

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIRST LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 545A**

FINAL READING

Introduced by Adams, 24.

Read first time May 06, 2009

A BILL

1 FOR AN ACT relating to appropriations; to amend section 49,  
2 Legislative Bill 315, One Hundred First Legislature,  
3 First Session, 2009; to appropriate funds to aid in  
4 carrying out the provisions of Legislative Bill 545, One  
5 Hundred First Legislature, First Session, 2009; to change  
6 appropriations; to provide an operative date; to repeal  
7 the original section; and to declare an emergency.

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

1 Section 1. Section 49, Legislative Bill 315, One Hundred  
2 First Legislature, First Session, 2009, is amended to read:

3 Sec. 49. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION  
4 Program No. 158 - Education Aid

	FY2009-10	FY2010-11
6 <del>GENERAL FUND</del>	<del>1,035,897,500</del>	<del>1,036,675,660</del>
7 <u>GENERAL FUND</u>	<u>1,034,708,390</u>	<u>1,035,716,478</u>
8 CASH FUND	3,290,938	3,290,938
9 <del>FEDERAL FUND est.</del>	<del>364,083,935</del>	<del>440,776,314</del>
10 PROGRAM TOTAL	<u>1,403,272,373</u>	<u>1,480,742,912</u>
11 <u>FEDERAL FUND est.</u>	<u>373,683,935</u>	<u>431,176,314</u>
12 <u>PROGRAM TOTAL</u>	<u>1,411,683,263</u>	<u>1,470,183,730</u>

13 There is included in the appropriation to this program  
14 for FY2009-10 ~~\$1,035,897,500~~ \$1,034,708,390 General Funds,  
15 \$3,290,938 Cash Funds, and ~~\$364,083,935~~ \$373,683,935 Federal  
16 Funds estimate for state aid, which shall only be used for such  
17 purpose. There is included in the appropriation to this program for  
18 FY2010-11 ~~\$1,036,675,660~~ \$1,035,716,478 General Funds, \$3,290,938  
19 Cash Funds, and ~~\$440,776,314~~ \$431,176,314 Federal Funds estimate  
20 for state aid, which shall only be used for such purpose.

21 There is included in the amount shown for FY2009-10  
22 ~~\$826,149,269~~ \$824,960,159 General Funds which are hereby  
23 appropriated to the Tax Equity and Educational Opportunities  
24 Fund, which fund is hereby appropriated to provide state aid to  
25 public school districts pursuant to the Tax Equity and Educational

1 Opportunities Support Act. There is included in the amount shown  
2 for FY2010-11 ~~\$826,887,980~~ \$825,928,798 General Funds which are  
3 hereby appropriated to the Tax Equity and Educational Opportunities  
4 Fund, which fund is hereby appropriated to provide state aid to  
5 public school districts pursuant to the Tax Equity and Educational  
6 Opportunities Support Act.

7           There is included in the amount shown for FY2009-10  
8 ~~\$84,068,750~~ \$93,668,750 Federal Funds estimate pursuant to the  
9 American Recovery and Reinvestment Act of 2009 which are hereby  
10 appropriated to the Tax Equity and Educational Opportunities Fund,  
11 which fund is hereby appropriated to provide state aid to public  
12 school districts pursuant to the Tax Equity and Educational  
13 Opportunities Support Act. There is included in the amount shown  
14 for FY2010-11 ~~\$149,887,176~~ \$140,287,176 Federal Funds estimate  
15 pursuant to the American Recovery and Reinvestment Act of 2009  
16 which are hereby appropriated to the Tax Equity and Educational  
17 Opportunities Fund, which fund is hereby appropriated to provide  
18 state aid to public school districts pursuant to the Tax Equity and  
19 Educational Opportunities Support Act.

20           There is included in the amount shown for this program  
21 \$184,893,842 General Funds provided as state aid for FY2009-10 for  
22 special education reimbursement. There is included in the amount  
23 shown for this program \$184,893,842 General Funds provided as state  
24 aid for FY2010-11 for special education reimbursement.

25           There is included in the amount shown for this program

LB 545A

LB 545A

1 \$500,000 General Funds provided as state aid for FY2009-10 and  
2 \$500,000 General Funds provided as state aid for FY2010-11 to carry  
3 out the provisions of subsection (2) of section 79-734.

4           There is included in the amount shown for this program  
5 \$3,615,426 General Funds provided as state aid for FY2009-10 and  
6 \$3,615,426 General Funds provided as state aid for FY2010-11 for  
7 early childhood education projects.

8           There is included in the amount shown for this program  
9 \$11,858,793 General Funds provided as state aid for FY2009-10 and  
10 \$11,858,793 General Funds provided as state aid for FY2010-11 for  
11 core services for educational service units.

12           There is included in the amount shown for this program  
13 \$3,700,477 General Funds provided as state aid for FY2009-10 and  
14 \$3,700,477 General Funds provided as state aid for FY2010-11 for  
15 technology infrastructure for educational service units.

16           There is included in the amount shown for this program  
17 \$328,300 General Funds provided as state aid for FY2009-10 and  
18 \$328,300 General Funds provided as state aid for FY2010-11 for  
19 distance education aid to educational service units.

20           There is included in the amount shown for this program  
21 \$2,336,921 General Funds provided as state aid for FY2009-10 and  
22 \$2,336,921 General Funds provided as state aid for FY2010-11 for  
23 programs for learners with high ability.

24           There is included in the amount shown for this program  
25 \$412,811 General Funds provided as state aid for FY2009-10 and

LB 545A

LB 545A

1 \$427,260 General Funds provided as state aid for FY2010-11 for the  
2 school breakfast program.

3           There is included in the amount shown for this program  
4 \$421,087 General Funds provided as state aid for FY2009-10 and  
5 \$421,087 General Funds provided as state aid for FY2010-11 for the  
6 school lunch program.

7           There is included in the amount shown for this program  
8 \$230,574 General Funds provided as state aid for FY2009-10 and  
9 \$230,574 General Funds provided as state aid for FY2010-11 for  
10 adult basic education programs.

11           There is included in the amount shown for this program  
12 \$450,000 General Funds provided as state aid for FY2009-10 and  
13 \$450,000 General Funds provided as state aid for FY2010-11 for the  
14 Career Education Partnership Act.

15           There is included in the amount shown for this program  
16 \$1,000,000 General Funds provided as state aid for FY2009-10 and  
17 \$1,025,000 General Funds provided as state aid for FY2010-11 for  
18 learning community aid.

19           On or before October 1 of each year, the Department of  
20 Health and Human Services and the State Department of Education  
21 shall jointly certify to the budget administrator of the budget  
22 division of the Department of Administrative Services the amount  
23 of federal medicaid funds paid to school districts pursuant to  
24 the Early Intervention Act for special education services for  
25 children age five years and older. The General Fund appropriation

1 to the State Department of Education, Program 158, for state  
2 special education aid shall be decreased by an amount equal to  
3 the amount that would have been reimbursed with state General  
4 Funds to the school districts through the special education  
5 reimbursement process for special education services for children  
6 age five years and older that was paid to school districts or  
7 approved cooperatives with federal medicaid funds. There is hereby  
8 appropriated from the General Fund an amount equal to the amount  
9 certified to the budget administrator for FY2009-10 and FY2010-11  
10 to the Department of Health and Human Services to aid in carrying  
11 out the provisions of Laws 1991, LB 701. The budget administrator  
12 shall distribute the amount appropriated between budget programs  
13 according to percentages certified by the Department of Health and  
14 Human Services.

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

18           Sec. 2. This act becomes operative on July 1, 2009.

19           Sec. 3. Original section 49, Legislative Bill 315, One  
20 Hundred First Legislature, First Session, 2009, is repealed.

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