

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 130**

Introduced by Heidemann, 1.

Read first time January 06, 2011

Committee: Education

A BILL

1 FOR AN ACT relating to the Tax Equity and Educational Opportunities  
2 Support Act; to amend section 79-1022, Revised Statutes  
3 Cumulative Supplement, 2010; to change provisions  
4 relating to determination of state aid; to repeal the  
5 original section; and to declare an emergency.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 79-1022, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3           79-1022 ~~(1)~~(1)(a) On or before March 10, 2010, on or  
4 before April 1, 2011, and on or before March 1 of each year  
5 thereafter, the department shall determine the amounts to be  
6 distributed to each local system and each district pursuant to the  
7 Tax Equity and Educational Opportunities Support Act.

8           (b) For school fiscal years 2011-12 and 2012-13, if the  
9 total amount determined is different than the total amount of funds  
10 appropriated for distribution, the department shall proportionally  
11 adjust each district's formula need as calculated pursuant to section  
12 79-1007.11 so that the total amount of aid determined is equal to the  
13 amount of funds appropriated.

14           (c) After the final determination of amounts to be  
15 distributed to each district, the department and shall certify the  
16 amounts to the Director of Administrative Services, the Auditor of  
17 Public Accounts, each learning community, and each district. The  
18 amount to be distributed to each district that is not a member of a  
19 learning community from the amount certified for a local system shall  
20 be proportional based on: ~~(a)~~(i) For school fiscal years prior to  
21 school fiscal year 2008-09, the weighted formula students attributed  
22 to each district in the local system; and ~~(b)~~(ii) for school fiscal  
23 year 2008-09 and each school fiscal year thereafter, the formula  
24 students attributed to each district in the local system. The amount  
25 to be distributed to each district that is a member of a learning

1 community from the amount certified for the local system shall be  
2 proportional based on the formula needs calculated for each district  
3 in the local system.

4 (d) On or before March 10, 2010, on or before April 1,  
5 2011, and on or before March 1 of each year thereafter, the  
6 department shall report the necessary funding level to the Governor,  
7 the Appropriations Committee of the Legislature, and the Education  
8 Committee of the Legislature. Certified state aid amounts, including  
9 adjustments pursuant to section 79-1065.02, shall be shown as  
10 budgeted non-property-tax receipts and deducted prior to calculating  
11 the property tax request in the district's general fund budget  
12 statement as provided to the Auditor of Public Accounts pursuant to  
13 section 79-1024.

14 (2) Except as provided in subsection (8) of section  
15 79-1016 and sections 79-1033 and 79-1065.02, the amounts certified  
16 pursuant to subsection (1) of this section shall be distributed in  
17 ten as nearly as possible equal payments on the last business day of  
18 each month beginning in September of each ensuing school fiscal year  
19 and ending in June of the following year, except that when a school  
20 district is to receive a monthly payment of less than one thousand  
21 dollars, such payment shall be one lump-sum payment on the last  
22 business day of December during the ensuing school fiscal year.

23 Sec. 2. Original section 79-1022, Revised Statutes  
24 Cumulative Supplement, 2010, is repealed.

25 Sec. 3. Since an emergency exists, this act takes effect

1 when passed and approved according to law.