

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 595

Introduced by Davis, 43.

Read first time January 21, 2015

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to create the Task Force on School
- 2 Construction Assistance; to provide duties for the task force; to
- 3 provide a duty to the State Department of Education to establish a
- 4 data base; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Task Force on School Construction Assistance is
2 created. The task force shall consist of ten members appointed by the
3 Governor with approval of the Legislature, and two nonvoting members of
4 the Legislature appointed by the Executive Board of the Legislature. All
5 appointments to the task force shall be completed within ninety days
6 after the effective date of this act.

7 (2) The members of the task force appointed by the Governor shall
8 include representatives of education, business, the local community,
9 government, and at least one expert on capital construction. At least one
10 member representing education shall represent a school district with
11 preschool through twelfth grade and if there are additional members
12 appointed representing education, the additional members shall represent
13 school districts with grades kindergarten through twelfth and reflect a
14 diverse range of school district sizes. To the extent practicable, the
15 members shall represent a geographic diversity.

16 (3) The task force shall meet and investigate issues regarding
17 school construction assistance. The task force shall make recommendations
18 on the following:

19 (a) Capital infrastructure systems and funding sources to provide
20 school districts with state financial assistance for qualifying
21 construction projects, including new construction and repair and
22 replacement of existing facilities. The recommended systems and funding
23 sources shall (i) allow providers of public education to respond to
24 evolving methods of delivering education and to the funding and
25 maintaining of capital infrastructures, (ii) reduce the reliance of
26 school districts on property taxes for the retirement of bonded
27 indebtedness, and (iii) consider the feasibility of debt pooling to
28 reduce interest rates; and

29 (b) The types and amounts of technical assistance that may be
30 required by public schools for school capital construction programs.

31 (4) When recommending the capital infrastructure systems described

1 in subdivision (a) of subsection (3) and the technical assistance
2 described in subdivision (a) of subsection (3), the task force shall
3 recommend the appropriate role of the State Department of Education in
4 supporting the capital infrastructure systems and providing the technical
5 assistance.

6 (5) A majority of the members of the task force shall constitute a
7 quorum for the transaction of business. Official action by the task force
8 requires the approval of a majority of the members of the task force. The
9 task force shall elect one of its members to serve as chairperson. If
10 there is a vacancy for any cause, the Governor shall make an appointment
11 to become effective immediately. The task force shall meet at times and
12 places specified by the call of the chairperson or of a majority of the
13 members of the task force. The department shall provide staff support to
14 the task force and shall, if requested by the task force, enter into a
15 contract for staff support with a public or private entity.

16 (6) The task force shall submit a report electronically, including
17 recommendations, to the Education Committee and Appropriations Committee
18 of the Legislature and the department no later than November 1, 2016.

19 (7) Members of the task force are not entitled to compensation, but
20 may be reimbursed for actual and necessary expenses as provided in
21 sections 81-1174 to 81-1177.

22 (8) All agencies of state government are directed to assist the task
23 force in the performance of its duties and, to the extent permitted by
24 laws relating to confidentiality, to furnish such information and advice
25 to the members of the task force for the purpose of performing their
26 duties.

27 Sec. 2. (1) The State Department of Education shall establish and
28 maintain a public education facility information data base.

29 (2) The data base shall provide information on preschool facilities,
30 facilities serving any grades kindergarten through twelfth, and any
31 related auxiliary buildings and properties. The department may require

1 school districts and educational service units to provide the following
2 information to the department for inclusion in the data base:

3 (a) The name of the facility;

4 (b) The square footage of the facility;

5 (c) The year the facility was built;

6 (d) The major renovations made to the facility in the preceding
7 thirty years;

8 (e) The outstanding bonded indebtedness of the school district or
9 educational service unit;

10 (f) The year, amount, and purpose of the last bond request approved
11 by voters of the school district or educational service unit;

12 (g) Operations and maintenance costs of the facility;

13 (h) Technical upgrades needed for the facility;

14 (i) Health and safety upgrades needed for the facility;

15 (j) Energy conservation projects that have been implemented in the
16 facility within the last twenty years;

17 (k) Energy usage of the facility; and

18 (l) Other publicly available information about the facility.

19 (3) In addition to the requirements of subsection (2) of this
20 section, the data base shall be made available to the public by the
21 department and may include functions and other options that are available
22 only to the department and school districts.

23 (4) If a school district or educational service unit is unable to
24 provide any of the information required under subsection (2) of this
25 section from existing data or without acquiring additional resources, the
26 school district or educational service unit may request a waiver of the
27 requirement for that information from the Commissioner of Education.

28 (5) The department may enter into a contract with a public or
29 private entity for the purpose of maintaining the facility information
30 data base described in this section.

31 Sec. 3. The intent of the Legislature is to appropriate \$100,000

1 from the General Fund for FY2015-16 to the State Department of Education
2 to fund the Task Force on School Construction Assistance and the public
3 education facility information data base.

4 Sec. 4. Since an emergency exists, this act takes effect when
5 passed and approved according to law.