

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

Introduced by Adams, 24.

Read first time May 06, 2009

A BILL

1 FOR AN ACT relating to appropriations; to appropriate funds to  
2 aid in carrying out the provisions of Legislative Bill  
3 545, One Hundred First Legislature, First Session, 2009;  
4 to outright repeal section 48, Legislative Bill 315, One  
5 Hundred First Legislature, First Session, 2009; and to  
6 declare an emergency.  
7 Be it enacted by the people of the State of Nebraska,

LB 545A

LB 545A

1                   Section 1. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION  
 2                   Program No. 158 - Education Aid

	FY2009-10	FY2010-11
4 GENERAL FUND	1,074,135,846	1,109,893,375
5 CASH FUND	3,190,938	3,190,938
6 FEDERAL FUND est.	280,015,185	290,889,138
7 PROGRAM TOTAL	1,357,341,969	1,403,973,451

8                   There is included in the appropriation to this program  
 9 for FY2009-10 \$1,074,135,846 General Funds, \$3,190,938 Cash Funds,  
 10 and \$280,015,185 Federal Funds estimate for state aid, which  
 11 shall only be used for such purpose. There is included in  
 12 the appropriation to this program for FY2010-11 \$1,109,893,375  
 13 General Funds, \$3,190,938 Cash Funds, and \$290,889,138 Federal  
 14 Funds estimate for state aid, which shall only be used for such  
 15 purpose.

16                   There is included in the amount shown for FY2009-10  
 17 \$858,527,243 General Funds which are hereby appropriated to  
 18 the Tax Equity and Educational Opportunities Fund, which fund  
 19 is hereby appropriated to provide state aid to public school  
 20 districts pursuant to the Tax Equity and Educational Opportunities  
 21 Support Act. There is included in the amount shown for FY2010-11  
 22 \$888,527,243 General Funds which are hereby appropriated to the Tax  
 23 Equity and Educational Opportunities Fund, which fund is hereby  
 24 appropriated to provide state aid to public school districts  
 25 pursuant to the Tax Equity and Educational Opportunities Support

1 Act.

2           There is included in the amount shown for this program  
3 \$190,440,657 General Funds provided as state aid for FY2009-10 for  
4 special education reimbursement. There is included in the amount  
5 shown for this program \$196,153,877 General Funds provided as state  
6 aid for FY2010-11 for special education reimbursement.

7           There is included in the amount shown for this program  
8 \$500,000 General Funds provided as state aid for FY2009-10 and  
9 \$500,000 General Funds provided as state aid for FY2010-11 to carry  
10 out the provisions of subsection (2) of section 79-734.

11           There is included in the amount shown for this program  
12 \$3,615,426 General Funds provided as state aid for FY2009-10 and  
13 \$3,615,426 General Funds provided as state aid for FY2010-11 for  
14 early childhood education projects.

15           There is included in the amount shown for this program  
16 \$11,873,512 General Funds provided as state aid for FY2009-10 and  
17 \$11,873,512 General Funds provided as state aid for FY2010-11 for  
18 core services for educational service units.

19           There is included in the amount shown for this program  
20 \$3,685,758 General Funds provided as state aid for FY2009-10 and  
21 \$3,685,758 General Funds provided as state aid for FY2010-11 for  
22 technology infrastructure for educational service units.

23           There is included in the amount shown for this program  
24 \$530,300 General Funds provided as state aid for FY2009-10 and  
25 \$530,300 General Funds provided as state aid for FY2010-11 for

1 distance education aid to educational service units.

2           There is included in the amount shown for this program  
3 \$2,336,921 General Funds provided as state aid for FY2009-10 and  
4 \$2,336,921 General Funds provided as state aid for FY2010-11 for  
5 programs for learners with high ability.

6           There is included in the amount shown for this program  
7 \$524,368 General Funds provided as state aid for FY2009-10 and  
8 \$568,677 General Funds provided as state aid for FY2010-11 for the  
9 school breakfast program.

10           There is included in the amount shown for this program  
11 \$421,087 General Funds provided as state aid for FY2009-10 and  
12 \$421,087 General Funds provided as state aid for FY2010-11 for the  
13 school lunch program.

14           There is included in the amount shown for this program  
15 \$230,574 General Funds provided as state aid for FY2009-10 and  
16 \$230,574 General Funds provided as state aid for FY2010-11 for  
17 adult basic education programs.

18           There is included in the amount shown for this program  
19 \$450,000 General Funds provided as state aid for FY2009-10 and  
20 \$450,000 General Funds provided as state aid for FY2010-11 for the  
21 Career Education Partnership Act.

22           There is included in the amount shown for this program  
23 \$1,000,000 General Funds provided as state aid for FY2009-10 and  
24 \$1,000,000 General Funds provided as state aid for FY2010-11 for  
25 learning community aid.

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

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

25           Sec. 2. The following section is outright repealed:

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1 Section 48, Legislative Bill 315, One Hundred First Legislature,  
2 First Session, 2009.

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