017, LB329, section 14, is amended to read:

12 Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL

13 Program No. 11 - Attorney General's Salary

	FY2017-18	FY2018-19
15 <u>GENERAL FUND</u>	<u>135,082</u>	<u>135,335</u>
16 <u>PROGRAM TOTAL</u>	<u>135,082</u>	<u>135,335</u>
17 GENERAL FUND	135,082	136,560
18 PROGRAM TOTAL	135,082	136,560
19 SALARY LIMIT	95,000	95,000

20 The unexpended appropriation balance in this program existing on
21 June 30, 2018, is not reappropriated.

22 Sec. 161. Laws 2017, LB329, section 15, is amended to read:

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

24 Program No. 12 - Salary - State Treasurer

	FY2017-18	FY2018-19
26 <u>GENERAL FUND</u>	<u>109,091</u>	<u>46,570</u>
27 <u>CASH FUND</u>	<u>-0-</u>	<u>80,125</u>
28 <u>PROGRAM TOTAL</u>	<u>109,091</u>	<u>126,695</u>
29 GENERAL FUND	125,591	127,183
30 PROGRAM TOTAL	125,591	127,183

1 SALARY LIMIT 85,000 85,000

2 The unexpended appropriation balance in this program existing on
3 June 30, 2018, is not reappropriated.

4 Sec. 162. Laws 2017, LB329, section 16, is amended to read:

5 Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION

6 Program No. 14 - Salaries of Public Service Commissioners

7 FY2017-18 FY2018-19

8 GENERAL FUND 490,438 491,013

9 PROGRAM TOTAL 490,438 491,013

10 ~~GENERAL FUND~~ 490,438 493,800

11 ~~PROGRAM TOTAL~~ 490,438 493,800

12 SALARY LIMIT 375,000 375,000

13 The unexpended appropriation balance in this program existing on
14 June 30, 2018, is not reappropriated.

15 Sec. 163. Laws 2017, LB329, section 17, is amended to read:

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

17 Program No. 320 - Board of Parole Salaries

18 FY2017-18 FY2018-19

19 GENERAL FUND 570,787 574,969

20 PROGRAM TOTAL 570,787 574,969

21 ~~GENERAL FUND~~ 570,787 577,500

22 ~~PROGRAM TOTAL~~ 570,787 577,500

23 SALARY LIMIT 422,532 425,711

24 The unexpended appropriation balance in this program existing on
25 June 30, 2018, is not reappropriated.

26 Sec. 164. Laws 2017, LB329, section 18, is amended to read:

27 Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE

28 Program No. 13 - Salary - Tax Commissioner

29 FY2017-18 FY2018-19

30 GENERAL FUND 210,554 163,398

1	<u>CASH FUND</u>	<u>-0-</u>	<u>49,061</u>
2	<u>PROGRAM TOTAL</u>	<u>210,554</u>	<u>212,459</u>
3	GENERAL FUND	210,554	213,309
4	PROGRAM TOTAL	210,554	213,309
5	SALARY LIMIT	162,686	164,302

6 The unexpended appropriation balance in this program existing on
 7 June 30, 2018, is not reappropriated.

8 It is the intent of the Legislature that if the appropriation or the
 9 salary limit is insufficient in this program to meet anticipated
 10 expenditures, the Tax Commissioner shall request an additional
 11 appropriation or a higher salary limit, or both, from the Legislature by
 12 the usual deficit process. The appropriation or the salary limit shall
 13 not be administratively increased solely by the Department of
 14 Administrative Services without legislative authorization.

15 Sec. 165. Laws 2017, LB330, section 25, is amended to read:

16 Sec. 25. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

17 Program No. 927 - Community Corrections Renovation and Expansion

	FY2017-18	FY2018-19	FUTURE
18			
19	<u>NEBRASKA CAPITAL</u>		
20	<u>12,743,519</u>	<u>1,603,520</u>	<u>-0-</u>
21	<u>12,743,519</u>	<u>1,603,520</u>	<u>-0-</u>
22	NEBRASKA CAPITAL		
23	12,743,519	8,103,520	-0-
24	12,743,519	8,103,520	-0-

25 The Department of Correctional Services is hereby authorized to
 26 continue the design, construction, renovation, and repurposing of
 27 community corrections bed space at the department's Community Corrections
 28 Center facilities in Lincoln and Omaha.

29 Sec. 166. Laws 2017, LB330, section 42, is amended to read:

30 Sec. 42. There is hereby appropriated, unless otherwise specified,
 31 for FY2017-18 and for FY2018-19 from undisbursed balances existing on

1 June 30, 2017, and on June 30, 2018, respectively, to each agency for
2 each program from the respective funds for capital construction as
3 follows:

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

5 Program No. 919. The unexpended appropriation balances existing on
6 June 30, 2017, from the respective funds in Program 904, less \$2,300,000
7 from the Nebraska Capital Construction Fund, are hereby reappropriated
8 for FY2017-18 to Agency No. 28 - Department of Veterans Affairs', Program
9 904. The unexpended appropriation balances existing on June 30, 2017,
10 from the respective funds in Program No. 923 are hereby reappropriated
11 for FY2017-18 to Agency No. 28 - Department of Veterans' Affairs, Program
12 923.

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

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

17 (3) Agency No. 28 - Department of Veterans' Affairs

18 The unexpended appropriation balances existing on June 30, 2018,
19 from the respective funds in Program 904 and Program 923 are hereby
20 reappropriated for FY2018-19.

21 (4) Agency No. 31 – Military Department

22 Program Nos. 925 and 990.

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

24 Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967, 968, 969
25 less the General Fund balance existing on June 30, 2017, 970, 971, 972,
26 973, 975, 976, 977, 979, 981, and 987.

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

28 Program Nos. 913, 914, 921, 927, and 928.

29 (7) Agency No. 47 – Nebraska Educational Telecommunications
30 Commission

31 Program No. 928.

1 (8) Agency No. 50 – Board of Trustees of the Nebraska State Colleges
2 Program Nos. 901, 903, 904, 905, 912, 919, 920, 921, 930, 933, 935,
3 952, 955, and 997, and any additional construction programs
4 administratively created relating to the Board of Trustees of the
5 Nebraska State Colleges and its campuses which are funded through cash
6 funds, federal funds, revolving funds, or private gifts or donations.

7 (9) Agency No. 51 – University of Nebraska
8 Program Nos. 901, 902, 903, 906, 907, 909, 911, 914, 915, 917, 918,
9 919, 920, 921, 926, 927, 930, 934, 936, 937, 939, 942, 943, 944, 948,
10 950, 954, 956, 961, 963, 964, 965, 969, 971, 972, 974, 976, 978, 981,
11 983, 984, 990, 992, 994, 995, 997, and 998, and any additional
12 construction programs administratively created relating to the University
13 of Nebraska-Lincoln, the University of Nebraska at Omaha, the University
14 of Nebraska Medical Center, the University of Nebraska at Kearney, the
15 Nebraska College of Technical Agriculture at Curtis, and the University
16 of Nebraska Central Administration which are funded through cash funds,
17 federal funds, revolving funds, or private gifts or donations.

18 (10) Agency No. 65 – Department of Administrative Services
19 Program Nos. 901, 904, 917, 922, 980, and 986.

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

22 Sec. 167. Laws 2017, LB512A, section 2, is amended to read:

23 Sec. 2. The General Fund appropriation for FY2017-18 to the State
24 Department of Education, for Program 158, is hereby reduced by \$40,000.
25 The General Fund appropriation for FY2018-19 to the State Department of
26 Education, for Program 158, is hereby reduced by \$40,000.

27 For FY2017-18 the General Fund state aid earmark in the State
28 Department of Education, for Program 158, for the Summer Food Service
29 Program is hereby reduced by \$40,000. For FY2018-19 the General Fund
30 state aid earmark in the State Department of Education, for Program 158,
31 for the Summer Food Service Program is hereby reduced by \$40,000.

1 ~~The General Fund earmark for FY2017-18 is reduced to \$1,222,430,090~~
2 ~~in the State Department of Education, for Program 158. The General Fund~~
3 ~~earmark for FY2018-19 is reduced to \$1,251,393,303 in the State~~
4 ~~Department of Education, for Program 158.~~

5 ~~The General Fund earmark for the Summer Food Service Program for~~
6 ~~FY2017-18 is reduced to \$90,000. The General Fund earmark for the Summer~~
7 ~~Food Service Program for FY2018-19 is reduced to \$90,000.~~

8 Sec. 168. Original Laws 2017, LB268A, section 3; Laws 2017, LB327,
9 sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27,
10 28, 29, 30, 32, 33, 34, 35, 37, 38, 39, 40, 45, 49, 50, 52, 54, 55, 57,
11 59, 62, 68, 69, 70, 71, 73, 82, 85, 86, 87, 92, 96, 97, 98, 100, 101,
12 102, 103, 104, 106, 107, 108, 109, 110, 112, 116, 125, 126, 128, 130,
13 132, 134, 136, 137, 138, 139, 140, 145, 146, 147, 148, 149, 150, 152,
14 153, 154, 155, 162, 163, 165, 166, 168, 169, 170, 172, 173, 176, 177,
15 182, 186, 189, 190, 192, 195, 196, 199, 201, 204, 208, 210, 211, 213,
16 214, 215, 216, 218, 221, 222, 227, 228, 229, 230, 231, 232, 233, 234,
17 235, 236, 237, 239, 240, 241, 242, 243, 244, 247, 249, 250, 251, 255,
18 260, 263, 265, and 272; Laws 2017, LB329, sections 5, 6, 7, 8, 9, 10, 11,
19 12, 13, 14, 15, 16, 17, and 18; Laws 2017, LB330, sections 25 and 42; and
20 Laws 2017, LB512A, section 2, are repealed.

21 Sec. 169. Since an emergency exists, this act takes effect when
22 passed and approved according to law.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below	See Below		

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB944 contains the Governors recommendation for adjustments to the FY2017-18 and FY2018-19 budget as originally enacted in the 2017 Session. Dollar changes are shown below for:

<u>Change in FY18 & FY19 New Appropriations</u>	<u>FY2017-18</u>	<u>FY2018-19</u>
General	(10,859,762)	(36,409,099)
Cash	1,667,894	15,423,070
Federal	2,632,061	(14,640,653)
Revolving	(543,499)	2,806,501
Total	(7,103,306)	(32,820,181)

<u>Change in General Fund Reappropriations</u>	<u>FY2017-18</u>	<u>FY2018-19</u>
3 Legislative Council	(85,904)	0
5 Supreme Court	(93,018)	0
7 Governor	(18,850)	0
8 Lt. Governor	(441)	0
11 Attorney General	(28,343)	0
15 Parole Board	(52,091)	0
29 Natural Resources	(500,000)	0
46 Correctional Services	(249,014)	0
64 State Patrol	(42,876)	0
65 Administrative Services	(28,670)	0
78 Crime Commission	(7,016)	0
82 Deaf/Hard of Hearing Comm.	(2,185)	0
Total	(1,108,408)	0

<u>Change in General Fund Transfers In</u>	<u>FY2017-18</u>	<u>FY2018-19</u>
Mutual Finance Assistance Fund (lapse)	0	150,000
Records Management Cash Fund	0	470,000
Municipal Rate Negotiations Revolving Loan Fund	0	250,000
Buffer Strip Incentive Fund	0	50,000
Department of Insurance Cash Fund	0	3,000,000
Small Watersheds Flood Control Fund	0	732,747
Waste Reduction and Recycling Incentive Fund	0	500,000
Chemigation Costs Fund	0	50,000
Total	0	5,202,747

<u>Significant General Fund Items</u>		<u>FY2017-18</u>	<u>FY2018-19</u>	<u>Two Yr Total</u>
DHHS	Child Welfare Aid deficit	24,681,826	31,004,088	55,685,914
DHHS	FMAP reduction	0	14,978,228	14,978,228
Revenue	Homestead Exemption, adjust to 2017 actual tax loss	3,100,000	3,100,000	6,200,000
Retirement	Net change in defined benefit plans	0	519,171	519,171
All Agencies	Across the Board cuts	(25,691,044)	(51,371,504)	(77,062,548)
Education	Adjust TEEOSA, Premium Tax (FY18), updated FY19 estimate	3,654,857	(19,731,953)	(16,077,096)
DHHS	Public Assistance excess appropriation	(10,806,040)	(9,800,024)	(20,606,064)
Revenue	Personal Property Tax Exemption, adjust to 2017 actual tax loss	(1,300,000)	(2,000,000)	(3,300,000)
DHHS	Fund shift to draw available non-General Fund resources	(2,500,000)	0	(2,500,000)
All Agencies	Health insurance lower than budgeted	0	(1,868,952)	(1,868,952)
DEQ	Eliminate funding for Superfund aid	(316,200)	(316,200)	(632,400)
DHHS	Vacancy Savings, delayed hiring of additional security personnel	(560,000)	0	(560,000)
DHHS	Delay opening Lincoln Regional Center 12-bed unit	(258,048)	0	(258,048)
All Agencies	All Other Items	(865,113)	(921,953)	(1,787,066)
Total		(10,859,762)	(36,409,099)	(47,268,861)

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB944

Chairperson: Senator John Stinner

Committee: Appropriations

Date of Hearing: January 22, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 944, introduced by the Speaker at the request of the Governor, is part of the Governor's 2018 mid-biennium budget adjustment recommendations for the 2017-2019 biennium.

The bill makes adjustments to appropriations and reappropriations for state operations, aid and construction programs, provides for transfers, and modifies intent language and earmarks accompanying appropriations approved by the 105th Legislature, First Session, for the current fiscal year ending June 30, 2018 and the next fiscal year ending June 30, 2019.

This legislative bill contains the emergency clause.

Detailed information regarding the Governor's mid-biennium budget recommendations can be found in the document entitled "State of Nebraska, Mid-Biennium Budget Adjustments, 2017-2019 Biennium" dated January 10, 2018, and may be viewed on the Department of Administrative Services – State Budget Division's website at http://budget.nebraska.gov/assets/2018_mid-biennium_budget_adjustments_book.pdf.

Principal Introducer: _____

Senator Speaker Scheer, 19

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 945

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

Read first time January 10, 2018

Committee: Appropriations

1 A BILL FOR AN ACT relating to appropriations; to amend section 81-1121,
2 Reissue Revised Statutes of Nebraska, sections 49-14,140, 61-224,
3 81-2,162.27, and 84-1227, Revised Statutes Cumulative Supplement,
4 2016, sections 37-327.02, 59-1608.04, 71-7611, and 81-3714, Revised
5 Statutes Supplement, 2017, and Laws 2017, LB331, sections 3, 4, and
6 11; to provide for transfers of funds; to change transfer
7 provisions; to harmonize provisions; to repeal the original
8 sections; and to declare an emergency.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. The State Treasurer shall transfer \$170,325 from the
2 Underground Storage Tank Cash Fund to the General Fund on or before June
3 30, 2019, on such dates and in such amounts as directed by the budget
4 administrator of the budget division of the Department of Administrative
5 Services.

6 Sec. 2. The State Treasurer shall transfer \$1,300,000 from the
7 Health and Human Services Cash Fund to the General Fund on or before June
8 30, 2019, on such dates and in such amounts as directed by the budget
9 administrator of the budget division of the Department of Administrative
10 Services. It is the intent of the Legislature that the transfer to the
11 General Fund in this section be from funds credited to the X-Ray Cash
12 Fund, a subfund of the Health and Human Services Cash Fund.

13 Sec. 3. The State Treasurer shall transfer \$520,000 from the Health
14 and Human Services Cash Fund to the General Fund on or before June 30,
15 2019, on such dates and in such amounts as directed by the budget
16 administrator of the budget division of the Department of Administrative
17 Services. It is the intent of the Legislature that the transfer to the
18 General Fund in this section be from funds credited to the Emergency
19 Preparedness Cash Fund, a subfund of the Health and Human Services Cash
20 Fund.

21 Sec. 4. The State Treasurer shall transfer \$750,000 from the Health
22 and Human Services Cash Fund to the General Fund on or before June 30,
23 2019, on such dates and in such amounts as directed by the budget
24 administrator of the budget division of the Department of Administrative
25 Services. It is the intent of the Legislature that the transfer to the
26 General Fund in this section be from funds credited to the Radioactive
27 Materials Cash Fund, a subfund of the Health and Human Services Cash
28 Fund.

29 Sec. 5. The State Treasurer shall transfer the unobligated balance
30 on September 30, 2017, of the Nebraska Progress Loan Fund to the General
31 Fund on or after June 30, 2018, on such date as directed by the budget

1 administrator of the budget division of the Department of Administrative
2 Services.

3 Sec. 6. The State Treasurer shall transfer \$50,000 from the
4 Nebraska Accountability and Disclosure Commission Cash Fund to the
5 General Fund on or before June 30, 2019, on such dates and in such
6 amounts as directed by the budget administrator of the budget division of
7 the Department of Administrative Services.

8 Sec. 7. The State Treasurer shall transfer \$250,000 from the
9 Commission on Public Advocacy Operations Cash Fund to the General Fund on
10 or before June 30, 2019, on such dates and in such amounts as directed by
11 the budget administrator of the budget division of the Department of
12 Administrative Services.

13 Sec. 8. Section 37-327.02, Revised Statutes Supplement, 2017, is
14 amended to read:

15 37-327.02 The Game and Parks Commission Capital Maintenance Fund is
16 created. The fund shall consist of money credited to the fund pursuant to
17 section 77-27,132, transfers authorized by the Legislature, and any
18 gifts, grants, bequests, or donations to the fund. The fund shall be
19 administered by the commission and shall be used to build, repair,
20 renovate, rehabilitate, restore, modify, or improve any infrastructure
21 within the statutory authority and administration of the commission. Any
22 money in the fund available for investment shall be invested by the state
23 investment officer pursuant to the Nebraska Capital Expansion Act and the
24 Nebraska State Funds Investment Act.

25 Transfers may be made from the Game and Parks Commission Capital
26 Maintenance Fund to the General Fund at the direction of the Legislature
27 through June 30, 2019. The State Treasurer shall transfer four million
28 five hundred thousand dollars from the Game and Parks Commission Capital
29 Maintenance Fund to the General Fund between June 1, 2018, and June 30,
30 2018, on such date as directed by the budget administrator of the budget
31 division of the Department of Administrative Services. The State

1 Treasurer shall transfer nine ~~four~~ million ~~five hundred thousand~~ dollars
2 from the Game and Parks Commission Capital Maintenance Fund to the
3 General Fund between June 1, 2019, and June 30, 2019, on such date as
4 directed by the budget administrator of the budget division of the
5 Department of Administrative Services.

6 Sec. 9. Section 49-14,140, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 49-14,140 The Nebraska Accountability and Disclosure Commission Cash
9 Fund is hereby created. The fund shall consist of funds received by the
10 commission pursuant to sections 49-1449.01, 49-1470, 49-1480.01, 49-1482,
11 49-14,123, and 49-14,123.01 and subdivision (4) of section 49-14,126. The
12 fund shall be used by the commission in administering the Nebraska
13 Political Accountability and Disclosure Act. Any money in the Nebraska
14 Accountability and Disclosure Commission Cash Fund available for
15 investment shall be invested by the state investment officer pursuant to
16 the Nebraska Capital Expansion Act and the Nebraska State Funds
17 Investment Act. Transfers may be made from the fund to the General Fund
18 at the direction of the Legislature.

19 On April 25, 2013, the State Treasurer shall transfer \$630,870 from
20 the Campaign Finance Limitation Cash Fund to the Nebraska Accountability
21 and Disclosure Commission Cash Fund to be used for development,
22 implementation, and maintenance of an electronic filing system for
23 campaign statements and other reports under the Nebraska Political
24 Accountability and Disclosure Act and for making such statements and
25 reports available to the public on the web site of the commission. The
26 State Treasurer shall transfer the balance of the Campaign Finance
27 Limitation Cash Fund to the Election Administration Fund on or before
28 July 5, 2013, or as soon thereafter as administratively possible.

29 Sec. 10. Section 59-1608.04, Revised Statutes Supplement, 2017, is
30 amended to read:

31 59-1608.04 (1) The State Settlement Cash Fund is created. The fund

1 shall be maintained by the Department of Justice and administered by the
2 Attorney General. Except as otherwise provided by law, the fund shall
3 consist of all recoveries received pursuant to the Consumer Protection
4 Act, including any money, funds, securities, or other things of value in
5 the nature of civil damages or other payment, except criminal penalties,
6 whether such recovery is by way of verdict, judgment, compromise, or
7 settlement in or out of court, or other final disposition of any case or
8 controversy, or any other payments received on behalf of the state by the
9 Department of Justice and administered by the Attorney General for the
10 benefit of the state or the general welfare of its citizens, but
11 excluding all funds held in a trust capacity where specific benefits
12 accrue to specific individuals, organizations, or governments. The fund
13 may be expended for any allowable legal purposes as determined by the
14 Attorney General. Transfers from the State Settlement Cash Fund may be
15 made at the direction of the Legislature to the Nebraska Capital
16 Construction Fund and the General Fund. To provide necessary financial
17 accountability and management oversight, revenue from individual
18 settlement agreements or other separate sources credited to the State
19 Settlement Cash Fund may be tracked and accounted for within the state
20 accounting system through the use of separate and distinct funds,
21 subfunds, or any other available accounting mechanism specifically
22 approved by the Accounting Administrator for use by the Department of
23 Justice. Any money in the fund available for investment shall be invested
24 by the state investment officer pursuant to the Nebraska Capital
25 Expansion Act and the Nebraska State Funds Investment Act.

26 (2) The State Treasurer shall transfer two million five hundred
27 thousand dollars from the State Settlement Cash Fund to the Nebraska
28 Capital Construction Fund on July 1, 2013, or as soon thereafter as
29 administratively possible.

30 (3) The State Treasurer shall transfer seven hundred fifty thousand
31 dollars from the State Settlement Cash Fund to the General Fund on or

1 before June 30, 2018, on such dates and in such amounts as directed by
2 the budget administrator of the budget division of the Department of
3 Administrative Services.

4 (4) The State Treasurer shall transfer one million five hundred
5 ~~seven hundred fifty~~ thousand dollars from the State Settlement Cash Fund
6 to the General Fund on or before June 30, 2019, on such dates and in such
7 amounts as directed by the budget administrator of the budget division of
8 the Department of Administrative Services.

9 Sec. 11. Section 61-224, Revised Statutes Cumulative Supplement,
10 2016, is amended to read:

11 61-224 There is hereby created the Critical Infrastructure
12 Facilities Cash Fund in the Department of Natural Resources. The fund
13 shall consist of funds appropriated or transferred by the Legislature.
14 The fund shall be used by the Department of Natural Resources to provide
15 a grant to a natural resources district to offset costs related to soil
16 and water improvements intended to protect critical infrastructure
17 facilities within the district which includes military installations,
18 transportation routes, and wastewater treatment facilities. Transfers may
19 be made from the fund to the General Fund at the direction of the
20 Legislature. The State Treasurer shall transfer three hundred eighty-four
21 thousand, two hundred twenty-two dollars plus any accrued interest
22 through the effective date of this act, on or before June 30, 2019, on
23 such dates and in such amounts as directed by the budget administrator of
24 the budget division of the Department of Administrative Services. Any
25 money in the fund available for investment shall be invested by the state
26 investment officer pursuant to the Nebraska Capital Expansion Act and the
27 Nebraska State Funds Investment Act, and any interest earned by the fund
28 shall be credited to the General Fund.

29 Sec. 12. Section 71-7611, Revised Statutes Supplement, 2017, is
30 amended to read:

31 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State

1 Treasurer shall transfer (a) sixty million three hundred thousand dollars
2 on or before July 15, 2014, (b) sixty million three hundred fifty
3 thousand dollars on or before July 15, 2015, (c) sixty million three
4 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
5 million seven hundred thousand dollars on or before July 15, 2017, (e)
6 sixty million seven hundred thousand dollars on or before July 15, 2018,
7 and (f) sixty million four hundred fifty thousand dollars on or before
8 every July 15 thereafter from the Nebraska Medicaid Intergovernmental
9 Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska
10 Health Care Cash Fund, except that such amount shall be reduced by the
11 amount of the unobligated balance in the Nebraska Health Care Cash Fund
12 at the time the transfer is made. The state investment officer shall
13 advise the State Treasurer on the amounts to be transferred first from
14 the Nebraska Medicaid Intergovernmental Trust Fund until the fund balance
15 is depleted and from the Nebraska Tobacco Settlement Trust Fund
16 thereafter in order to sustain such transfers in perpetuity. The state
17 investment officer shall report electronically to the Legislature on or
18 before October 1 of every even-numbered year on the sustainability of
19 such transfers. The Nebraska Health Care Cash Fund shall also include
20 money received pursuant to section 77-2602. Except as otherwise provided
21 by law, no more than the amounts specified in this subsection may be
22 appropriated or transferred from the Nebraska Health Care Cash Fund in
23 any fiscal year.

24 The State Treasurer shall transfer ten million dollars from the
25 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on
26 June 28, 2018, and June 28, 2019.

27 The State Treasurer shall transfer not to exceed fifteen million
28 dollars from the Nebraska Medicaid Intergovernmental Trust Fund to the
29 Health and Human Services Cash Fund on or before June 15, 2019, as
30 directed by the budget administrator of the budget division of the
31 Department of Administrative Services. The transfer shall not occur

1 before the chief executive officer of the Department of Health and Human
2 Services has certified to the budget administrator of the budget division
3 of the Department of Administrative Services the amount of FY2017-18
4 General Fund encumbrances for Child Welfare Aid that are in excess of the
5 available General Fund appropriation balance existing on June 30, 2018.
6 The transfer shall be the lesser of fifteen million dollars or the
7 certified amount of FY2017-18 General Fund encumbrances for Child Welfare
8 Aid that are in excess of the available General Fund appropriation
9 balance existing on June 30, 2018.

10 It is the intent of the Legislature that no additional programs are
11 funded through the Nebraska Health Care Cash Fund until funding for all
12 programs with an appropriation from the fund during FY2012-13 are
13 restored to their FY2012-13 levels.

14 (2) Any money in the Nebraska Health Care Cash Fund available for
15 investment shall be invested by the state investment officer pursuant to
16 the Nebraska Capital Expansion Act and the Nebraska State Funds
17 Investment Act.

18 (3) The University of Nebraska and postsecondary educational
19 institutions having colleges of medicine in Nebraska and their affiliated
20 research hospitals in Nebraska, as a condition of receiving any funds
21 appropriated or transferred from the Nebraska Health Care Cash Fund,
22 shall not discriminate against any person on the basis of sexual
23 orientation.

24 (4) The State Treasurer shall transfer fifty thousand dollars on or
25 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
26 Board of Regents of the University of Nebraska for the University of
27 Nebraska Medical Center. It is the intent of the Legislature that these
28 funds be used by the College of Public Health for workforce training.

29 Sec. 13. Section 81-2,162.27, Revised Statutes Cumulative
30 Supplement, 2016, is amended to read:

31 81-2,162.27 (1) All money received under the Nebraska Commercial

1 Fertilizer and Soil Conditioner Act and the Agricultural Liming Materials
2 Act shall be remitted to the State Treasurer for credit to the
3 Fertilizers and Soil Conditioners Administrative Fund, which fund is
4 hereby created. Transfers may be made from the fund to the General Fund
5 at the direction of the Legislature. The State Treasurer shall transfer
6 two hundred seventy-five thousand dollars from the fund to the General
7 Fund on or before June 30, 2019, on such dates and in such amounts as
8 directed by the budget administrator of the budget division of the
9 Department of Administrative Services. All money so received shall be
10 used by the department for defraying the expenses of administering the
11 Nebraska Commercial Fertilizer and Soil Conditioner Act and the
12 Agricultural Liming Materials Act.

13 (2) Any unexpended balance in the Fertilizers and Soil Conditioners
14 Administrative Fund at the close of any biennium shall, when
15 reappropriated, be available for the uses and purposes of the fund for
16 the succeeding biennium. Any money in the fund available for investment
17 shall be invested by the state investment officer pursuant to the
18 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
19 Act.

20 Sec. 14. Section 81-1121, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 81-1121 (1)(a) The Director of Administrative Services shall have
23 power to develop and implement a system of warrant preparation and
24 issuance in accordance with acceptable accounting and internal control
25 safeguards and by use of such mechanical means as may be most economical.

26 (b) Warrant or state warrant shall include an order drawn by the
27 director upon the State Treasurer, directing the latter to pay a
28 specified amount to a specified payee by the use of a dual signature
29 negotiable instrument as provided for in subsections (2) and (3) of this
30 section, electronic funds transfer system, telephonic funds transfer
31 system, electric funds transfer system, funds transfers as provided for

1 in article 4A, Uniform Commercial Code, mechanical funds transfer system,
2 or other funds transfer system established by the director and the State
3 Treasurer. The warrant, when it is an order drawn by the director upon
4 the State Treasurer directing the latter to pay a specified amount to a
5 specified payee by the use of a dual signature negotiable instrument as
6 provided for in subsections (2) and (3) of this section, shall affect the
7 state's cash balance in the bank when redeemed by the State Treasurer,
8 not when cashed by a financial institution.

9 (2) The director shall sign each warrant or shall cause each warrant
10 to be signed in his or her behalf either personally, by delegation of
11 authority, or by facsimile signature as will assure the most economical,
12 timely, and practical means for making payments from the state treasury
13 and which means provides the most acceptable safeguarding of public
14 funds. The signature of the director shall signify that the payment
15 intended by a warrant bearing such signature is proper under the
16 appropriate laws of the state.

17 (3) The State Treasurer shall countersign all warrants issued by the
18 director.

19 (4) The State Treasurer shall make such arrangements for facsimile
20 signature of warrants as will assure the most economical, timely, and
21 practical means for making payments from the state treasury.

22 (5) The director and the State Treasurer may establish and operate
23 an electronic funds transfer system, telephonic funds transfer system,
24 electric funds transfer system, funds transfers as provided for in
25 article 4A, Uniform Commercial Code, mechanical funds transfer system, or
26 other funds transfer system established by the director and the State
27 Treasurer for the payment of funds from and the deposit of receipts into
28 the state treasury. Any state agency that wishes to establish and operate
29 such a system shall jointly establish the procedures necessary to
30 implement such a system with the cooperation of the director and the
31 State Treasurer. The system shall be designed to be compatible with state

1 accounting procedures. Such a system as established by the director shall
2 employ internal control safeguards and after meeting such safeguards
3 shall be deemed to satisfy any signature requirements. The use of an
4 electronic funds transfer system, telephonic funds transfer system,
5 electric funds transfer system, funds transfers as provided for in
6 article 4A, Uniform Commercial Code, mechanical funds transfer system, or
7 other funds transfer system established by the director and the State
8 Treasurer or any state agency shall not create any rights that would not
9 have been created had an order, drawn by the director upon the State
10 Treasurer directing the latter to pay a specified amount to a specified
11 payee by the use of a dual signature negotiable instrument as provided
12 for in subsections (2) and (3) of this section, been used as the payment
13 medium.

14 (6) Whenever it is ascertained that by mistake or otherwise any
15 county treasurer or other person has paid into the state treasury any sum
16 not due the state, the director shall refund to such county treasurer or
17 other person the amount so paid. Such refund shall be carried on the
18 books of the state as an adjustment to income and not as an expenditure
19 or disbursement.

20 (7) Whenever it is ascertained that by mistake or otherwise the
21 State of Nebraska or any of its departments, agencies, or officers shall
22 have caused to be made a disbursement which for any reason is refunded to
23 the state, the amount so disbursed and refunded to the state shall be
24 credited to the fund and account from which the disbursement was made as
25 an adjustment of expenditures and disbursements and not as a receipt.
26 Such credited refund shall be considered part of the original
27 appropriation to the department or agency and to the appropriate program
28 and may be expended therefrom without further or additional
29 appropriation. When a refund to the state or any of its departments or
30 agencies is related to a transaction which occurred during a prior fiscal
31 period, the refund shall be credited to the unappropriated surplus

1 account of the fund from which the disbursement was originally made,
2 except (a) that medicaid refunds or rebates for (i) ~~(a)~~ pharmaceuticals,
3 (ii) ~~(b)~~ third-party liability recoveries, and (iii) ~~(c)~~ surveillance and
4 utilization reviews which have occurred during a prior fiscal period
5 shall be treated as an adjustment to expenditures in the year in which
6 the refund or rebate is received and (b) reimbursement to the State of
7 Nebraska from other member states operating in accordance with the
8 Emergency Management Assistance Compact shall be credited as receipts to
9 the Governor's Emergency Cash Fund.

10 Sec. 15. Section 81-3714, Revised Statutes Supplement, 2017, is
11 amended to read:

12 81-3714 The State Visitors Promotion Cash Fund is created. The fund
13 shall be administered by the commission. The fund shall consist of
14 revenue deposited into the fund pursuant to section 81-3715 and money
15 donated as gifts, bequests, or other contributions from public or private
16 entities. Funds made available by any department or agency of the United
17 States may also be credited to the fund if so directed by such department
18 or agency. The commission shall use the proceeds of the fund to generally
19 promote, encourage, and attract visitors to and within the State of
20 Nebraska, to erect and replace highway tourism markers, to enhance the
21 use of travel and tourism facilities within the state, to provide grants
22 to communities and organizations, and to contract with the Department of
23 Administrative Services to provide support services to the commission,
24 including, but not limited to, accounting and personnel functions. The
25 proceeds of the fund shall be in addition to funds appropriated to the
26 commission from the General Fund. Transfers may be made from the State
27 Visitors Promotion Cash Fund to the General Fund at the direction of the
28 Legislature. The State Treasurer shall transfer one million dollars from
29 the State Visitors Promotion Cash Fund to the General Fund on or before
30 June 30, 2019, on such dates and in such amounts as directed by the
31 budget administrator of the budget division of the Department of

1 Administrative Services. Any money in the State Visitors Promotion Cash
2 Fund available for investment shall be invested by the state investment
3 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
4 State Funds Investment Act.

5 Sec. 16. Section 84-1227, Revised Statutes Cumulative Supplement,
6 2016, is amended to read:

7 84-1227 There is hereby established in the state treasury a special
8 fund to be known as the Records Management Cash Fund which, when
9 appropriated by the Legislature, shall be expended by the Secretary of
10 State for the purposes of providing records management services and
11 assistance to local agencies, for development and maintenance of the
12 portal for providing electronic access to public records or electronic
13 information and services, and for grants to a state or local agency as
14 provided in subdivision (1)(j) of section 84-1204. All fees and charges
15 for the purpose of records management services and analysis received by
16 the Secretary of State from the local agencies shall be remitted to the
17 State Treasurer for credit to such fund. Transfers may be made from the
18 fund to the General Fund or the Secretary of State Administration Cash
19 Fund at the direction of the Legislature. The State Treasurer, at the
20 direction of the budget administrator of the budget division of the
21 Department of Administrative Services, shall transfer five hundred
22 thousand dollars from the Records Management Cash Fund to the Information
23 Management Revolving Fund on or before June 30, 2016. Any money in the
24 Records Management Cash Fund available for investment shall be invested
25 by the state investment officer pursuant to the Nebraska Capital
26 Expansion Act and the Nebraska State Funds Investment Act.

27 Sec. 17. Laws 2017, LB331, section 3, is amended to read:

28 Sec. 3. The State Treasurer shall transfer ~~\$9,170,000~~ ~~\$10,670,000~~
29 from the General Fund to the Water Sustainability Fund on or before June
30 30, 2018, on such dates and in such amounts as directed by the budget
31 administrator of the budget division of the Department of Administrative

1 Services.

2 Sec. 18. Laws 2017, LB331, section 4, is amended to read:

3 Sec. 4. The State Treasurer shall transfer ~~\$9,470,000~~ \$6,000,000
4 from the General Fund to the Water Sustainability Fund on or before June
5 30, 2019, on such dates and in such amounts as directed by the budget
6 administrator of the budget division of the Department of Administrative
7 Services.

8 Sec. 19. Laws 2017, LB331, section 11, is amended to read:

9 Sec. 11. The State Treasurer shall transfer ~~\$200,000~~ \$700,000 from
10 the Nebraska Litter Reduction and Recycling Fund to the General Fund on
11 or before June 30, 2019, on such dates and in such amounts as directed by
12 the budget administrator of the budget division of the Department of
13 Administrative Services.

14 Sec. 20. Original section 81-1121, Reissue Revised Statutes of
15 Nebraska, sections 49-14,140, 61-224, 81-2,162.27, and 84-1227, Revised
16 Statutes Cumulative Supplement, 2016, sections 37-327.02, 59-1608.04,
17 71-7611, and 81-3714, Revised Statutes Supplement, 2017, and Laws 2017,
18 LB331, sections 3, 4, and 11, are repealed.

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

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS		14,948,600		
CASH FUNDS		(14,948,600)		
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		0		

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 945 contains the Governors recommendation for various fund authorizations and transfers. A listing of the transfers is shown below. With respect to the General Fund, the bills includes a net gain in revenue of \$16.4 million over the two year period. This consists of \$11,478,000 of additional General Fund transfers-in and \$4,970,000 saved through the reduction in the General Fund transfer out to the Water Sustainability Fund

	<u>FY2017-18</u>	<u>FY2018-19</u>	<u>2 Yr Total</u>
Increase GF Transfer In	0	11,478,600	11,478,600
Reduce GF Transfer Out	1,500,000	3,470,000	4,970,000
Net Total	1,500,000	14,948,600	16,448,600

<u>Transfer From</u>	<u>Transfer To</u>	<u>FY2017-18</u>	<u>FY2018-19</u>	<u>Section</u>
Underground Storage Tank Cash Fund	General Fund	0	170,325	1
DHHS Cash Fund (X-Ray Cash sub-fund)	General Fund	0	1,300,000	2
DHHS Cash Fund (Emergency Preparedness sub-fund)	General Fund	0	520,000	3
DHHS Cash Fund (Radioactive Materials sub-fund)	General Fund	0	750,000	4
Nebr Progress Loan Repayment Fund	General Fund	0	1,029,053	5
Nebr Accountability and Disclosure Commission Cash Fund	General Fund	0	50,000	6
Commission on Public Advocacy Operations Cash Fund	General Fund	0	250,000	7
Game and Parks Commission Capital Maintenance Fund	General Fund	0	4,500,000	8
Nebr Accountability and Disclosure Commission Cash Fund	General Fund	0	Authorization	9
State Settlement Fund	General Fund	0	750,000	10
Critical Infrastructure Facilities Cash Fund	General Fund	0	384,222	11
Nebraska Medicaid Intergovernmental Trust Fund	DHHS Cash Fund	0	15,000,000	12
Fertilizers and Soil Conditioners Administrative Fund	General Fund	0	275,000	13
Language, Emergency Mgmt Assistance Compact receipts	Gov Emergency Fund	0	0	14
State Visitors Promotion Fund	General Fund	0	1,000,000	15
Records Management Cash Fund	Administration Cash Fund	0	Authorization	16
Nebr Litter Reduction and Recycling Cash Fund	General Fund	0	500,000	19
General Fund	Water Sustainability Fund	(1,500,000)	(3,470,000)	17 & 18

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB945

Chairperson: Senator John Stinner

Committee: Appropriations

Date of Hearing: January 22, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 945, introduced by the Speaker at the request of the Governor, is part of the Governor's 2018 mid-biennium budget adjustment recommendations for the 2017-2019 biennium.

The bill authorizes and provides for fund transfers and changes certain fund transfer provisions.

This legislative bill contains the emergency clause.

Detailed information regarding the Governor's mid-biennium budget recommendations can be found in the document entitled "State of Nebraska, Mid-Biennium Budget Adjustments, 2017-2019 Biennium" dated January 10, 2018, and may be viewed on the Department of Administrative Services – State Budget Division's website at http://budget.nebraska.gov/assets/2018_mid-biennium_budget_adjustments_book.pdf.

Principal Introducer: _____

Senator Speaker Scheer, 19

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 946

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

Read first time January 10, 2018

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section
- 2 84-612, Revised Statutes Supplement, 2017; to provide for a
- 3 transfer; to repeal the original section; and to declare an
- 4 emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-612, Revised Statutes Supplement, 2017, is
2 amended to read:

3 84-612 (1) There is hereby created within the state treasury a fund
4 known as the Cash Reserve Fund which shall be under the direction of the
5 State Treasurer. The fund shall only be used pursuant to this section.

6 (2) The State Treasurer shall transfer funds from the Cash Reserve
7 Fund to the General Fund upon certification by the Director of
8 Administrative Services that the current cash balance in the General Fund
9 is inadequate to meet current obligations. Such certification shall
10 include the dollar amount to be transferred. Any transfers made pursuant
11 to this subsection shall be reversed upon notification by the Director of
12 Administrative Services that sufficient funds are available.

13 (3) In addition to receiving transfers from other funds, the Cash
14 Reserve Fund shall receive federal funds received by the State of
15 Nebraska for undesignated general government purposes, federal revenue
16 sharing, or general fiscal relief of the state.

17 (4) The State Treasurer, at the direction of the budget
18 administrator of the budget division of the Department of Administrative
19 Services, shall transfer not to exceed forty million seven hundred forty-
20 ~~three million~~ fifteen thousand four hundred fifty-nine dollars in total
21 from the Cash Reserve Fund to the Nebraska Capital Construction Fund
22 between July 1, 2013, and June 30, 2018.

23 (5) The State Treasurer shall transfer the following amounts from
24 the Cash Reserve Fund to the Nebraska Capital Construction Fund on such
25 dates as directed by the budget administrator of the budget division of
26 the Department of Administrative Services:

27 (a) Seven million eight hundred four thousand two hundred ninety-two
28 dollars on or after June 15, 2016, but before June 30, 2016;

29 (b) Ten million five thousand one hundred twenty-nine dollars on or
30 after June 15, 2019, but before June 30, 2019; and

31 (c) Ten million four hundred thirty-one thousand five hundred

1 eighty-five dollars on or after June 15, 2021, but before June 30, 2021.

2 (6) The State Treasurer shall transfer seventy-five million two
3 hundred fifteen thousand three hundred thirteen dollars from the Cash
4 Reserve Fund to the Nebraska Capital Construction Fund on or before July
5 31, 2017, on such date as directed by the budget administrator of the
6 budget division of the Department of Administrative Services.

7 (7) The State Treasurer shall transfer thirty-one million dollars
8 from the Cash Reserve Fund to the General Fund after July 1, 2017, but
9 before July 15, 2017, on such date as directed by the budget
10 administrator of the budget division of the Department of Administrative
11 Services.

12 (8) The State Treasurer shall transfer thirty-one million dollars
13 from the Cash Reserve Fund to the General Fund after October 1, 2017, but
14 before October 15, 2017, on such date as directed by the budget
15 administrator of the budget division of the Department of Administrative
16 Services.

17 (9) The State Treasurer shall transfer thirty-one million dollars
18 from the Cash Reserve Fund to the General Fund after January 1, 2018, but
19 before January 15, 2018, on such date as directed by the budget
20 administrator of the budget division of the Department of Administrative
21 Services.

22 (10) The State Treasurer shall transfer thirty-two million dollars
23 from the Cash Reserve Fund to the General Fund after April 1, 2018, but
24 before April 15, 2018, on such date as directed by the budget
25 administrator of the budget division of the Department of Administrative
26 Services.

27 (11) The State Treasurer shall transfer one hundred eight million
28 dollars from the Cash Reserve Fund to the General Fund on or before June
29 30, 2018, on such dates and in such amounts as directed by the budget
30 administrator of the budget division of the Department of Administrative
31 Services.

1 (12) ~~(11)~~ The State Treasurer shall transfer forty-eight million
2 dollars from the Cash Reserve Fund to the General Fund after March 1,
3 2019, but before March 15, 2019, on such date as directed by the budget
4 administrator of the budget division of the Department of Administrative
5 Services.

6 Sec. 2. Original section 84-612, Revised Statutes Supplement, 2017,
7 is repealed.

8 Sec. 3. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 946 contains the Governors recommendation relating to Cash Reserve Fund transfers. There are two changes.

First, the bill reduces an existing transfer to the Nebraska Capital Construction Fund (NCCF) related to financing of the new veterans' home. The reduction is \$2,300,000 (original \$43,015,459, revised \$40,715,459).

The second is a new transfer of \$108 million from the Cash Reserve Fund to the General Fund on or before June 30, 2018.

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB946

Chairperson: Senator John Stinner

Committee: Appropriations

Date of Hearing: January 22, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 946, introduced by the Speaker at the request of the Governor, is part of the Governor's 2018 mid-biennium budget adjustment recommendations for the 2017-2019 biennium.

The bill provides for a transfer from the Cash Reserve Fund to the General Fund and changes a transfer from the Cash Reserve Fund to the Nebraska Capital Construction Fund.

This legislative bill contains the emergency clause.

Detailed information regarding the Governor's mid-biennium budget recommendations can be found in the document entitled "State of Nebraska, Mid-Biennium Budget Adjustments, 2017-2019 Biennium" dated January 10, 2018, and may be viewed on the Department of Administrative Services – State Budget Division's website at http://budget.nebraska.gov/assets/2018_mid-biennium_budget_adjustments_book.pdf.

Principal Introducer: _____

Senator Speaker Scheer, 19

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 947

Introduced by Smith, 14; at the request of the Governor.

Read first time January 10, 2018

Committee: Revenue

1 A BILL FOR AN ACT relating to revenue and taxation; to amend sections
2 77-4211 and 77-4602, Reissue Revised Statutes of Nebraska, sections
3 77-202, 77-693, 77-801, 77-1238, 77-1248, 77-2715.03, 77-2715.07,
4 77-2734.02, and 81-1201.21, Revised Statutes Cumulative Supplement,
5 2016, and section 77-4212, Revised Statutes Supplement, 2017; to
6 adopt the Nebraska Property Tax Cuts and Opportunities Act; to
7 eliminate exemptions under the Personal Property Tax Relief Act; to
8 change income tax rates; to eliminate credits under the Property Tax
9 Credit Act; to change provisions relating to certain General Fund
10 transfers; provide for certain transfers; to harmonize provisions;
11 to repeal the original sections; and to declare an emergency.
12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and may be
2 cited as the Nebraska Property Tax Cuts and Opportunities Act.

3 Sec. 2. For purposes of the Nebraska Property Tax Cuts and
4 Opportunities Act:

5 (1) Agricultural land and horticultural land has the same meaning as
6 in section 77-1359;

7 (2) Department means the Department of Revenue;

8 (3) Farm site has the same meaning as in section 77-1359;

9 (4) Homestead has the same meaning as in section 77-3502; and

10 (5) Owner has the same meaning as in section 77-3503.

11 Sec. 3. (1) For taxable years beginning or deemed to begin on or
12 after January 1, 2018, each resident individual who is an owner of a
13 homestead shall be allowed a refundable credit against the income tax
14 imposed by the Nebraska Revenue Act of 1967 equal to a percentage of the
15 property taxes paid during the taxable year on such homestead, not to
16 exceed the limitation amount provided in subsection (2) of this section.
17 For taxable year 2018, the refundable credit shall be ten percent of the
18 property taxes paid during the taxable year. For taxable year 2019 and
19 each taxable year thereafter, the percentage may be increased as provided
20 in section 5 of this act, not to exceed thirty percent.

21 (2) For taxable year 2018, the limitation amount shall be equal to
22 two hundred thirty dollars per homestead. For taxable year 2019 and each
23 taxable year thereafter, the limitation amount may be increased as
24 provided in section 5 of this act, not to exceed seven hundred thirty
25 dollars. For individuals whose federal filing status is married filing
26 separately, or for multiple individuals owning and occupying the same
27 homestead, the limitation amount shall be allocated between the
28 individuals as provided in forms and instructions developed by the Tax
29 Commissioner.

30 (3) If the property taxes on a homestead are paid by a corporation
31 having an election in effect under subchapter S of the Internal Revenue

1 Code, a partnership, a limited liability company, a trust, or an estate,
2 the amount of property taxes paid during the taxable year shall be
3 allocated to the shareholders, partners, members, or beneficiaries in the
4 same proportion that income is distributed. The department shall provide
5 forms and schedules necessary for verifying eligibility for the credit
6 provided in this section and for allocating the property taxes paid.

7 Sec. 4. (1) For taxable years beginning or deemed to begin on or
8 after January 1, 2018, each resident individual shall be allowed a
9 refundable credit against the income tax imposed by the Nebraska Revenue
10 Act of 1967 equal to a percentage of the property taxes paid during the
11 taxable year on agricultural land and horticultural land, farm sites, and
12 improvements on farm sites that are agricultural or horticultural in
13 nature. For taxable year 2018, the refundable credit shall be ten percent
14 of the property taxes paid during the taxable year. For taxable year 2019
15 and each taxable year thereafter, the percentage may be increased as
16 provided in section 5 of this act, not to exceed thirty percent.

17 (2) If the property taxes on agricultural land and horticultural
18 land, farm sites, and improvements on farm sites are paid by a
19 corporation having an election in effect under subchapter S of the
20 Internal Revenue Code, a partnership, a limited liability company, a
21 trust, or an estate, the amount of property taxes paid during the taxable
22 year shall be allocated to the shareholders, partners, members, or
23 beneficiaries in the same proportion that income is distributed. The
24 department shall provide forms and schedules necessary for verifying
25 eligibility for the credit provided in this section and for allocating
26 the property taxes paid.

27 Sec. 5. (1) For taxable year 2019 and each taxable year thereafter,
28 if the actual General Fund net receipts for the fiscal year ending during
29 the taxable year, as reported in the public statement of the Tax
30 Commissioner required in subsection (2) of section 77-4602, are at least
31 one hundred one percent of the certified estimated receipts for such

1 fiscal year:

2 (a) The percentage used to determine the refundable income tax
3 credit for a homestead under subsection (1) of section 3 of this act for
4 the current taxable year shall be the percentage from the prior taxable
5 year increased by two percentage points, not to exceed thirty percent;

6 (b) The limitation amount used to determine the maximum refundable
7 income tax credit for a homestead under subsection (2) of section 3 of
8 this act for the current taxable year shall be the limitation amount from
9 the prior taxable year increased by fifty dollars, not to exceed seven
10 hundred thirty dollars; and

11 (c) The percentage used to determine the refundable income tax
12 credit for agricultural land and horticultural land, farm sites, and
13 agricultural or horticultural improvements under subsection (1) of
14 section 4 of this act for the current taxable year shall be the
15 percentage from the prior taxable year increased by two percentage
16 points, not to exceed thirty percent.

17 (2) The Tax Commissioner shall immediately certify the increased
18 percentages and the increased limitation amount to the Director of
19 Administrative Services and the Legislature and shall modify the
20 individual income tax forms and instructions accordingly.

21 Sec. 6. The department may adopt and promulgate rules and
22 regulations to carry out the Nebraska Property Tax Cuts and Opportunities
23 Act.

24 Sec. 7. Section 77-202, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 77-202 (1) The following property shall be exempt from property
27 taxes:

28 (a) Property of the state and its governmental subdivisions to the
29 extent used or being developed for use by the state or governmental
30 subdivision for a public purpose. For purposes of this subdivision:

31 (i) Property of the state and its governmental subdivisions means

1 (A) property held in fee title by the state or a governmental subdivision
2 or (B) property beneficially owned by the state or a governmental
3 subdivision in that it is used for a public purpose and is being acquired
4 under a lease-purchase agreement, financing lease, or other instrument
5 which provides for transfer of legal title to the property to the state
6 or a governmental subdivision upon payment of all amounts due thereunder.
7 If the property to be beneficially owned by a governmental subdivision
8 has a total acquisition cost that exceeds the threshold amount or will be
9 used as the site of a public building with a total estimated construction
10 cost that exceeds the threshold amount, then such property shall qualify
11 for an exemption under this section only if the question of acquiring
12 such property or constructing such public building has been submitted at
13 a primary, general, or special election held within the governmental
14 subdivision and has been approved by the voters of the governmental
15 subdivision. For purposes of this subdivision, threshold amount means the
16 greater of fifty thousand dollars or six-tenths of one percent of the
17 total actual value of real and personal property of the governmental
18 subdivision that will beneficially own the property as of the end of the
19 governmental subdivision's prior fiscal year; and

20 (ii) Public purpose means use of the property (A) to provide public
21 services with or without cost to the recipient, including the general
22 operation of government, public education, public safety, transportation,
23 public works, civil and criminal justice, public health and welfare,
24 developments by a public housing authority, parks, culture, recreation,
25 community development, and cemetery purposes, or (B) to carry out the
26 duties and responsibilities conferred by law with or without
27 consideration. Public purpose does not include leasing of property to a
28 private party unless the lease of the property is at fair market value
29 for a public purpose. Leases of property by a public housing authority to
30 low-income individuals as a place of residence are for the authority's
31 public purpose;

1 (b) Unleased property of the state or its governmental subdivisions
2 which is not being used or developed for use for a public purpose but
3 upon which a payment in lieu of taxes is paid for public safety, rescue,
4 and emergency services and road or street construction or maintenance
5 services to all governmental units providing such services to the
6 property. Except as provided in Article VIII, section 11, of the
7 Constitution of Nebraska, the payment in lieu of taxes shall be based on
8 the proportionate share of the cost of providing public safety, rescue,
9 or emergency services and road or street construction or maintenance
10 services unless a general policy is adopted by the governing body of the
11 governmental subdivision providing such services which provides for a
12 different method of determining the amount of the payment in lieu of
13 taxes. The governing body may adopt a general policy by ordinance or
14 resolution for determining the amount of payment in lieu of taxes by
15 majority vote after a hearing on the ordinance or resolution. Such
16 ordinance or resolution shall nevertheless result in an equitable
17 contribution for the cost of providing such services to the exempt
18 property;

19 (c) Property owned by and used exclusively for agricultural and
20 horticultural societies;

21 (d) Property owned by educational, religious, charitable, or
22 cemetery organizations, or any organization for the exclusive benefit of
23 any such educational, religious, charitable, or cemetery organization,
24 and used exclusively for educational, religious, charitable, or cemetery
25 purposes, when such property is not (i) owned or used for financial gain
26 or profit to either the owner or user, (ii) used for the sale of
27 alcoholic liquors for more than twenty hours per week, or (iii) owned or
28 used by an organization which discriminates in membership or employment
29 based on race, color, or national origin. For purposes of this
30 subdivision, educational organization means (A) an institution operated
31 exclusively for the purpose of offering regular courses with systematic

1 instruction in academic, vocational, or technical subjects or assisting
2 students through services relating to the origination, processing, or
3 guarantying of federally reinsured student loans for higher education or
4 (B) a museum or historical society operated exclusively for the benefit
5 and education of the public. For purposes of this subdivision, charitable
6 organization includes an organization operated exclusively for the
7 purpose of the mental, social, or physical benefit of the public or an
8 indefinite number of persons and a fraternal benefit society organized
9 and licensed under sections 44-1072 to 44-10,109; and

10 (e) Household goods and personal effects not owned or used for
11 financial gain or profit to either the owner or user.

12 (2) The increased value of land by reason of shade and ornamental
13 trees planted along the highway shall not be taken into account in the
14 valuation of land.

15 (3) Tangible personal property which is not depreciable tangible
16 personal property as defined in section 77-119 shall be exempt from
17 property tax.

18 (4) Motor vehicles, trailers, and semitrailers required to be
19 registered for operation on the highways of this state shall be exempt
20 from payment of property taxes.

21 (5) Business and agricultural inventory shall be exempt from the
22 personal property tax. For purposes of this subsection, business
23 inventory includes personal property owned for purposes of leasing or
24 renting such property to others for financial gain only if the personal
25 property is of a type which in the ordinary course of business is leased
26 or rented thirty days or less and may be returned at the option of the
27 lessee or renter at any time and the personal property is of a type which
28 would be considered household goods or personal effects if owned by an
29 individual. All other personal property owned for purposes of leasing or
30 renting such property to others for financial gain shall not be
31 considered business inventory.

1 (6) Any personal property exempt pursuant to subsection (2) of
2 section 77-4105 or section 77-5209.02 shall be exempt from the personal
3 property tax.

4 (7) Livestock shall be exempt from the personal property tax.

5 (8) Any personal property exempt pursuant to the Nebraska Advantage
6 Act shall be exempt from the personal property tax.

7 (9) Any depreciable tangible personal property used directly in the
8 generation of electricity using wind as the fuel source shall be exempt
9 from the property tax levied on depreciable tangible personal property.
10 Any depreciable tangible personal property used directly in the
11 generation of electricity using solar, biomass, or landfill gas as the
12 fuel source shall be exempt from the property tax levied on depreciable
13 tangible personal property if such depreciable tangible personal property
14 was installed on or after January 1, 2016, and has a nameplate capacity
15 of one hundred kilowatts or more. Depreciable tangible personal property
16 used directly in the generation of electricity using wind, solar,
17 biomass, or landfill gas as the fuel source includes, but is not limited
18 to, wind turbines, rotors and blades, towers, solar panels, trackers,
19 generating equipment, transmission components, substations, supporting
20 structures or racks, inverters, and other system components such as
21 wiring, control systems, switchgears, and generator step-up transformers.

22 (10) Any tangible personal property that is acquired by a person
23 operating a data center located in this state, that is assembled,
24 engineered, processed, fabricated, manufactured into, attached to, or
25 incorporated into other tangible personal property, both in component
26 form or that of an assembled product, for the purpose of subsequent use
27 at a physical location outside this state by the person operating a data
28 center shall be exempt from the personal property tax. Such exemption
29 extends to keeping, retaining, or exercising any right or power over
30 tangible personal property in this state for the purpose of subsequently
31 transporting it outside this state for use thereafter outside this state.

1 For purposes of this subsection, data center means computers, supporting
2 equipment, and other organized assembly of hardware or software that are
3 designed to centralize the storage, management, or dissemination of data
4 and information, environmentally controlled structures or facilities or
5 interrelated structures or facilities that provide the infrastructure for
6 housing the equipment, such as raised flooring, electricity supply,
7 communication and data lines, Internet access, cooling, security, and
8 fire suppression, and any building housing the foregoing.

9 (11) For each person who owns property required to be reported to
10 the county assessor under section 77-1201, there shall be allowed, for
11 tax years prior to tax year 2019, an exemption amount as provided in the
12 Personal Property Tax Relief Act. For each person who owns property
13 required to be valued by the state as provided in section 77-601, 77-682,
14 77-801, or 77-1248, there shall be allowed, for tax years prior to tax
15 year 2019, a compensating exemption factor as provided in the Personal
16 Property Tax Relief Act.

17 Sec. 8. Section 77-693, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 77-693 (1) The Property Tax Administrator in determining the taxable
20 value of railroads and car lines shall determine the following ratios
21 involving railroad and car line property and commercial and industrial
22 property:

23 (a) The ratio of the taxable value of all commercial and industrial
24 personal property in the state actually subjected to property tax divided
25 by the market value of all commercial and industrial personal property in
26 the state;

27 (b) The ratio of the taxable value of all commercial and industrial
28 real property in the state actually subjected to property tax divided by
29 the market value of all commercial and industrial real property in the
30 state;

31 (c) The ratio of the taxable value of railroad personal property to

1 the market value of railroad personal property. The numerator of the
2 ratio shall be the taxable value of railroad personal property. The
3 denominator of the ratio shall be the railroad system value allocated to
4 Nebraska and multiplied by a factor representing the net book value of
5 rail transportation personal property divided by the net book value of
6 total rail transportation property;

7 (d) The ratio of the taxable value of railroad real property to the
8 market value of railroad real property. The numerator of the ratio shall
9 be the taxable value of railroad real property. The denominator of the
10 ratio shall be the railroad system value allocated to Nebraska and
11 multiplied by a factor representing the net book value of rail
12 transportation real property divided by the net book value of total rail
13 transportation property; and

14 (e) Similar calculations shall be made for car line taxable
15 properties.

16 (2) If the ratio of the taxable value of railroad and car line
17 personal or real property exceeds the ratio of the comparable taxable
18 commercial and industrial property by more than five percent, the
19 Property Tax Administrator may adjust the value of such railroad and car
20 line property to the percentage of the comparable taxable commercial and
21 industrial property pursuant to federal statute or Nebraska federal court
22 decisions applicable thereto.

23 (3) For purposes of this section, commercial and industrial property
24 shall mean all real and personal property which is devoted to commercial
25 or industrial use other than rail transportation property and land used
26 primarily for agricultural purposes.

27 (4) After the adjustment made pursuant to subsections (1) and (2) of
28 this section, the Property Tax Administrator shall, for tax years prior
29 to tax year 2019, multiply the value of the tangible personal property of
30 each railroad and car line by the compensating exemption factor
31 calculated in section 77-1238.

1 Sec. 9. Section 77-801, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 77-801 (1) All public service entities shall, on or before April 15
4 of each year, furnish a statement specifying such information as may be
5 required by the Property Tax Administrator on forms prescribed by the Tax
6 Commissioner to determine and distribute the entity's total taxable value
7 including the franchise value. All information reported by the public
8 service entities, not available from any other public source, and any
9 memorandum thereof shall be confidential and available to taxing
10 officials only. For good cause shown, the Property Tax Administrator may
11 allow an extension of time in which to file such statement. Such
12 extension shall not exceed fifteen days after April 15.

13 (2) The returns of public service entities shall not be held to be
14 conclusive as to the taxable value of the property, but the Property Tax
15 Administrator shall, from all the information which he or she is able to
16 obtain, find the taxable value of all such property, including tangible
17 property and franchises, and shall assess such property on the same basis
18 as other property is required to be assessed.

19 (3) The county assessor shall assess all nonoperating property of
20 any public service entity. A public service entity operating within the
21 State of Nebraska shall, on or before January 1 of each year, report to
22 the county assessor of each county in which it has situs all nonoperating
23 property belonging to such entity which is not subject to assessment and
24 assessed by the Property Tax Administrator under section 77-802.

25 (4) The Property Tax Administrator shall, for tax years prior to tax
26 year 2019, multiply the value of the tangible personal property of each
27 public service entity by the compensating exemption factor calculated in
28 section 77-1238.

29 Sec. 10. Section 77-1238, Revised Statutes Cumulative Supplement,
30 2016, is amended to read:

31 77-1238 (1) For tax years prior to tax year 2019, every Every person

1 who is required to list his or her taxable tangible personal property as
2 defined in section 77-105, as required under section 77-1229, shall
3 receive an exemption from taxation for the first ten thousand dollars of
4 valuation of his or her tangible personal property in each tax district
5 as defined in section 77-127 in which a personal property return is
6 required to be filed. Failure to report tangible personal property on the
7 personal property return required by section 77-1229 shall result in a
8 forfeiture of the exemption for any tangible personal property not timely
9 reported for that year.

10 (2) For tax years prior to tax year 2019, the The Property Tax
11 Administrator shall reduce the value of the tangible personal property
12 owned by each railroad, car line company, public service entity, and air
13 carrier by a compensating exemption factor to reflect the exemption
14 allowed in subsection (1) of this section for all other personal property
15 taxpayers. The compensating exemption factor is calculated by multiplying
16 the value of the tangible personal property of the railroad, car line
17 company, public service entity, or air carrier by a fraction, the
18 numerator of which is the total amount of locally assessed tangible
19 personal property that is actually subjected to property tax after the
20 exemption allowed in subsection (1) of this section, and the denominator
21 of which is the net book value of locally assessed tangible personal
22 property prior to the exemptions allowed in subsection (1) of this
23 section.

24 Sec. 11. Section 77-1248, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 77-1248 (1) The Property Tax Administrator shall ascertain from the
27 reports made and from any other information obtained by him or her the
28 taxable value of the flight equipment of air carriers and the proportion
29 allocated to this state for the purposes of taxation as provided in
30 section 77-1245.

31 (2)(a) In determining the taxable value of the flight equipment of

1 air carriers pursuant to subsection (1) of this section, the Property Tax
2 Administrator shall determine the following ratios:

3 (i) The ratio of the taxable value of all commercial and industrial
4 depreciable tangible personal property in the state actually subjected to
5 property tax to the market value of all commercial and industrial
6 depreciable tangible personal property in the state; and

7 (ii) The ratio of the taxable value of flight equipment of air
8 carriers to the market value of flight equipment of air carriers.

9 (b) If the ratio of the taxable value of flight equipment of air
10 carriers exceeds the ratio of the taxable value of commercial and
11 industrial depreciable tangible personal property by more than five
12 percent, the Property Tax Administrator may adjust the value of such
13 flight equipment of air carriers to the percentage of the taxable
14 commercial and industrial depreciable tangible personal property pursuant
15 to federal law applicable to air carrier transportation property or
16 Nebraska federal court decisions applicable thereto.

17 (c) For purposes of this subsection, commercial and industrial
18 depreciable tangible personal property means all personal property which
19 is devoted to commercial or industrial use other than flight equipment of
20 air carriers.

21 (3) The Property Tax Administrator shall, for tax years prior to tax
22 year 2019, multiply the valuation of each air carrier by the compensating
23 exemption factor calculated in section 77-1238.

24 Sec. 12. Section 77-2715.03, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 77-2715.03 (1) For taxable years beginning or deemed to begin on or
27 after January 1, 2013, and before January 1, 2014, the following brackets
28 and rates are hereby established for the Nebraska individual income tax:

29 Individual Income Tax Brackets and Rates

30 Bracket	Single	Married,	Head of	Married,	Estates	Tax
31 Number	Individuals	Filing	Household	Filing	and	Rate

		Jointly	Separate	Trusts			
1							
2	1	\$0-2,399	\$0-4,799	\$0-4,499	\$0-2,399	\$0-499	2.46%
3	2	\$2,400-	\$4,800-	\$4,500-	\$2,400-	\$500-	
4		17,499	34,999	27,999	17,499	4,699	3.51%
5	3	\$17,500-	\$35,000-	\$28,000-	\$17,500-	\$4,700-	
6		26,999	53,999	39,999	26,999	15,149	5.01%
7	4	\$27,000	\$54,000	\$40,000	\$27,000	\$15,150	
8		and Over	and Over	and Over	and Over	and Over	6.84%

(2) For taxable years beginning or deemed to begin on or after January 1, 2014, and before January 1, 2019, the following brackets and rates are hereby established for the Nebraska individual income tax:

Individual Income Tax Brackets and Rates

Bracket	Single	Married,	Head of	Married,	Estates	Tax
Number	Individuals	Filing	Household	Filing	and	Rate
		Jointly		Separate	Trusts	
1	\$0-2,999	\$0-5,999	\$0-5,599	\$0-2,999	\$0-499	2.46%
2	\$3,000-	\$6,000-	\$5,600-	\$3,000-	\$500-	
	17,999	35,999	28,799	17,999	4,699	3.51%
3	\$18,000-	\$36,000-	\$28,800-	\$18,000-	\$4,700-	
	28,999	57,999	42,999	28,999	15,149	5.01%
4	\$29,000	\$58,000	\$43,000	\$29,000	\$15,150	
	and Over	and Over	and Over	and Over	and Over	6.84%

(3) For taxable years beginning or deemed to begin on or after January 1, 2019, and before January 1, 2020, the following brackets and rates are hereby established for the Nebraska individual income tax:

Individual Income Tax Brackets and Rates

Bracket	Single	Married,	Head of	Married,	Estates	Tax
Number	Individuals	Filing	Household	Filing	and	Rate
		Jointly		Separate	Trusts	
1	\$0-2,999	\$0-5,999	\$0-5,599	\$0-2,999	\$0-499	2.46%

1	<u>2</u>	<u>\$3,000-</u>	<u>\$6,000-</u>	<u>\$5,600-</u>	<u>\$3,000-</u>	<u>\$500-</u>	
2		<u>17,999</u>	<u>35,999</u>	<u>28,799</u>	<u>17,999</u>	<u>4,699</u>	<u>3.51%</u>
3	<u>3</u>	<u>\$18,000-</u>	<u>\$36,000-</u>	<u>\$28,800-</u>	<u>\$18,000-</u>	<u>\$4,700-</u>	
4		<u>28,999</u>	<u>57,999</u>	<u>42,999</u>	<u>28,999</u>	<u>15,149</u>	<u>5.01%</u>
5	<u>4</u>	<u>\$29,000</u>	<u>\$58,000</u>	<u>\$43,000</u>	<u>\$29,000</u>	<u>\$15,150</u>	
6		<u>and Over</u>	<u>and Over</u>	<u>and Over</u>	<u>and Over</u>	<u>and Over</u>	<u>6.75%</u>

7 (4) For taxable years beginning or deemed to begin on or after
 8 January 1, 2020, the following brackets and rates are hereby established
 9 for the Nebraska individual income tax:

10 Individual Income Tax Brackets and Rates

11	<u>Bracket</u>	<u>Single</u>	<u>Married,</u>	<u>Head of</u>	<u>Married,</u>	<u>Estates</u>	<u>Tax</u>
12	<u>Number</u>	<u>Individuals</u>	<u>Filing</u>	<u>Household</u>	<u>Filing</u>	<u>and</u>	<u>Rate</u>
13			<u>Jointly</u>		<u>Separate</u>	<u>Trusts</u>	
14	<u>1</u>	<u>\$0-2,999</u>	<u>\$0-5,999</u>	<u>\$0-5,599</u>	<u>\$0-2,999</u>	<u>\$0-499</u>	<u>2.46%</u>
15	<u>2</u>	<u>\$3,000-</u>	<u>\$6,000-</u>	<u>\$5,600-</u>	<u>\$3,000-</u>	<u>\$500-</u>	
16		<u>17,999</u>	<u>35,999</u>	<u>28,799</u>	<u>17,999</u>	<u>4,699</u>	<u>3.51%</u>
17	<u>3</u>	<u>\$18,000-</u>	<u>\$36,000-</u>	<u>\$28,800-</u>	<u>\$18,000-</u>	<u>\$4,700-</u>	
18		<u>28,999</u>	<u>57,999</u>	<u>42,999</u>	<u>28,999</u>	<u>15,149</u>	<u>5.01%</u>
19	<u>4</u>	<u>\$29,000</u>	<u>\$58,000</u>	<u>\$43,000</u>	<u>\$29,000</u>	<u>\$15,150</u>	
20		<u>and Over</u>	<u>and Over</u>	<u>and Over</u>	<u>and Over</u>	<u>and Over</u>	<u>6.69%</u>

21 (5)(a) (3)(a) For taxable years beginning or deemed to begin on or
 22 after January 1, 2015, the minimum and maximum dollar amounts for each
 23 income tax bracket provided in subsections subsection (2) through (4) of
 24 this section shall be adjusted for inflation by the percentage determined
 25 under subdivision (5)(b) (3)(b) of this section. The rate applicable to
 26 any such income tax bracket shall not be changed as part of any
 27 adjustment under this subsection. The minimum and maximum dollar amounts
 28 for each income tax bracket as adjusted shall be rounded to the nearest
 29 ten-dollar amount. If the adjusted amount for any income tax bracket ends
 30 in a five, it shall be rounded up to the nearest ten-dollar amount.

1 (b) The Tax Commissioner shall adjust the income tax brackets by the
2 percentage determined pursuant to the provisions of section 1(f) of the
3 Internal Revenue Code of 1986, as amended, except that in section 1(f)(3)
4 (B) of the code the year 2013 shall be substituted for the year 1992. For
5 2015, the Tax Commissioner shall then determine the percent change from
6 the twelve months ending on August 31, 2013, to the twelve months ending
7 on August 31, 2014, and in each subsequent year, from the twelve months
8 ending on August 31, 2013, to the twelve months ending on August 31 of
9 the year preceding the taxable year. The Tax Commissioner shall prescribe
10 new tax rate schedules that apply in lieu of the schedules set forth in
11 subsections ~~subsection~~ (2) through (4) of this section.

12 (6) ~~(4)~~ Whenever the tax brackets or tax rates are changed by the
13 Legislature, the Tax Commissioner shall update the tax rate schedules to
14 reflect the new tax brackets or tax rates and shall publish such updated
15 schedules.

16 (7) ~~(5)~~ The Tax Commissioner shall prepare, from the rate schedules,
17 tax tables which can be used by a majority of the taxpayers to determine
18 their Nebraska tax liability. The design of the tax tables shall be
19 determined by the Tax Commissioner. The size of the tax table brackets
20 may change as the level of income changes. The difference in tax between
21 two tax table brackets shall not exceed fifteen dollars. The Tax
22 Commissioner may build the personal exemption credit and standard
23 deduction amounts into the tax tables.

24 (8) ~~(6)~~ For taxable years beginning or deemed to begin on or after
25 January 1, 2013, the tax rate applied to other federal taxes included in
26 the computation of the Nebraska individual income tax shall be 29.6
27 percent.

28 (9) ~~(7)~~ The Tax Commissioner may require by rule and regulation that
29 all taxpayers shall use the tax tables if their income is less than the
30 maximum income included in the tax tables.

31 Sec. 13. Section 77-2715.07, Revised Statutes Cumulative Supplement,

1 2016, is amended to read:

2 77-2715.07 (1) There shall be allowed to qualified resident
3 individuals as a nonrefundable credit against the income tax imposed by
4 the Nebraska Revenue Act of 1967:

5 (a) A credit equal to the federal credit allowed under section 22 of
6 the Internal Revenue Code; and

7 (b) A credit for taxes paid to another state as provided in section
8 77-2730.

9 (2) There shall be allowed to qualified resident individuals against
10 the income tax imposed by the Nebraska Revenue Act of 1967:

11 (a) For returns filed reporting federal adjusted gross incomes of
12 greater than twenty-nine thousand dollars, a nonrefundable credit equal
13 to twenty-five percent of the federal credit allowed under section 21 of
14 the Internal Revenue Code of 1986, as amended, except that for taxable
15 years beginning or deemed to begin on or after January 1, 2015, such
16 nonrefundable credit shall be allowed only if the individual would have
17 received the federal credit allowed under section 21 of the code after
18 adding back in any carryforward of a net operating loss that was deducted
19 pursuant to such section in determining eligibility for the federal
20 credit;

21 (b) For returns filed reporting federal adjusted gross income of
22 twenty-nine thousand dollars or less, a refundable credit equal to a
23 percentage of the federal credit allowable under section 21 of the
24 Internal Revenue Code of 1986, as amended, whether or not the federal
25 credit was limited by the federal tax liability. The percentage of the
26 federal credit shall be one hundred percent for incomes not greater than
27 twenty-two thousand dollars, and the percentage shall be reduced by ten
28 percent for each one thousand dollars, or fraction thereof, by which the
29 reported federal adjusted gross income exceeds twenty-two thousand
30 dollars, except that for taxable years beginning or deemed to begin on or
31 after January 1, 2015, such refundable credit shall be allowed only if

1 the individual would have received the federal credit allowed under
2 section 21 of the code after adding back in any carryforward of a net
3 operating loss that was deducted pursuant to such section in determining
4 eligibility for the federal credit;

5 (c) A refundable credit as provided in section 77-5209.01 for
6 individuals who qualify for an income tax credit as a qualified beginning
7 farmer or livestock producer under the Beginning Farmer Tax Credit Act
8 for all taxable years beginning or deemed to begin on or after January 1,
9 2006, under the Internal Revenue Code of 1986, as amended;

10 (d) A refundable credit for individuals who qualify for an income
11 tax credit under the Angel Investment Tax Credit Act, the Nebraska
12 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research
13 and Development Act, the Nebraska Property Tax Cuts and Opportunities
14 Act, or the Volunteer Emergency Responders Incentive Act; and

15 (e) A refundable credit equal to ten percent of the federal credit
16 allowed under section 32 of the Internal Revenue Code of 1986, as
17 amended, except that for taxable years beginning or deemed to begin on or
18 after January 1, 2015, such refundable credit shall be allowed only if
19 the individual would have received the federal credit allowed under
20 section 32 of the code after adding back in any carryforward of a net
21 operating loss that was deducted pursuant to such section in determining
22 eligibility for the federal credit.

23 (3) There shall be allowed to all individuals as a nonrefundable
24 credit against the income tax imposed by the Nebraska Revenue Act of
25 1967:

26 (a) A credit for personal exemptions allowed under section
27 77-2716.01;

28 (b) A credit for contributions to certified community betterment
29 programs as provided in the Community Development Assistance Act. Each
30 partner, each shareholder of an electing subchapter S corporation, each
31 beneficiary of an estate or trust, or each member of a limited liability

1 company shall report his or her share of the credit in the same manner
2 and proportion as he or she reports the partnership, subchapter S
3 corporation, estate, trust, or limited liability company income;

4 (c) A credit for investment in a biodiesel facility as provided in
5 section 77-27,236;

6 (d) A credit as provided in the New Markets Job Growth Investment
7 Act;

8 (e) A credit as provided in the Nebraska Job Creation and Mainstreet
9 Revitalization Act;

10 (f) A credit to employers as provided in section 77-27,238; and

11 (g) A credit as provided in the Affordable Housing Tax Credit Act.

12 (4) There shall be allowed as a credit against the income tax
13 imposed by the Nebraska Revenue Act of 1967:

14 (a) A credit to all resident estates and trusts for taxes paid to
15 another state as provided in section 77-2730;

16 (b) A credit to all estates and trusts for contributions to
17 certified community betterment programs as provided in the Community
18 Development Assistance Act; and

19 (c) A refundable credit for individuals who qualify for an income
20 tax credit as an owner of agricultural assets under the Beginning Farmer
21 Tax Credit Act for all taxable years beginning or deemed to begin on or
22 after January 1, 2009, under the Internal Revenue Code of 1986, as
23 amended. The credit allowed for each partner, shareholder, member, or
24 beneficiary of a partnership, corporation, limited liability company, or
25 estate or trust qualifying for an income tax credit as an owner of
26 agricultural assets under the Beginning Farmer Tax Credit Act shall be
27 equal to the partner's, shareholder's, member's, or beneficiary's portion
28 of the amount of tax credit distributed pursuant to subsection (4) of
29 section 77-5211.

30 (5)(a) For all taxable years beginning on or after January 1, 2007,
31 and before January 1, 2009, under the Internal Revenue Code of 1986, as

1 amended, there shall be allowed to each partner, shareholder, member, or
2 beneficiary of a partnership, subchapter S corporation, limited liability
3 company, or estate or trust a nonrefundable credit against the income tax
4 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the
5 partner's, shareholder's, member's, or beneficiary's portion of the
6 amount of franchise tax paid to the state under sections 77-3801 to
7 77-3807 by a financial institution.

8 (b) For all taxable years beginning on or after January 1, 2009,
9 under the Internal Revenue Code of 1986, as amended, there shall be
10 allowed to each partner, shareholder, member, or beneficiary of a
11 partnership, subchapter S corporation, limited liability company, or
12 estate or trust a nonrefundable credit against the income tax imposed by
13 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,
14 member's, or beneficiary's portion of the amount of franchise tax paid to
15 the state under sections 77-3801 to 77-3807 by a financial institution.

16 (c) Each partner, shareholder, member, or beneficiary shall report
17 his or her share of the credit in the same manner and proportion as he or
18 she reports the partnership, subchapter S corporation, limited liability
19 company, or estate or trust income. If any partner, shareholder, member,
20 or beneficiary cannot fully utilize the credit for that year, the credit
21 may not be carried forward or back.

22 (6) There shall be allowed to all individuals nonrefundable credits
23 against the income tax imposed by the Nebraska Revenue Act of 1967 as
24 provided in section 77-3604 and refundable credits against the income tax
25 imposed by the Nebraska Revenue Act of 1967 as provided in section
26 77-3605.

27 Sec. 14. Section 77-2734.02, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 77-2734.02 (1) Except as provided in subsection (2) of this section,
30 a tax is hereby imposed on the taxable income of every corporate taxpayer
31 that is doing business in this state:

1 (a) For taxable years beginning or deemed to begin before January 1,
2 2013, at a rate equal to one hundred fifty and eight-tenths percent of
3 the primary rate imposed on individuals under section 77-2701.01 on the
4 first one hundred thousand dollars of taxable income and at the rate of
5 two hundred eleven percent of such rate on all taxable income in excess
6 of one hundred thousand dollars. The resultant rates shall be rounded to
7 the nearest one hundredth of one percent; ~~and~~

8 (b) For taxable years beginning or deemed to begin on or after
9 January 1, 2013, and before January 1, 2019, at a rate equal to 5.58
10 percent on the first one hundred thousand dollars of taxable income and
11 at the rate of 7.81 percent on all taxable income in excess of one
12 hundred thousand dollars; ~~-~~

13 (c) For taxable years beginning or deemed to begin on or after
14 January 1, 2019, and before January 1, 2020, at a rate equal to 5.58
15 percent on the first one hundred thousand dollars of taxable income and
16 at the rate of 6.75 percent on all taxable income in excess of one
17 hundred thousand dollars; and

18 (d) For taxable years beginning or deemed to begin on or after
19 January 1, 2020, at a rate equal to 5.58 percent on the first one hundred
20 thousand dollars of taxable income and at the rate of 6.69 percent on all
21 taxable income in excess of one hundred thousand dollars.

22 For corporate taxpayers with a fiscal year that does not coincide
23 with the calendar year, the individual rate used for this subsection
24 shall be the rate in effect on the first day, or the day deemed to be the
25 first day, of the taxable year.

26 (2) An insurance company shall be subject to taxation at the lesser
27 of the rate described in subsection (1) of this section or the rate of
28 tax imposed by the state or country in which the insurance company is
29 domiciled if the insurance company can establish to the satisfaction of
30 the Tax Commissioner that it is domiciled in a state or country other
31 than Nebraska that imposes on Nebraska domiciled insurance companies a

1 retaliatory tax against the tax described in subsection (1) of this
2 section.

3 (3) For a corporate taxpayer that is subject to tax in another
4 state, its taxable income shall be the portion of the taxpayer's federal
5 taxable income, as adjusted, that is determined to be connected with the
6 taxpayer's operations in this state pursuant to sections 77-2734.05 to
7 77-2734.15.

8 (4) Each corporate taxpayer shall file only one income tax return
9 for each taxable year.

10 Sec. 15. Section 77-4211, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 77-4211 The Property Tax Credit Cash Fund is created. The fund shall
13 only be used pursuant to the Property Tax Credit Act. Any money in the
14 fund available for investment shall be invested by the state investment
15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act. The State Treasurer shall transfer the
17 unobligated balance in the fund to the General Fund on or before
18 September 30, 2018, as directed by the budget administrator of the budget
19 division of the Department of Administrative Services.

20 Sec. 16. Section 77-4212, Revised Statutes Supplement, 2017, is
21 amended to read:

22 77-4212 (1) For tax year 2007, the amount of relief granted under
23 the Property Tax Credit Act shall be one hundred five million dollars.
24 For tax year 2008, the amount of relief granted under the act shall be
25 one hundred fifteen million dollars. It is the intent of the Legislature
26 to fund the Property Tax Credit Act for tax years ~~after tax year~~ 2008
27 through 2016 using available revenue. For tax year 2017, the amount of
28 relief granted under the act shall be two hundred twenty-four million
29 dollars. The relief shall be in the form of a property tax credit which
30 appears on the property tax statement. For tax year 2018 and each tax
31 year thereafter, the amount of relief granted under the act shall be

1 zero.

2 (2)(a) For tax years prior to tax year 2017, to determine the amount
3 of the property tax credit, the county treasurer shall multiply the
4 amount disbursed to the county under subdivision (4)(a) of this section
5 by the ratio of the real property valuation of the parcel to the total
6 real property valuation in the county. The amount determined shall be the
7 property tax credit for the property.

8 (b) ~~For Beginning with~~ tax year 2017, to determine the amount of the
9 property tax credit, the county treasurer shall multiply the amount
10 disbursed to the county under subdivision (4)(b) of this section by the
11 ratio of the credit allocation valuation of the parcel to the total
12 credit allocation valuation in the county. The amount determined shall be
13 the property tax credit for the property.

14 (3) If the real property owner qualifies for a homestead exemption
15 under sections 77-3501 to 77-3529, the owner shall also be qualified for
16 the relief provided in the act to the extent of any remaining liability
17 after calculation of the relief provided by the homestead exemption. If
18 the credit results in a property tax liability on the homestead that is
19 less than zero, the amount of the credit which cannot be used by the
20 taxpayer shall be returned to the State Treasurer by July 1 of the year
21 the amount disbursed to the county was disbursed. The State Treasurer
22 shall immediately credit any funds returned under this subsection to the
23 Property Tax Credit Cash Fund. Upon the return of any funds under this
24 subsection, the county treasurer shall electronically file a report with
25 the Property Tax Administrator, on a form prescribed by the Tax
26 Commissioner, indicating the amount of funds distributed to each taxing
27 unit in the county in the year the funds were returned, any collection
28 fee retained by the county in such year, and the amount of unused credits
29 returned.

30 (4)(a) For tax years prior to tax year 2017, the amount disbursed to
31 each county shall be equal to the amount available for disbursement

1 determined under subsection (1) of this section multiplied by the ratio
2 of the real property valuation in the county to the real property
3 valuation in the state. By September 15, the Property Tax Administrator
4 shall determine the amount to be disbursed under this subdivision to each
5 county and certify such amounts to the State Treasurer and to each
6 county. The disbursements to the counties shall occur in two equal
7 payments, the first on or before January 31 and the second on or before
8 April 1. After retaining one percent of the receipts for costs, the
9 county treasurer shall allocate the remaining receipts to each taxing
10 unit levying taxes on taxable property in the tax district in which the
11 real property is located in the same proportion that the levy of such
12 taxing unit bears to the total levy on taxable property of all the taxing
13 units in the tax district in which the real property is located.

14 (b) ~~For Beginning with~~ tax year 2017, the amount disbursed to each
15 county shall be equal to the amount available for disbursement determined
16 under subsection (1) of this section multiplied by the ratio of the
17 credit allocation valuation in the county to the credit allocation
18 valuation in the state. By September 15, the Property Tax Administrator
19 shall determine the amount to be disbursed under this subdivision to each
20 county and certify such amounts to the State Treasurer and to each
21 county. The disbursements to the counties shall occur in two equal
22 payments, the first on or before January 31 and the second on or before
23 April 1. After retaining one percent of the receipts for costs, the
24 county treasurer shall allocate the remaining receipts to each taxing
25 unit based on its share of the credits granted to all taxpayers in the
26 taxing unit.

27 (5) For purposes of this section, credit allocation valuation means
28 the taxable value for all real property except agricultural land and
29 horticultural land, one hundred twenty percent of taxable value for
30 agricultural land and horticultural land that is not subject to special
31 valuation, and one hundred twenty percent of taxable value for

1 agricultural land and horticultural land that is subject to special
2 valuation.

3 (6) The State Treasurer shall transfer from the General Fund to the
4 Property Tax Credit Cash Fund one hundred five million dollars by August
5 1, 2007, and one hundred fifteen million dollars by August 1, 2008.

6 (7) The Legislature shall have the power to transfer funds from the
7 Property Tax Credit Cash Fund to the General Fund.

8 Sec. 17. Section 77-4602, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 77-4602 (1) Within fifteen days after the end of each month, the Tax
11 Commissioner shall provide a public statement of actual General Fund net
12 receipts and a comparison of such actual net receipts to the monthly
13 estimate certified pursuant to section 77-4601.

14 (2) Within fifteen days after the end of each fiscal year, the
15 public statement shall also include a summary of actual General Fund net
16 receipts and estimated General Fund net receipts for the fiscal year.

17 (3) If the actual General Fund net receipts for the fiscal year as
18 reported in subsection (2) of this section exceed estimated receipts for
19 the fiscal year, the Tax Commissioner shall immediately certify to the
20 director such excess amount. The following shall apply to such excess
21 amount:

22 (a) Through July 2018, the ~~The~~ State Treasurer shall immediately
23 transfer an amount equal to such excess amount from the General Fund to
24 the Cash Reserve Fund upon certification by the director of such excess
25 amount; and ~~-~~

26 (b) Beginning July 2019:

27 (i) If the excess amount is less than one percent of the estimated
28 General Fund net receipts for the fiscal year, the State Treasurer shall
29 immediately transfer an amount equal to such excess amount from the
30 General Fund to the Cash Reserve Fund upon certification by the director
31 of such excess amount; or

1 (ii) If the excess amount is one percent or more of the estimated
2 General Fund net receipts for the fiscal year, the State Treasurer shall
3 immediately transfer the amount by which the excess amount exceeds one
4 percent of the estimated General Fund net receipts for the fiscal year
5 from the General Fund to the Cash Reserve Fund upon certification by the
6 director of such amount.

7 Sec. 18. Section 81-1201.21, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 81-1201.21 (1) There is hereby created the Job Training Cash Fund.
10 The fund shall be under the direction of the Department of Economic
11 Development. Money may be transferred to the fund pursuant to subdivision
12 (1)(b)(iii) of section 48-621 and from the Cash Reserve Fund at the
13 direction of the Legislature. The department shall establish a subaccount
14 for all money transferred from the Cash Reserve Fund to the Job Training
15 Cash Fund on or after July 1, 2005. The State Treasurer shall transfer
16 five million dollars from the General Fund to the Job Training Cash Fund
17 on or before July 15, 2018, as directed by the budget administrator of
18 the budget division of the Department of Administrative Services. The
19 State Treasurer shall transfer five million dollars from the General Fund
20 to the Job Training Cash Fund on or before July 15, 2019, as directed by
21 the budget administrator of the budget division of the Department of
22 Administrative Services.

23 (2) The money in the Job Training Cash Fund or the subaccount
24 established in subsection (1) of this section shall be used (a) to
25 provide reimbursements for job training activities, including employee
26 assessment, preemployment training, on-the-job training, training
27 equipment costs, and other reasonable costs related to helping industry
28 and business locate or expand in Nebraska, (b) to provide upgrade skills
29 training of the existing labor force necessary to adapt to new technology
30 or the introduction of new product lines, (c) to provide grants pursuant
31 to section 81-1210.02, (d) as provided in section 79-2308, or (e) as

1 provided in section 48-3405. The department shall give a preference to
2 job training activities carried out in whole or in part within an
3 enterprise zone designated pursuant to the Enterprise Zone Act.

4 (3) The department shall establish a subaccount within the fund to
5 provide training grants for training employees and potential employees of
6 businesses that (a) employ twenty-five or fewer employees on the
7 application date, (b) employ, or train for potential employment,
8 residents of rural areas of Nebraska, or (c) are located in or employ, or
9 train for potential employment, residents of high-poverty areas as
10 defined in section 81-1203. The department shall calculate the amount of
11 prior year investment income earnings accruing to the fund and allocate
12 such amount to the subaccount for training grants under this subsection.
13 The subaccount shall also be used as provided in the Teleworker Job
14 Creation Act and as provided in section 81-1210.02. The department shall
15 give a preference to training grants for businesses located in whole or
16 in part within an enterprise zone designated pursuant to the Enterprise
17 Zone Act.

18 (4) The State Treasurer shall transfer:

19 (a) Two hundred fifty thousand dollars from the Job Training Cash
20 Fund to the General Fund no later than July 15 of 2015 and 2016; and

21 (b) Two hundred fifty thousand dollars from the Job Training Cash
22 Fund to the Sector Partnership Program Fund on or before July 15, 2016.

23 (5) Any money in the Job Training Cash Fund available for investment
24 shall be invested by the state investment officer pursuant to the
25 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
26 Act.

27 Sec. 19. Original sections 77-4211 and 77-4602, Reissue Revised
28 Statutes of Nebraska, sections 77-202, 77-693, 77-801, 77-1238, 77-1248,
29 77-2715.03, 77-2715.07, 77-2734.02, and 81-1201.21, Revised Statutes
30 Cumulative Supplement, 2016, and section 77-4212, Revised Statutes
31 Supplement, 2017, are repealed.

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

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below	See Below	See Below	See Below
CASH FUNDS	See Below	See Below	See Below	See Below
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below	See Below	See Below	See Below

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 947 makes a number of changes to the Nebraska Revenue Act of 1967; creates the Nebraska Property Tax Cuts and Opportunities Act; and eliminates credits under the Property Tax Credit Act and the Personal Property Tax Relief Act.

Sections 1 through 6 of the bill create the Nebraska Property Tax Cuts and Opportunities Act. For tax years on or after January 1, 2018 each resident owner of a homestead is allowed a refundable income tax credit equal to a percentage of property taxes paid during the taxable year on the homestead. For 2018 the percentage is 10% with a dollar limitation of \$230. For 2019 and thereafter the percentage may increase as specified in Section 5 of the bill but not to exceed 30% with a limitation of \$730.

Section 77-3502 defines homestead as either:

- (1) A residence or mobile home, and the land surrounding it, not exceeding one acre, in this state actually occupied as such by a natural person who is the owner of record thereof from January 1 through August 15 in each year,
- (2) A residence or mobile home located on land leased by the owner of record from January 1 through August 15 in each year, or so occupied by the surviving spouse and minor children, if any, of such owner of record during the year of the owner's death, or so much thereof as shall be so occupied,
- (3) A residential unit in a dwelling complex, the record owner of which is a not-for-profit corporation, when the purchase for fair market value of a life tenancy in a taxable unit of the dwelling complex entitles the purchaser to exclusive occupancy of that unit for life, actually occupied by a natural person who has a life tenancy therein from January 1 through August 1 in each year.
- (4) For purposes of this section, mobile home shall include every transportable or relocatable device of any description without motive power and designed for living quarters, whether or not permanently attached to real estate, but shall not include a cabin trailer registered for operation upon the highways of this state.

For agricultural land for tax years on or after January 1, 2018, each resident individual is allowed a refundable income credit equal to a percentage of property tax paid during the taxable year on agricultural or horticultural land, farm sites, and improvements on farm sites. For 2018 the percentage is 10% and for 2019 and thereafter the percentage may be increased as provided by Section 5 of the act not to exceed 30%.

Section 5 of the bill provides that the percentage described above may be increased if actual General Fund net receipts for the fiscal year ending during the taxable year are at least 101% of the certified estimated receipts for such fiscal year. The percentage for both homesteads and agricultural land may be increased by two percentage points.

Sections 7 through 11 of the bill amend sections of statute dealing with personal property to eliminate exemptions as provided in the Personal Property Tax Relief Act for tax years 2019 and thereafter.

Section 12 of LB 947 amends Nebraska income tax brackets and rates. For tax year 2019 the top bracket is changed from 6.84% to 6.75% and for tax year 2020 and thereafter, the top bracket rate is changed to 6.69%.

Section 14 amends the Nebraska corporate income tax rate for tax year 2019 to 6.75% on all taxable income in excess of \$100,000 and for tax year 2020 and thereafter, at a rate of 6.69% for all taxable income in excess of \$100,000.

For the first \$100,000 of corporate income the rate remains at 5.58%.

Section 77-4211 is amended to require the State Treasurer to transfer the unobligated balance in the Property Tax Credit Cash Fund to the General Fund on or before September 30, 2018.

Section 77-4212 is amended to eliminate the relief provided under the Property Tax Credit Act for tax year 2018 and thereafter.

Section 77-4602 is amended to change the transfer to the Cash Reserve Fund. Beginning July 2019:

- (1) If the excess of amount of actual General Fund net receipts for the fiscal year is less than 1% of the estimated General Fund net receipts, the excess amount shall be transferred to the Cash Reserve Fund; or
- (2) If the excess amount is 1% or more of estimated General Fund net receipts for the fiscal year, the amount transferred to the Cash Reserve Fund is the amount by which the excess amount exceeds 1% of the estimated net receipts.

Section 81-1201.21 dealing with the Job Training Cash Fund, is amended to provide for a transfer of \$5,000,000 from the General Fund to the Job Training Cash Fund on or before July 15, 2018 and \$5,000,000 from the General Fund to the Job Training Cash Fund on or before July 15, 2019.

The bill contains the emergency clause.

The Department of Revenue estimates the following fiscal impact to the General Fund as a result of the provisions of LB 947:

Fiscal Year:	Elimination of Real and Personal Property Tax programs:	Transfer to Job Training Cash Fund:	Transfer from Property Tax Credit Cash Fund:	Refundable Income Tax Credit:	Individual Income Tax Rate Reduction:	Corporate Income Tax Rate Reduction:	Total General Fund Impact:
FY2018-19:	\$221,000,000	(\$ 5,000,000)	\$ 5,000,000	(\$210,320,000)	(\$ 8,680,000)	(\$ 4,750,000)	(\$ 2,740,000)
FY2019-20:	\$240,000,000	(\$ 5,000,000)		(\$275,660,000)	(\$27,220,000)	(\$18,960,000)	(\$ 86,830,000)
FY2020-21:	\$240,000,000			(\$329,850,000)	(\$36,970,000)	(\$33,580,000)	(\$160,830,000)
FY2021-22:	\$240,000,000			(\$334,050,000)	(\$38,960,000)	(\$39,410,000)	(\$172,410,000)
FY2022-23:	\$240,000,000			(\$392,530,000)	(\$41,100,000)	(\$40,460,000)	(\$234,090,000)
FY2023-24:	\$240,000,000			(\$453,540,000)	(\$43,360,000)	(\$41,480,000)	(\$298,380,000)
FY2024-25:	\$240,000,000			(\$459,140,000)	(\$45,750,000)	(\$42,930,000)	(\$307,830,000)
FY2025-26:	\$240,000,000			(\$524,940,000)	(\$48,260,000)	(\$44,650,000)	(\$377,850,000)
FY2026-27:	\$240,000,000			(\$593,560,000)	(\$50,920,000)	(\$46,440,000)	(\$450,910,000)
FY2027-28:	\$240,000,000			(\$600,750,000)	(\$53,720,000)	(\$48,300,000)	(\$462,770,000)

The Department of Revenue assumes the refundable income tax credit rate and cap increase for the following years: 2019, 2020, 2022, 2023, 2025, 2026.

The Department indicates they will require a one-time programming cost of \$120,599 to add lines to the 1040N, add a new schedule, and incorporate other changes to the mainframe system. They will also require 1.0 FTE for an IT Applications Developer Senior level to develop and maintain the new database of information collected from counties to verify the credit. PSL for FY18-19 is \$65,200 and for FY19-20 is \$66,700. Total expenditures for FY18-19 is \$212,299 and for FY19-20 is \$88,700.

We have no basis to disagree with the Department of Revenue's estimate of fiscal impact and cost.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 947	AM:	AGENCY/POLT. SUB: Dept. of Revenue	
REVIEWED BY: Lyn Heaton		DATE: 1/29/2018	PHONE: (402) 471-4181
COMMENTS: Given the stated assumptions, we have no basis upon which to disagree with the Department of Revenue's analysis of the impact on General Fund revenue. It is also reasonable to conclude that the Department will incur costs to administer the collection and validation of data from taxpayers and from counties regarding the new refundable tax credit program.			

State Agency Estimate

State Agency Name: Department of Revenue				Date Due LFA:			
Approved by: Tony Fulton				Date Prepared:			
				Phone: 471-5896			
	FY 2018-2019		FY 2019-2020		FY 2020-2021		
	<u>Expenditures</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Revenue</u>	
General Funds	\$ 212,299	(\$2,740,000)	(\$15,911,300)	(\$102,830,000)	(\$15,910,000)	(\$176,400,000)	
Cash Funds	(\$216,000,000)	(\$221,000,000)	(\$219,000,000)	(\$219,000,000)	(\$224,000,000)	(\$224,000,000)	
Federal Funds							
Other Funds							
Total Funds	(\$215,787,701)	(\$223,740,000)	(\$234,911,300)	(\$321,830,000)	(\$239,910,000)	(\$400,400,000)	

LB 947 would adopt the Nebraska Property Tax Cuts and Opportunities Act. Beginning with taxable years beginning on or after January 1, 2018, a resident individual who is the owner of a homestead will receive an income tax credit equal to 10% of the property taxes paid on the homestead during the taxable year, not to exceed \$230. Also, beginning with taxable years beginning on or after January 1, 2018, a resident individual who owns, directly or indirectly, agricultural or horticultural land, farm sites or improvements to farm sites will receive an income tax credit equal to 10% of the property taxes paid on that property during the taxable year.

Corporate taxpayers and pass-through entities (i.e., S corps, partnerships, estates, trusts, and LLCs) would not be eligible to take either credit, but the real property taxes paid by the pass-through would be allocated to the individual owners in the same proportion as income.

Beginning in tax year 2019, the percentage of the taxes paid that is allowable as a credit will be increased by 2% if the General Fund receipts for the fiscal year that ends June 30 of the tax year exceed the certified forecast by 1% or more. If that occurs, the limitation on the homestead credit will also increase by \$50. The percentage of relief cannot exceed 30% and the limitation cannot exceed \$730. Section 13 would amend Neb. Rev. Stat. § 77-2715.07 to incorporate these credits into the individual income tax credits.

Sections 7 through 11 would amend §§ 77-202, 77-693, 77-801, 77-1238, and 77-1248 to repeal the personal property tax exemption for the first \$10,000 of personal property in each tax district beginning with property tax year 2019.

Sections 15 and 16 eliminate the money available for the Property Tax Credit Act beginning with property tax year 2018, and transfer the unobligated balance to the General Fund on or before September 30, 2018.

Section 12 would amend Neb. Rev. Stat. § 77-2715.03 to decrease the highest individual income tax rate from 6.84% to 6.75% for tax year 2019 and to 6.69% for tax years beginning on or after January 1, 2020.

Section 14 would amend Neb. Rev. Stat. § 77-2734.02 to decrease the highest corporate income tax rate from 7.81% to 6.75% for tax year 2019, and to 6.69% for tax years beginning on or after January 1, 2020.

Section 18 would amend Neb. Rev. Stat. § 81-1201.21 to transfer \$5 million from the General Fund to the Job Training Cash Fund on or before July 15, 2018, and another \$5 million on or before July 15, 2019.

Section 19 is the repealer and section 20 declares an emergency.

The estimated fiscal impact of LB 947 would be as follows (values are in million dollars):

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB947

Chairperson: Senator Jim Smith

Committee: Revenue

Date of Hearing: January 31, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 947 would allow for the adoption of the Nebraska Property Tax Cuts and Opportunities Act. Under the Act:

Residential homeowners shall be allowed a refundable income tax credit equal to a percentage of property taxes paid during the taxable year. Beginning January 2018, the credit shall be ten percent of property taxes paid. For taxable year 2019 and each year thereafter, if actual net General Fund receipts come in at least one percent above certified estimated receipts, the percentage used to calculate the refundable income tax credits shall be the percentage from the prior year plus two percentage points, not to exceed thirty percent. For taxable year 2018, the limitation amount of the refundable income tax credit shall be \$230 per homestead. For taxable year 2019 and each year thereafter, if the percentage used to calculate the credit is increased, the limitation amount may be increased each year by a maximum of \$50, not to exceed \$730.

Resident individuals paying property taxes on agricultural land and horticultural land, farm sites and improvements on farm sites shall be allowed a refundable income tax credit equal to a percentage of property taxes paid during the taxable year. Beginning January 2018, the credit shall be ten percent of property taxes paid. For taxable year 2019 and each year thereafter, if actual net General Fund receipts come in at least one percent above certified estimated receipts, the percentage used to calculate the refundable income tax credits shall be the percentage from the prior year plus two percentage points, not to exceed thirty percent. There is no limitation amount on the refundable income tax credit.

LB 947 provides for a two-year phase down of the top individual income tax rate from 6.84% to 6.69%. Additionally, the bill provides for a two-year phase down of the corporate tax rate for all taxable income in excess of \$100,000 from 7.81% to 6.69%.

The bill directs the State Treasurer to transfer from the General Fund \$5 million to the Job Training Cash Fund on or before July 15, 2018 and another \$5 million to the fund on or before July 15, 2019.

Finally, LB 947 eliminates exemptions under the Personal Property Tax Relief Act and eliminates credits under the Property Tax Credit Act to fund the income tax credits and tax-rate reductions proposed in the bill.

Principal Introducer: _____

Senator Jim Smith

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 997

Introduced by Murante, 49; Erdman, 47.

Read first time January 11, 2018

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to political subdivisions; to define a term;
- 2 and to provide limits on certain salaries and benefits as
- 3 prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section, administrative
2 employee means an employee whose primary responsibilities are supervisory
3 or supportive in nature and includes, but is not limited to, a
4 superintendent, principal, city clerk, city administrator, county clerk,
5 county administrator, or similar position that performs a similar
6 administrative function and any personnel whose position provides support
7 to such positions.

8 (2) Beginning with budget cycles starting on or after January 1,
9 2019, no political subdivision shall spend more than five percent of its
10 budget for salaries and benefits for administrative employees.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 998

Introduced by Walz, 15; Hansen, 26; Howard, 9; McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Quick, 35; Stinner, 48; Vargas, 7; Williams, 36; Wishart, 27.

Read first time January 11, 2018

Committee: Education

- 1 A BILL FOR AN ACT relating to the Educational Service Units Act; to amend
- 2 section 79-1201, Reissue Revised Statutes of Nebraska; to state
- 3 findings; to create the Collaborative School Behavioral and Mental
- 4 Health Program; to provide powers and duties; to create a fund; to
- 5 harmonize provisions; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1201, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-1201 Sections 79-1201 to 79-1249 and sections 2 to 7 of this act
4 shall be known and may be cited as the Educational Service Units Act.

5 Sec. 2. The Legislature finds that:

6 (1) Behavioral and mental health needs of students are frequently
7 identified in a school setting and affect the ability of teachers to
8 teach and the ability of students to learn;

9 (2) The findings of the Adverse Childhood Experiences Study
10 conducted by the federal Centers for Disease Control and Prevention make
11 it clear that childhood experiences have a tremendous impact on lifelong
12 health, wellness, and opportunity;

13 (3) Superintendents, principals, and other school personnel in
14 Nebraska ranked the availability of people to provide behavioral and
15 mental health services as the number one support need for schools in
16 2017; and

17 (4) The creation of a collaborative school behavioral and mental
18 health program with initiatives in each of the educational service units
19 would provide schools with the needed support in the most efficient
20 manner in order to promote classroom learning and prevent student
21 involvement in the child welfare system or the juvenile justice system.

22 Sec. 3. (1) The Collaborative School Behavioral and Mental Health
23 Program is created. The goal of the program is to provide each
24 educational service unit with a social worker (a) to train teachers and
25 other school personnel and (b) to work with parents, schools, behavioral
26 and mental health care providers, and other community resources in order
27 to provide timely, effective, and family-centered services.

28 (2) At such time as the Collaborative School Behavioral and Mental
29 Health Fund reaches a balance of at least three million six hundred
30 thousand dollars, the Educational Service Unit Coordinating Council shall
31 begin implementation of the program pursuant to sections 2 to 7 of this

1 act.

2 (3) Three years after the program is implemented under subsection
3 (2) of this section, each educational service unit shall determine the
4 cost of the program in its service area. If the educational service unit
5 determines that it will continue to participate in the program, the cost
6 shall be born equally between the educational service unit, school
7 districts within the educational service unit, the General Fund, and
8 private donations. If the cost of the program for an educational service
9 unit exceeds the available funds for the educational service unit, the
10 program shall not continue in such service area.

11 (4) Each initiative shall be a partnership between the Educational
12 Service Unit Coordinating Council, the educational service unit, and the
13 school districts within the educational service unit.

14 Sec. 4. (1) At such time as implementation begins under section 3
15 of this act, the Educational Service Unit Coordinating Council shall
16 administer the Collaborative School Behavioral and Mental Health Program,
17 including employing a coordinator for the program and a social worker for
18 each educational service unit.

19 (2) As part of such administration, the Educational Service Unit
20 Coordinating Council shall:

21 (a) Establish requirements for initiatives in each educational
22 service unit to implement the program which include the components in
23 section 6 of this act;

24 (b) Solicit annual program plans from each educational service unit
25 and ensure that the plans meet initiative requirements;

26 (c) Identify evidence-based best practices in interventions for
27 students and coordinate the delivery of evidence-based training to social
28 workers and other school personnel on at least an annual basis;

29 (d) Complete an annual evaluation of the program in each educational
30 service unit based on the number of students referred, assessed, or
31 served, implementation of evidence-based practices, and improved health

1 and academic outcomes for students; and

2 (e) Create and maintain a statewide map of behavioral and mental
3 health services available in the state.

4 Sec. 5. To further the goal of the Collaborative School Behavioral
5 and Mental Health Program stated in section 3 of this act, a social
6 worker employed by the Educational Service Unit Coordinating Council may:

7 (1) Work to empower students, families, and school personnel to
8 access available opportunities and resources to fully develop each
9 student's potential;

10 (2) Administer evidence-based screening tools to identify students
11 in need of services;

12 (3) Administer evidence-based assessment tools, if qualified, to
13 assist in matching students with appropriate health care providers;

14 (4) Meet with school personnel, students, and families to facilitate
15 behavioral or mental health care;

16 (5) Advocate for appropriate services for students and their
17 families;

18 (6) Coordinate access to services provided by outside agencies to
19 students within the educational setting;

20 (7) Maintain case files and reports to track problems and progress
21 and recognize patterns in behavior; or

22 (8) Provide behavioral and mental health care training and support
23 to school personnel and students.

24 Sec. 6. An educational service unit may develop an initiative for
25 implementation of the Collaborative School Behavioral and Mental Health
26 Program within the educational service unit with the following
27 components:

28 (1) Agreements with specific referral sources, including, but not
29 limited to, community behavioral and mental health care providers,
30 nonprofits and other community resources to serve students, public and
31 private schools, and the Nebraska Family Helpline of the Department of

1 Health and Human Services;

2 (2) Training for referral sources to recognize and refer students
3 who could benefit from the program;

4 (3) Strategies to utilize available health insurance or the medical
5 assistance program;

6 (4) At least one social worker who shall meet with families, assess
7 needs, identify barriers to accessing services, and assist with making
8 connections to resources that exist within the community;

9 (5) Plans for mapping services that benefit the well-being of
10 struggling students within the communities in the educational service
11 unit that are being served by the initiative; and

12 (6) Plans for collecting and submitting documentation of outcomes
13 and for participation in evaluation activities as required by the
14 Educational Service Unit Coordinating Council.

15 Sec. 7. (1) The Collaborative School Behavioral and Mental Health
16 Fund is created. The Educational Service Unit Coordinating Council shall
17 administer the fund for the purpose of implementing the Collaborative
18 School Behavioral and Mental Health Program.

19 (2) The State Treasurer shall credit to the fund such money as is
20 (a) transferred to the fund by the Legislature, (b) donated as gifts,
21 bequests, or other contributions to such fund from public or private
22 entities, or (c) made available by any department or agency of the United
23 States.

24 (3) The Legislature shall not appropriate or transfer money from the
25 fund for any purpose other than the purposes stated in this section,
26 except that the Legislature may appropriate or transfer money from the
27 fund upon a finding that such purposes are not being accomplished by the
28 fund.

29 (4) Any money in the fund available for investment shall be invested
30 by the state investment officer pursuant to the Nebraska Capital
31 Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 8. Original section 79-1201, Reissue Revised Statutes of
2 Nebraska, is repealed.

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1001

Introduced by Briese, 41.

Read first time January 16, 2018

Committee: Education

- 1 A BILL FOR AN ACT relating to school finance; to require a review of the
- 2 financing of schools; and to provide duties for the State Department
- 3 of Education.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The State Department of Education shall oversee an
2 in-depth review of the financing of the public elementary and secondary
3 schools. The review shall include, but not be limited to:

4 (a) Examination of methods of financing public elementary and
5 secondary schools that would provide equitable educational opportunities
6 across the state and offer alternatives to a heavy reliance on property
7 tax;

8 (b) Examination of financing issues as they relate to the quality
9 and performance of public elementary and secondary schools;

10 (c) Examination of the costs and resources necessary to meet the
11 diverse and growing needs of students across the state;

12 (d) Examination of methods used by other states to fund public
13 elementary and secondary school infrastructure needs; and

14 (e) Examination of other issues related to public elementary and
15 secondary school finance as determined by the department.

16 (2) The department may obtain assistance from the Department of
17 Revenue to acquire necessary data to carry out this section.

18 (3) The department shall prepare a preliminary report on the
19 progress of the review and submit such report electronically to the
20 Legislature on or before December 31, 2018. The department shall submit
21 the final report with recommendations electronically to the Governor and
22 Legislature on or before December 1, 2019.

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB1001

Chairperson: Senator Mike Groene

Committee: Education

Date of Hearing: February 05, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 1001 will direct a study of K-12 education in Nebraska. Specifically, the study will examine: funding and alternatives to heavy reliance on property taxes; methods used by other states to fund K-12 education; costs and resources as they relate to needs across the state. The study will be submitted to the Governor and the Legislature no later than December 1, 2019.

Principal Introducer: _____

Senator Tom Briese

ONE HUNDRED FIFTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 285CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Murante, 49.

Read first time January 16, 2018

Committee: Education

1 THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, SECOND
2 SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2018, the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:

6 To amend Article VII, section 2, Article VII, section 4, and Article
7 XIII, section 1, and repeal Article VII, section 3:

8 ~~VII-2 The State Department of Education shall be comprised of a~~
9 ~~State Board of Education and a Commissioner of Education.~~ The State
10 Department of Education shall have general supervision and administration
11 of the school system of the state and of such other activities as the
12 Legislature may direct.

13 VII-4 The Governor ~~State Board of Education~~ shall appoint and fix
14 the compensation of the Commissioner of Education, who shall be the
15 ~~executive officer of the State Board of Education~~ and the administrative
16 head of the State Department of Education, and who shall have such powers
17 and duties as the Legislature may direct. ~~The board shall appoint all~~
18 ~~employees of the State Department of Education on the recommendation of~~
19 ~~the Commissioner of Education.~~

20 XIII-1 The state may, to meet casual deficits, or failures in the
21 revenue, contract debts never to exceed in the aggregate one hundred
22 thousand dollars, and no greater indebtedness shall be incurred except
23 for the purpose of repelling invasion, suppressing insurrection, or

1 defending the state in war, and provision shall be made for the payment
2 of the interest annually, as it shall accrue, by a tax levied for the
3 purpose, or from other sources of revenue, which law providing for the
4 payment of such interest by such tax shall be irrepealable until such
5 debt is paid; Provided, that if the Legislature determines by a three-
6 fifths vote of the members elected thereto that (1) the need for
7 construction of highways in this state requires such action, it may
8 authorize the issuance of bonds for such construction, and for the
9 payment of the interest and the retirement of such bonds it may pledge
10 any tolls to be received from such highways or it may irrevocably pledge
11 for the term of the bonds all or a part of any state revenue closely
12 related to the use of such highways, such as motor vehicle fuel taxes or
13 motor vehicle license fees and (2) the construction of water retention
14 and impoundment structures for the purposes of water conservation and
15 management will promote the general welfare of the state, it may
16 authorize the issuance of revenue bonds for such construction, and for
17 the payment of the interest and the retirement of such bonds it may
18 pledge all or any part of any state revenue derived from the use of such
19 structures; and provided further, that the Board of Regents of the
20 University of Nebraska, the Board of Trustees of the Nebraska State
21 Colleges, and, at the direction of the Governor, the Commissioner of
22 Education ~~the State Board of Education~~ may issue revenue bonds to
23 construct, purchase, or otherwise acquire, extend, add to, remodel,
24 repair, furnish, and equip dormitories, residence halls, single or
25 multiple dwelling units, or other facilities for the housing and boarding
26 of students, single or married, and faculty or other employees, buildings
27 and structures for athletic purposes, student unions or centers, and for
28 the medical care and physical development and activities of students, and
29 buildings or other facilities for parking, which bonds shall be payable
30 solely out of revenue, fees, and other payments derived from the use of
31 the buildings and facilities constructed or acquired, including buildings

1 and facilities heretofore or hereafter constructed or acquired, and paid
2 for out of the proceeds of other issues of revenue bonds, and the
3 revenue, fees, and payments so pledged need not be appropriated by the
4 Legislature, and any such revenue bonds heretofore issued by either of
5 such boards are hereby authorized, ratified, and validated. Bonds for new
6 construction shall be first approved as the Legislature shall provide.

7 Article VII, section 3, of the Constitution of Nebraska is
8 repealed.

9 Sec. 2. The proposed amendment shall be submitted to the electors
10 in the manner prescribed by the Constitution of Nebraska, Article XVI,
11 section 1, with the following ballot language:

12 A constitutional amendment to eliminate the State Board of Education
13 and transfer the power to appoint the Commissioner of Education to the
14 Governor and the power to issue revenue bonds to the Commissioner of
15 Education at the direction of the Governor.

16 For

17 Against.