

AMENDMENTS TO LB 1154

(Amendments to Standing Committee amendments, AM2449)

Introduced by Raikes, 25.

1 1. Strike section 10 and insert the following new
2 sections:

3 Section 10. Section 46, Legislative Bill 988, One
4 Hundredth Legislature, Second Session, 2008, is amended to read:

5 For school fiscal year 2008-09 and each school fiscal
6 year thereafter, a school district may exceed its maximum general
7 fund budget of expenditures minus the special education budget of
8 expenditures by a specific dollar amount for:

9 (1) Expenditures for repairs to infrastructure damaged by
10 a natural disaster which is declared a disaster emergency pursuant
11 to the Emergency Management Act;

12 (2) Expenditures for judgments, except judgments or
13 orders from the Commission of Industrial Relations, obtained
14 against a school district which require or obligate a school
15 district to pay such judgment, to the extent such judgment is not
16 paid by liability insurance coverage of a school district;

17 (3) Expenditures pursuant to the Retirement Incentive
18 Plan authorized in section 79-855 or the Staff Development
19 Assistance authorized in section 79-856;

20 (4) Expenditures of incentive payments or base fiscal
21 year incentive payments to be received in such school fiscal year
22 pursuant to section 79-1011;

1 (5) Expenditures of amounts received from educational
2 entities as defined in section 79-1201.01 for providing distance
3 education courses through the Educational Service Unit Coordinating
4 Council to such educational entities; and

5 (6) A school district may exceed its applicable allowable
6 growth rate for either (a) the first and second school fiscal
7 years the district will be participating in Network Nebraska for
8 the full school fiscal year or (b) school fiscal year 2008-09, if
9 the school district participated in Network Nebraska for all of
10 school fiscal year 2007-08, by a specific dollar amount equal to
11 the estimated expenditures, to be made in the school fiscal year
12 in which the district may exceed its applicable allowable growth
13 rate, for (i) telecommunication services, (ii) access to data
14 transmission networks that transmit data to and from the school
15 district, and (iii) the transmission of data on such networks
16 as such expenditures are defined by the department for purposes
17 of the distance education and telecommunications allowance minus
18 the dollar amount of such expenditures for the school fiscal
19 year immediately preceding the first full school fiscal year the
20 district participates in Network Nebraska. Districts shall estimate
21 expenditures on forms prescribed by the department. The department
22 shall approve, deny, or modify the estimated expenditures. Either
23 (a) the first and second school fiscal years the district will
24 be participating in Network Nebraska for the full school fiscal
25 year or (b) school fiscal year 2008-09, if the school district
26 participated in Network Nebraska for all of school fiscal year
27 2007-08, for the difference of the estimated expenditures for

1 such school fiscal year for telecommunications services, access
2 to data transmission networks that transmit data to and from the
3 school district, and the transmission of data on such networks as
4 such expenditures are defined by the department for purposes of
5 the distance education and telecommunications allowance minus the
6 dollar amount of such expenditures for the second school fiscal
7 year preceding the first full school fiscal year the district
8 participates in Network Nebraska; and

9 (7) Expenditures to pay another school district for the
10 transfer of land from such other school district.

11 The state board shall approve, deny, or modify the amount
12 allowed for any exception to the maximum general fund budget of
13 expenditures minus the special education budget of expenditures
14 pursuant to this section.

15 Sec. 13. Section 79-1210, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 79-1210 The State Board of Education shall grant or deny
18 any petition to change educational service unit boundaries based
19 upon the following criteria:

20 (1) The educational needs of students in the affected
21 school districts and the affected educational service units;

22 (2) The economic viability of the proposal as it relates
23 to affected established educational service units or affected
24 proposed educational service units;

25 (3) Any community of interest among affected school
26 districts and affected educational service units;

27 (4) Geographic proximity as such would affect the ability

1 of affected educational service units to deliver service in a
2 cost-effective manner; and

3 (5) Compliance with the requirements of the Educational
4 Service Units Act; and

5 ~~(5)~~ (6) In the dissolution of one or more entire
6 educational service units, evidence of consent from each
7 educational service unit board and two-thirds of the school boards
8 or boards of education of member school districts representing a
9 majority of students in each affected educational service unit.

10 For petitions that change educational service unit
11 boundaries by transferring a learning community member district
12 from one educational service unit to another educational service
13 unit with existing territory in such learning community, the
14 requirements of subdivisions (1), (2), (3), and (4) of this section
15 shall be deemed to have been met if the affected educational
16 service units will each have at least two member school districts
17 after such transfer.

18 2. On page 34, line 26, strike "section 79-1007.02" and
19 insert "the Tax Equity and Educational Opportunities Support Act".

20 3. On page 38, lines 24 and 25, strike "plus all member
21 districts of learning communities".

22 4. On page 39, line 4, strike the new matter; and in line
23 8 after "section" insert ", except that such adjusted valuation
24 for member school districts that are also member districts of a
25 learning community shall be reduced by fifty percent. The adjusted
26 valuation for each learning community shall equal fifty percent
27 of the total adjusted valuation of the member school districts

1 pursuant to section 79-1016 used for the calculation of state aid
2 for school districts pursuant to the act for the school fiscal year
3 for which the distribution is being calculated pursuant to this
4 section".

5 5. On page 45, strike beginning with "in" in line
6 15 through "79-1007.02" in line 17 and insert "sparse or very
7 sparse as determined pursuant to the Tax Equity and Educational
8 Opportunities Support Act".

9 6. Amend the repealer, renumber the remaining sections,
10 and correct the internal references accordingly.