

**ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011**  
**COMMITTEE STATEMENT**  
**LB445**

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**Hearing Date:** Monday February 14, 2011  
**Committee On:** Education  
**Introducer:** Adams  
**One Liner:** Change duties of the Commissioner of Education

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Adams, Avery, Cornett, Council, Haar, Howard, Schilz, Sullivan

**Nay:**

**Absent:**

**Present Not Voting:**

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**Proponents:**

Senator Greg Adams  
Brian Halstead

**Representing:**

Introducer  
Nebraska Department of Education

**Opponents:**

**Representing:**

**Neutral:**

David Lostroh  
Jim Cunningham

**Representing:**

Nebraska Christian Home Educators Association  
Nebraska Catholic Conference

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**Summary of purpose and/or changes:**

Legislative Bill 445 would make technical changes to duties of the State Board of Education and the Commissioner of Education.

The bill would amend section 79-318 to eliminate language that provides the State Board of Education with discretion in implementing a statewide system of student testing. The State Board is already required to implement a statewide system of assessment for public school students pursuant to the Quality Education Accountability Act. Section 79-318 would also be amended to eliminate language requiring the State Board to publish laws, rules, and regulations that pertain to governance of school lands and funds. Such laws, rules, and regulations are under the jurisdiction of the Board of Educational Lands and Funds.

The bill would also amend sections 79-1044, 79-1047, and 79-1051 to update language regarding apportionment of federal forest reserve funds, public grazing funds, and flood control funds, respectively. The Commissioner of Education would determine apportionment of each of these funds based on information provided by the United States Department of Interior. The bill would eliminate language requiring the State Treasurer to annually certify to the Commissioner the amount of money received for each fund. The bill would also eliminate language requiring the Board of Educational Lands and Funds to annually certify to the Commissioner the counties entitled to receive forest reserve funds and public grazing funds, along with the number of forest reserve and grazing acres in each county. The bill would also eliminate language requiring the Commissioner to ascertain the counties in which flood control lease rentals were situated.

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**Explanation of amendments:**

The committee amendment would strike section 1 of the bill and would reinstate language that requires the State Treasurer to annually certify to the Commissioner of Education the amount of forest reserve funds, public grazing funds, and flood control funds, respectively, received from the federal government.

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Greg Adams, Chairperson