

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 655

Introduced by Raikes, 25

Read first time January 17, 2007

Committee: Education

A BILL

1 FOR AN ACT relating to state aid to schools; to amend section
2 79-1065, Reissue Revised Statutes of Nebraska, and
3 section 79-1022, Revised Statutes Cumulative Supplement,
4 2006, as affected by Referendum 2006, No. 422; to change
5 provisions relating to adjustments to aid as shown on
6 budget statements as prescribed; to harmonize provisions;
7 and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1022, Revised Statutes Cumulative
2 Supplement, 2006, as affected by Referendum 2006, No. 422, is
3 amended to read:

4 79-1022 (1) On or before ~~June 15, 2003,~~ and ~~on or~~
5 ~~before~~ February 1 ~~for each year thereafter,~~ each year, the
6 department shall determine the amounts to be distributed to each
7 local system and each district pursuant to the Tax Equity and
8 Educational Opportunities Support Act and shall certify the amounts
9 to the Director of Administrative Services, the Auditor of Public
10 Accounts, each learning community, and each district. The amount to
11 be distributed to each district that is not a member of a learning
12 community from the amount certified for a local system shall be
13 proportional based on the weighted formula students attributed to
14 each district in the local system. The amount to be distributed to
15 each district that is a member of a learning community from the
16 amount certified for the local system shall be proportional based
17 on the formula needs calculated for each district in the local
18 system. On or before ~~June 15, 2003,~~ and ~~on or~~ before February 1
19 ~~for each year thereafter,~~ each year, the department shall report
20 the necessary funding level to the Governor, the Appropriations
21 Committee of the Legislature, and the Education Committee of the
22 Legislature. Certified state aid amounts, including adjustments
23 pursuant to section 79-1065.02 to the extent such adjustments are
24 known by the affected school district prior to adoption of its
25 budget, shall be shown as budgeted non-property-tax receipts and

1 deducted prior to calculating the property tax request in the
2 district's general fund budget statement as provided to the Auditor
3 of Public Accounts pursuant to section 79-1024.

4 (2) Except as provided in subsection (8) of section
5 79-1016 and sections 79-1033 and 79-1065.02 the amounts certified
6 pursuant to subsection (1) of this section shall be distributed in
7 ten as nearly as possible equal payments on the last business day
8 of each month beginning in September of each ensuing school fiscal
9 year and ending in June of the following year, except that when a
10 school district is to receive a monthly payment of less than one
11 thousand dollars, such payment shall be one lump-sum payment on
12 the last business day of December during the ensuing school fiscal
13 year.

14 Sec. 2. Section 79-1065, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 79-1065 (1) The State Department of Education shall
17 adjust payments provided under Chapter 79 to school districts
18 which, after final determination, received funds not equal to the
19 appropriate allocation for the previous school fiscal year such
20 that the district will receive the funds to which it was finally
21 determined to be entitled. If the total adjustment cannot be made
22 from the funds to be provided in the current school fiscal year,
23 the adjustment shall be prorated, with additional adjustments made
24 to payments for future school fiscal years. The department shall
25 maintain an accurate account and a record of the reasons the

1 adjustments were made and the amount of such adjustments.

2 (2) The department shall adjust payments provided under
3 Chapter 79 to school districts whose adjusted valuation is modified
4 pursuant to subsection (4) of section 79-1016 or by any appeal
5 arising from such subsection and which modification is reflected
6 in neither the certification of state aid pursuant to section
7 79-1022 nor the adjustment of state aid pursuant to subsection (1)
8 of this section, such that the district will receive the funds
9 to which it was finally determined to be entitled. If the total
10 adjustment cannot be made from the funds to be provided in the
11 current school fiscal year, the adjustment shall be prorated, with
12 additional adjustments made to payments for future school fiscal
13 years. The department shall maintain an accurate account and a
14 record of the reasons the adjustments were made and the amount of
15 such adjustments.

16 Sec. 3. Original section 79-1065, Reissue Revised
17 Statutes of Nebraska, and section 79-1022, Revised Statutes
18 Cumulative Supplement, 2006, as affected by Referendum 2006, No.
19 422, are repealed.