

ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009
COMMITTEE STATEMENT
LB387

Hearing Date: Monday February 23, 2009
Committee On: Education
Introducer: Gay
One Liner: Eliminate certain taxing authority of learning communities and change state aid calculations

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye: 8 Senators Adams, Ashford, Avery, Cornett, Giese, Haar, Howard, Sullivan

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Tim Gay
Rick Black
William Mueller
George Conrad

Representing:

Introducer
Papillion-LaVista Schools
Millard Public Schools
DC West Community Schools

Opponents:

John Mackiel
Kermit Brashear
Walt Radcliffe
Jay Sears
Virginia Moon

Representing:

Omaha Public Schools
Learning Community Coordinating Council
Bellevue Public Schools
Nebraska State Education Association
Ralston Public Schools

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 387 would repeal the common general fund and special building fund levies for learning communities and make corresponding state aid changes.

Section 77-3442 would be amended by eliminating the authority for learning communities to levy both general fund and building fund common levies for member school districts. The \$0.05 authority for learning communities to levy for elementary learning center facilities and focus schools and programs would be retained.

Section 79-1007.18 would be amended by eliminating consideration of a learning community common levy in the calculation of the averaging adjustment. The current language uses a combination of the common general fund levy and the school district general fund levy for calculating the averaging adjustment.

Section 79-1008.02 would be amended by removing the differentiation between learning community levies and other local system levies for the calculation of minimum levy adjustments. An exemption from the adjustment for the first year of a learning community would also be removed. The current language implements the adjustment when learning

community common general fund levies are more than \$0.05 below the maximum levy or when other local system general fund levies are more than \$0.10 below the maximum levy. The learning community maximum levy is \$0.95 and the maximum levy for other local systems is \$1.05.

Section 79- 1022 would be amended by removing the separate process for learning communities in determining the amount of aid to be distributed to each district in a local system. The process for the first five years of a learning community is contained in section 79-1015, which would be outright repealed. The process thereafter for learning communities is currently to base the distribution on formula need. Without the separate process, aid would be distributed to districts within a learning community based on formula students.

Section 79-10,120 would be amended by eliminating learning community special building fund levies as an approved funding source for special building funds.

Section 79-10,126 would be amended by applying the provisions of the section for Class V school district general and special building funds to all Class V school district, whether or not the district is in a learning community. Currently the provisions are limited to Class V school districts that are not members of learning communities. Section 79-10,126.01, which provides for Class V school district general and special building funds when a Class V school district is a member of a learning community would be outright repealed.

Section 79-2104 would be amended by removing the authority for learning community coordinating councils to levy and distribute common levies for the general funds and special building funds of member districts. The section contains the authorization provisions for learning community coordinating councils to carry out their mission.

Section 79-2111 would be amended by harmonizing a cross reference with the changes in section 77-3442.

Section 79-1015 would be outright repealed. The section provides the process for determining the amount of T.E.E.O.S.A. aid to be distributed to each district in a learning community during the first five years of the learning community.

Section 79-1073 would be outright repealed. The section requires learning community coordinating councils to determine the expected amounts to be distributed to each member district from the common general fund levies and provides the process for such determination.

Section 79-1073.01 would be outright repealed. The section provides the process for determining the distribution of proceeds from common special building fund levies.

Section 79-10,126.01 would be outright repealed. The section provides for Class V school district general and special building funds when a Class V school district is a member of a learning community.

Greg Adams, Chairperson