

ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014
COMMITTEE STATEMENT
LR421CA

Hearing Date: Tuesday February 11, 2014
Committee On: Education
Introducer: Lautenbaugh
One Liner: Constitutional amendment to eliminate references to the State Board of Education, State Department of Education, and the Commissioner of Education

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:
Aye: 7 Senators Sullivan, Seiler, Kolowski, Haar, Cook, Avery, Davis
Nay:
Absent: 1 Senator Scheer
Present Not Voting:

Proponents:
Brent Smoyer

Representing:
Introducer - Senator Lautenbaugh

Opponents:
Rachel Wise
Matt Blomstedt
Jay Sears

Representing:
Nebraska State Board of Education
Nebraska Department of Education
Nebraska State Education Association

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Resolution 421CA would amend the Constitution of Nebraska if approved by the electors at the November 2014 election by eliminating provisions for the State Board of Education, State Department of Education, and Commissioner of Education.

Article VII, sections 2-4, would be outright repealed.

Article VII, section 2, provides for the State Department of Education to be comprised of a State Board of Education and a Commissioner of Education. The Department is designated to have general supervision and administration of the school system of the state and such other activities as the legislature directs.

Article VII, section 3, provides for the State Board of Education. The board is composed of 8 members elected from districts of substantially equal populations as provided by the Legislature on nonpartisan ballots. The terms are set at 4 years with no compensation, except reimbursement for actual expenses. The duties and powers are prescribed by the Legislature. The members may not be actively engaged in the educational profession.

Article VII, section 4, provides for the State Board of Education to appoint the Commissioner of Education and fix the compensation. The Commissioner is the executive officer of the State Board and administrative head of the Department and has powers and duties as directed by the Legislature. The State Board is required to appoint all employees of the Department on the recommendation of the Commissioner.

Article XIII, section 1, would be amended by removing the State Board of Education from the list of entities authorized to issue revenue bonds.

The ballot language submitted to the electors at the November 2014 election would read:

A constitutional amendment to eliminate the authority of the State Board of Education to issue revenue bonds and to eliminate other constitutional references to the State Department of Education, the State Board of Education, and the Commissioner of Education.

Kate Sullivan, Chairperson