

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

## LEGISLATIVE BILL 655

Introduced by Raikes, 25

Read first time January 17, 2007

Committee: Education

### A BILL

1 FOR AN ACT relating to state aid to schools; to amend section  
2 79-1065, Reissue Revised Statutes of Nebraska, and  
3 section 79-1022, Revised Statutes Cumulative Supplement,  
4 2006, as affected by Referendum 2006, No. 422; to change  
5 provisions relating to adjustments to aid as shown on  
6 budget statements as prescribed; to harmonize provisions;  
7 and to repeal the original sections.

8 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 79-1022, Revised Statutes Cumulative  
2   Supplement, 2006, as affected by Referendum 2006, No. 422, is  
3   amended to read:

4                   79-1022 (1) On or before June 15, 2003, and on or  
5   before February 1 ~~for each year thereafter, each year,~~ the  
6   department shall determine the amounts to be distributed to each  
7   local system and each district pursuant to the Tax Equity and  
8   Educational Opportunities Support Act and shall certify the amounts  
9   to the Director of Administrative Services, the Auditor of Public  
10   Accounts, each learning community, and each district. The amount to  
11   be distributed to each district that is not a member of a learning  
12   community from the amount certified for a local system shall be  
13   proportional based on the weighted formula students attributed to  
14   each district in the local system. The amount to be distributed to  
15   each district that is a member of a learning community from the  
16   amount certified for the local system shall be proportional based  
17   on the formula needs calculated for each district in the local  
18   system. On or before June 15, 2003, and on or before February 1  
19   ~~for each year thereafter, each year,~~ the department shall report  
20   the necessary funding level to the Governor, the Appropriations  
21   Committee of the Legislature, and the Education Committee of the  
22   Legislature. Certified state aid amounts, including adjustments  
23   pursuant to section 79-1065.02 to the extent such adjustments are  
24   known by the affected school district prior to adoption of its  
25   budget, shall be shown as budgeted non-property-tax receipts and

1 deducted prior to calculating the property tax request in the  
2 district's general fund budget statement as provided to the Auditor  
3 of Public Accounts pursuant to section 79-1024.

4 (2) Except as provided in subsection (8) of section  
5 79-1016 and sections 79-1033 and 79-1065.02 the amounts certified  
6 pursuant to subsection (1) of this section shall be distributed in  
7 ten as nearly as possible equal payments on the last business day  
8 of each month beginning in September of each ensuing school fiscal  
9 year and ending in June of the following year, except that when a  
10 school district is to receive a monthly payment of less than one  
11 thousand dollars, such payment shall be one lump-sum payment on  
12 the last business day of December during the ensuing school fiscal  
13 year.

14 Sec. 2. Section 79-1065, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 79-1065 (1) The State Department of Education shall  
17 adjust payments provided under Chapter 79 to school districts  
18 which, after final determination, received funds not equal to the  
19 appropriate allocation for the previous school fiscal year such  
20 that the district will receive the funds to which it was finally  
21 determined to be entitled. If the total adjustment cannot be made  
22 from the funds to be provided in the current school fiscal year,  
23 the adjustment shall be prorated, with additional adjustments made  
24 to payments for future school fiscal years. The department shall  
25 maintain an accurate account and a record of the reasons the

1   adjustments were made and the amount of such adjustments.

2                   (2) The department shall adjust payments provided under  
3   Chapter 79 to school districts whose adjusted valuation is modified  
4   pursuant to subsection (4) of section 79-1016 or by any appeal  
5   arising from such subsection and which modification is reflected  
6   in neither the certification of state aid pursuant to section  
7   79-1022 nor the adjustment of state aid pursuant to subsection (1)  
8   of this section, such that the district will receive the funds  
9   to which it was finally determined to be entitled. If the total  
10   adjustment cannot be made from the funds to be provided in the  
11   current school fiscal year, the adjustment shall be prorated, with  
12   additional adjustments made to payments for future school fiscal  
13   years. The department shall maintain an accurate account and a  
14   record of the reasons the adjustments were made and the amount of  
15   such adjustments.

16                  Sec. 3. Original section 79-1065, Reissue Revised  
17   Statutes of Nebraska, and section 79-1022, Revised Statutes  
18   Cumulative Supplement, 2006, as affected by Referendum 2006, No.  
19   422, are repealed.