

LEGISLATIVE BILL 988A

Approved by the Governor April 2, 2008

Introduced by Raikes, 25.

FOR AN ACT relating to appropriations; to amend Laws 2007, LB 321, section 49; to change appropriations to aid in carrying out the provisions of Legislative Bill 988, One Hundredth Legislature, Second Session, 2008; to state intent regarding appropriations; to repeal the original section; and to declare an emergency.

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

Section 1. Laws 2007, LB 321, section 49, is amended to read:
 Sec. 49. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
 Program No. 158 - Education Aid

	FY2007-08	FY2008-09
GENERAL FUND	952,197,997	1,036,530,133
<u>GENERAL FUND</u>	<u>952,197,997</u>	<u>1,027,559,109</u>
CASH FUND	2,282,938	2,282,938
FEDERAL FUND est.	254,923,780	262,443,987
PROGRAM TOTAL	1,209,404,715	1,301,257,058
<u>PROGRAM TOTAL</u>	<u>1,209,404,715</u>	<u>1,292,286,034</u>

There is included in the appropriation to this program for FY2007-08 \$952,197,997 General Funds, \$2,282,938 Cash Funds, and \$254,923,780 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2008-09 ~~\$1,036,530,133~~ \$1,027,559,109 General Funds, \$2,282,938 Cash Funds, and \$262,443,987 Federal Funds estimate for state aid, which shall only be used for such purpose.

There is included in the amount shown for FY2007-08 \$753,555,548 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act. There is included in the amount shown for FY2008-09 ~~\$832,498,267~~ \$823,527,243 General Funds which are hereby appropriated to the Tax Equity and Educational Opportunities Fund, which fund is hereby appropriated to provide state aid to public school districts pursuant to the Tax Equity and Educational Opportunities Support Act.

There is included in the amount shown for this program \$179,508,584 General Funds provided as state aid for FY2007-08 for special education reimbursement. There is included in the amount shown for this program \$184,893,842 General Funds provided as state aid for FY2008-09 for special education reimbursement.

There is included in the amount shown for this program \$435,000 General Funds provided as state aid for FY2007-08 and \$450,000 General Funds provided as state aid for FY2008-09 to carry out the provisions of subsection (2) of section 79-734.

There is included in the amount shown for this program \$3,626,267 General Funds provided as state aid for FY2007-08 and \$3,615,426 General Funds provided as state aid for FY2008-09 for early childhood education projects.

There is included in the amount shown for this program \$8,266,325 General Funds provided as state aid for FY2007-08 and \$8,266,325 General Funds provided as state aid for FY2008-09 for core services for educational service units.

There is included in the amount shown for this program \$2,566,013 General Funds provided as state aid for FY2007-08 and \$2,566,013 General Funds provided as state aid for FY2008-09 for technology infrastructure for educational service units.

There is included in the amount shown for this program \$530,300 General Funds provided as state aid for FY2007-08 and \$530,300 General Funds provided as state aid for FY2008-09 for distance education aid to educational service units.

There is included in the amount shown for this program \$2,336,921 General Funds provided as state aid for FY2007-08 and \$2,336,921 General Funds provided as state aid for FY2008-09 for programs for learners with high ability.

There is included in the amount shown for this program \$271,378 General Funds provided as state aid for FY2007-08 and \$271,378 General Funds provided as state aid for FY2008-09 for the school breakfast program.

There is included in the amount shown for this program \$421,087 General Funds provided as state aid for FY2007-08 and \$421,087 General Funds provided as state aid for FY2008-09 for the school lunch program.

There is included in the amount shown for this program \$230,574 General Funds provided as state aid for FY2007-08 and \$230,574 General Funds provided as state aid for FY2008-09 for adult basic education programs.

There is included in the amount shown for this program \$450,000 General Funds provided as state aid for FY2007-08 and \$450,000 General Funds provided as state aid for FY2008-09 for the Career Education Partnership Act.

The unexpended appropriation balance of the \$2,000,000 Cash Funds appropriated from the School District Reorganization Fund for base year reorganization incentives existing on June 30, 2007, is hereby reappropriated.

On or before October 1 of each year, the Department of Health and Human Services and the State Department of Education shall jointly certify to the budget administrator of the budget division of the Department of Administrative Services the amount of federal medicaid funds paid to school districts pursuant to the Early Intervention Act for special education services for children age five years and older. The General Fund appropriation to the State Department of Education, Program 158, for state special education aid shall be decreased by an amount equal to the amount that would have been reimbursed with state General Funds to the school districts through the special education reimbursement process for special education services for children age five years and older that was paid to school districts or approved cooperatives with federal medicaid funds. There is hereby appropriated from the General Fund an amount equal to the amount certified to the budget administrator for FY2007-08 and FY2008-09 to the Department of Health and Human Services to aid in carrying out the provisions of Laws 1991, LB 701. The budget administrator shall distribute the amount appropriated between budget programs according to percentages certified by the Department of Health and Human Services.

It is the intent of the Legislature that the changes made by Legislative Bill 959, section 69, to Laws 2007, LB321, section 49, are null and void and are superseded by the changes made by this legislative bill.

Sec. 2. Original Laws 2007, LB 321, section 49, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.