

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 679

Introduced by DeBoer, 10; Kolowski, 31.

Read first time January 23, 2019

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to create and provide duties for
- 2 the School Financing Review Commission; to state intent relating to
- 3 appropriations; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The School Financing Review Commission is created.
2 The commission shall consist of twenty members, including: (a) Three
3 members of the Legislature, appointed by the Executive Board of the
4 Legislative Council; (b) the Property Tax Administrator or his or her
5 designee, who shall be a nonvoting, ex officio member; (c) the council
6 director of the Educational Service Unit Coordinating Council; (d) the
7 Commissioner of Education or his or her designee; (e) a representative of
8 the Governor selected by the Governor; (f) one member representing
9 postsecondary education with expertise in the area of school finance; (g)
10 two members who reside in a Class III school district, one of whom shall
11 be a school administrator and one of whom shall be a school board member;
12 (h) two members who reside in a Class IV school district, one of whom
13 shall be a school administrator and one of whom shall be a school board
14 member; (i) two members who reside in a Class V school district, one of
15 whom shall be a school administrator and one of whom shall be a school
16 board member; and (j) six members from the state at large, two from each
17 congressional district, who reside in school districts of varied sizes
18 and with varying percentages of limited English proficiency students and
19 poverty students. At least one of the members appointed pursuant to this
20 subdivision shall have experience in the teaching profession in public
21 schools, at least one shall have experience in business, and at least one
22 shall have experience in agriculture-related business.

23 (2) The members described in subdivisions (1)(f) through (j) of this
24 section shall be appointed by the Commissioner of Education to serve
25 through December 31, 2028. To the extent possible, the membership of the
26 commission shall be diverse in terms of race, gender, and other
27 demographic factors. Vacancies shall be filled by the Commissioner of
28 Education for the remainder of the term. The Commissioner of Education or
29 his or her designee shall be the chairperson of the commission, and the
30 commission shall elect a vice-chairperson from among its members. Members
31 of the commission shall not receive any compensation for their services

1 but shall be reimbursed for their actual and necessary expenses incurred
2 as members of the commission as provided in sections 81-1174 to 81-1177.

3 (3) The commission shall cease to exist on December 31, 2028, unless
4 extended by the Legislature.

5 (4) For administrative purposes, the commission shall be housed
6 within the State Department of Education.

7 Sec. 2. (1) The School Financing Review Commission shall conduct an
8 in-depth review of the financing of the public elementary and secondary
9 schools. The commission shall:

10 (a) Examine methods of financing public elementary and secondary
11 schools, including methods used in other states, which would provide
12 equitable educational opportunities across the state and offer
13 alternatives to heavy reliance on property tax;

14 (b) Examine the option of using income as a component in the
15 financing of public elementary and secondary schools;

16 (c) Examine the option of using sales tax as a component in the
17 financing of public elementary and secondary schools, including, but not
18 limited to, an examination of the experience of any other states with
19 such option;

20 (d) Examine financing issues as they relate to the quality and
21 performance of public elementary and secondary schools;

22 (e) Examine options for funding expanded public prekindergarten
23 services;

24 (f) Examine options for funding college-readiness and career-
25 readiness programs, including, but not limited to, programs of
26 excellence, dual-enrollment courses, and career academies;

27 (g) Examine the costs and resources necessary to meet the diverse
28 and growing needs of students across the state, including, but not
29 limited to, the needs of poverty students and limited English proficiency
30 students;

31 (h) Examine methods used by other states to fund public elementary

1 and secondary school infrastructure needs;

2 (i) Examine other issues related to public elementary and secondary
3 school finance as necessary and as determined by the chairperson;

4 (j) Prepare a report on the progress of the work of the commission
5 and submit it electronically to the Legislature on or before December 31,
6 2019; and

7 (k) Prepare a preliminary report and present it to the Legislative
8 Council in November 2020. A final report with recommendations on
9 maintaining adequate and equitable funding for public schools in light of
10 information gathered through the review shall be presented to the
11 Governor, the State Board of Education, and electronically to the
12 Legislature by December 1, 2020.

13 (2) On and after December 1, 2020, to assure that every Nebraskan is
14 educated for success, the commission shall:

15 (a) Review the mission of providing Nebraskans the opportunity to
16 acquire the necessary skills and knowledge to be productive individuals;

17 (b) Review, make recommendations on, and report on the progress of
18 the goals established by the Legislature and the State Department of
19 Education. The committee may solicit comments, concerns, and case studies
20 from all sizes of schools in Nebraska and develop best practices for
21 implementing and achieving such goals; and

22 (c) Review the implementation of the Tax Equity and Educational
23 Opportunities Support Act and the implementation of any recommendations
24 contained in reports issued under section 3 of this act.

25 Sec. 3. On or before July 1 of each even-numbered year beginning in
26 2020 and ending in 2028, the School Financing Review Commission shall
27 report to the Governor, to the State Board of Education, and
28 electronically to the Legislature on the adequacy of school funding
29 sources. The State Department of Education and the staff of the Revenue
30 Committee, the Education Committee, and the Appropriations Committee of
31 the Legislature, with the consent of the chairpersons of such committees,

1 may assist as needed and requested by the chairperson of the commission
2 in accordance with guidelines developed by the commission.

3 Sec. 4. The School Financing Review Commission may:

4 (1) Hire staff, including, but not limited to, consultants; and

5 (2) Obtain assistance from the State Department of Education and the
6 Department of Revenue in acquiring data needed to carry out its duties.

7 Sec. 5. It is the intent of the Legislature to appropriate at least
8 one hundred thousand dollars from the General Fund to the School
9 Financing Review Commission to carry out its duties.

10 Sec. 6. Since an emergency exists, this act takes effect when
11 passed and approved according to law.