

AMENDMENTS TO LB1005

(Amendments to Standing Committee amendments, AM2204)

Introduced by Kolterman, 24.

1 1. Insert the following new sections:

2 Sec. 33. Section 79-1003, Revised Statutes Supplement, 2017, is
3 amended to read:

4 79-1003 For purposes of the Tax Equity and Educational Opportunities
5 Support Act:

6 (1) Adjusted general fund operating expenditures means (a) for
7 school fiscal years 2013-14 through 2015-16, the difference of the
8 general fund operating expenditures as calculated pursuant to subdivision
9 (23) of this section increased by the cost growth factor calculated
10 pursuant to section 79-1007.10, minus the transportation allowance,
11 special receipts allowance, poverty allowance, limited English
12 proficiency allowance, distance education and telecommunications
13 allowance, elementary site allowance, summer school allowance,
14 instructional time allowance, teacher education allowance, and focus
15 school and program allowance, (b) for school fiscal years 2016-17 through
16 2018-19, the difference of the general fund operating expenditures as
17 calculated pursuant to subdivision (23) of this section increased by the
18 cost growth factor calculated pursuant to section 79-1007.10, minus the
19 transportation allowance, special receipts allowance, poverty allowance,
20 limited English proficiency allowance, distance education and
21 telecommunications allowance, elementary site allowance, summer school
22 allowance, and focus school and program allowance, and (c) for school
23 fiscal year 2019-20 and each school fiscal year thereafter, the
24 difference of the general fund operating expenditures as calculated
25 pursuant to subdivision (23) of this section increased by the cost growth
26 factor calculated pursuant to section 79-1007.10, minus the

1 transportation allowance, special receipts allowance, poverty allowance,
2 limited English proficiency allowance, distance education and
3 telecommunications allowance, elementary site allowance, summer school
4 allowance, community achievement plan allowance, and focus school and
5 program allowance;

6 (2) Adjusted valuation means the assessed valuation of taxable
7 property of each local system in the state, adjusted pursuant to the
8 adjustment factors described in section 79-1016. Adjusted valuation means
9 the adjusted valuation for the property tax year ending during the school
10 fiscal year immediately preceding the school fiscal year in which the aid
11 based upon that value is to be paid. For purposes of determining the
12 local effort rate yield pursuant to section 79-1015.01, adjusted
13 valuation does not include the value of any property which a court, by a
14 final judgment from which no appeal is taken, has declared to be
15 nontaxable or exempt from taxation;

16 (3) Allocated income tax funds means the amount of assistance paid
17 to a local system pursuant to section 79-1005.01 as adjusted, for school
18 fiscal years prior to school fiscal year 2017-18, by the minimum levy
19 adjustment pursuant to section 79-1008.02;

20 (4) Average daily membership means the average daily membership for
21 grades kindergarten through twelve attributable to the local system, as
22 provided in each district's annual statistical summary, and includes the
23 proportionate share of students enrolled in a public school instructional
24 program on less than a full-time basis;

25 (5) Base fiscal year means the first school fiscal year following
26 the school fiscal year in which the reorganization or unification
27 occurred;

28 (6) Board means the school board of each school district;

29 (7) Categorical funds means funds limited to a specific purpose by
30 federal or state law, including, but not limited to, Title I funds, Title
31 VI funds, federal vocational education funds, federal school lunch funds,

1 Indian education funds, Head Start funds, and funds from the Education
2 Innovation Fund;

3 (8) Consolidate means to voluntarily reduce the number of school
4 districts providing education to a grade group and does not include
5 dissolution pursuant to section 79-498;

6 (9) Converted contract means an expired contract that was in effect
7 for at least fifteen school years beginning prior to school year 2012-13
8 for the education of students in a nonresident district in exchange for
9 tuition from the resident district when the expiration of such contract
10 results in the nonresident district educating students, who would have
11 been covered by the contract if the contract were still in effect, as
12 option students pursuant to the enrollment option program established in
13 section 79-234;

14 (10) Converted contract option student means a student who will be
15 an option student pursuant to the enrollment option program established
16 in section 79-234 for the school fiscal year for which aid is being
17 calculated and who would have been covered by a converted contract if the
18 contract were still in effect and such school fiscal year is the first
19 school fiscal year for which such contract is not in effect;

20 (11) Department means the State Department of Education;

21 (12) District means any Class I, II, III, IV, V, or VI school
22 district or unified system as defined in section 79-4,108;

23 (13) Ensuing school fiscal year means the school fiscal year
24 following the current school fiscal year;

25 (14) Equalization aid means the amount of assistance calculated to
26 be paid to a local system pursuant to sections 79-1007.11 to 79-1007.23,
27 79-1007.25, 79-1008.01 to 79-1022, and 79-1022.02;

28 (15) Fall membership means the total membership in kindergarten
29 through grade twelve attributable to the local system as reported on the
30 fall school district membership reports for each district pursuant to
31 section 79-528;

1 (16) Fiscal year means the state fiscal year which is the period
2 from July 1 to the following June 30;

3 (17) Formula students means:

4 (a) For state aid certified pursuant to section 79-1022, the sum of
5 the product of fall membership from the school fiscal year immediately
6 preceding the school fiscal year in which the aid is to be paid
7 multiplied by the average ratio of average daily membership to fall
8 membership for the second school fiscal year immediately preceding the
9 school fiscal year in which the aid is to be paid and the prior two
10 school fiscal years plus sixty percent of the qualified early childhood
11 education fall membership plus tuitioned students from the school fiscal
12 year immediately preceding the school fiscal year in which aid is to be
13 paid minus the product of the number of students enrolled in kindergarten
14 that is not full-day kindergarten from the fall membership multiplied by
15 0.5; and

16 (b) For the final calculation of state aid pursuant to section
17 79-1065, the sum of average daily membership plus sixty percent of the
18 qualified early childhood education average daily membership plus
19 tuitioned students minus the product of the number of students enrolled
20 in kindergarten that is not full-day kindergarten from the average daily
21 membership multiplied by 0.5 from the school fiscal year immediately
22 preceding the school fiscal year in which aid was paid;

23 (18) Free lunch and free milk calculated students means, using the
24 most recent data available on November 1 of the school fiscal year
25 immediately preceding the school fiscal year in which aid is to be paid,

26 (a) for schools that did not provide free meals to all students pursuant
27 to the community eligibility provision, students who individually
28 qualified for free lunches or free milk pursuant to the federal Richard
29 B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq., and the
30 federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq., as such acts
31 and sections existed on January 1, 2015, and rules and regulations

1 adopted thereunder, plus (b) for schools that provided free meals to all
2 students pursuant to the community eligibility provision, (i) for school
3 fiscal year 2016-17, the product of the students who attended such school
4 multiplied by the identified student percentage calculated pursuant to
5 such federal provision or (ii) for school fiscal year 2017-18 and each
6 school fiscal year thereafter, the greater of the number of students in
7 such school who individually qualified for free lunch or free milk using
8 the most recent school fiscal year for which the school did not provide
9 free meals to all students pursuant to the community eligibility
10 provision or one hundred ten percent of the product of the students who
11 qualified for free meals at such school pursuant to the community
12 eligibility provision multiplied by the identified student percentage
13 calculated pursuant to such federal provision, except that the free lunch
14 and free milk students calculated for any school pursuant to subdivision
15 (18)(b)(ii) of this section shall not exceed one hundred percent of the
16 students qualified for free meals at such school pursuant to the
17 community eligibility provision;

18 (19) Free lunch and free milk student means, for school fiscal years
19 prior to school fiscal year 2016-17, a student who qualified for free
20 lunches or free milk from the most recent data available on November 1 of
21 the school fiscal year immediately preceding the school fiscal year in
22 which aid is to be paid;

23 (20) Full-day kindergarten means kindergarten offered by a district
24 for at least one thousand thirty-two instructional hours;

25 (21) General fund budget of expenditures means the total budget of
26 disbursements and transfers for general fund purposes as certified in the
27 budget statement adopted pursuant to the Nebraska Budget Act, except that
28 for purposes of the limitation imposed in section 79-1023 and the
29 calculation pursuant to subdivision (2) of section 79-1027.01, the
30 general fund budget of expenditures does not include any special grant
31 funds, exclusive of local matching funds, received by a district;

1 (22) General fund expenditures means all expenditures from the
2 general fund;

3 (23) General fund operating expenditures means for state aid
4 calculated for school fiscal years 2012-13 and each school fiscal year
5 thereafter, as reported on the annual financial report for the second
6 school fiscal year immediately preceding the school fiscal year in which
7 aid is to be paid, the total general fund expenditures minus (a) the
8 amount of all receipts to the general fund, to the extent that such
9 receipts are not included in local system formula resources, from early
10 childhood education tuition, summer school tuition, educational entities
11 as defined in section 79-1201.01 for providing distance education courses
12 through the Educational Service Unit Coordinating Council to such
13 educational entities, private foundations, individuals, associations,
14 charitable organizations, the textbook loan program authorized by section
15 79-734, federal impact aid, and levy override elections pursuant to
16 section 77-3444, (b) the amount of expenditures for categorical funds,
17 tuition paid, transportation fees paid to other districts, adult
18 education, community services, redemption of the principal portion of
19 general fund debt service, retirement incentive plans authorized by
20 section 79-855, and staff development assistance authorized by section
21 79-856, (c) the amount of any transfers from the general fund to any bond
22 fund and transfers from other funds into the general fund, (d) any legal
23 expenses in excess of fifteen-hundredths of one percent of the formula
24 need for the school fiscal year in which the expenses occurred, (e)(i)
25 for state aid calculated for school fiscal years prior to school fiscal
26 year 2018-19, expenditures to pay for sums agreed to be paid by a school
27 district to certificated employees in exchange for a voluntary
28 termination occurring prior to July 1, 2009, occurring on or after the
29 last day of the 2010-11 school year and prior to the first day of the
30 2013-14 school year, or, to the extent that a district has demonstrated
31 to the State Board of Education pursuant to section 79-1028.01 that the

1 agreement will result in a net savings in salary and benefit costs to the
2 school district over a five-year period, occurring on or after the first
3 day of the 2013-14 school year or (ii) for state aid calculated for
4 school fiscal year 2018-19 and each school fiscal year thereafter,
5 expenditures to pay for incentives agreed to be paid by a school district
6 to certificated employees in exchange for a voluntary termination of
7 employment for which the State Board of Education approved an exclusion
8 pursuant to subdivision ~~subdivisions~~ (1)(h), (i), (j), or (k) of section
9 79-1028.01, (f)(i) expenditures to pay for employer contributions
10 pursuant to subsection (2) of section 79-958 to the School Employees
11 Retirement System of the State of Nebraska to the extent that such
12 expenditures exceed the employer contributions under such subsection that
13 would have been made at a contribution rate of seven and thirty-five
14 hundredths percent or (ii) expenditures to pay for school district
15 contributions pursuant to subdivision (1)(c)(i) or (1)(d)(i) of section
16 79-9,113 to the retirement system established pursuant to the Class V
17 School Employees Retirement Act to the extent that such expenditures
18 exceed the school district contributions under such subdivision that
19 would have been made at a contribution rate of seven and thirty-seven
20 hundredths percent, and (g) any amounts paid by the district for lobbyist
21 fees and expenses reported to the Clerk of the Legislature pursuant to
22 section 49-1483.

23 For purposes of this subdivision (23) of this section, receipts from
24 levy override elections shall equal ninety-nine percent of the difference
25 of the total general fund levy minus a levy of one dollar and five cents
26 per one hundred dollars of taxable valuation multiplied by the assessed
27 valuation for school districts that have voted pursuant to section
28 77-3444 to override the maximum levy provided pursuant to section
29 77-3442;

30 (24) High school district means a school district providing
31 instruction in at least grades nine through twelve;

1 (25) Income tax liability means the amount of the reported income
2 tax liability for resident individuals pursuant to the Nebraska Revenue
3 Act of 1967 less all nonrefundable credits earned and refunds made;

4 (26) Income tax receipts means the amount of income tax collected
5 pursuant to the Nebraska Revenue Act of 1967 less all nonrefundable
6 credits earned and refunds made;

7 (27) Limited English proficiency students means the number of
8 students with limited English proficiency in a district from the most
9 recent data available on November 1 of the school fiscal year preceding
10 the school fiscal year in which aid is to be paid plus the difference of
11 such students with limited English proficiency minus the average number
12 of limited English proficiency students for such district, prior to such
13 addition, for the three immediately preceding school fiscal years if such
14 difference is greater than zero;

15 (28) Local system means a learning community for purposes of
16 calculation of state aid for each school fiscal year prior to school
17 fiscal year 2017-18, a unified system, a Class VI district and the
18 associated Class I districts, or a Class II, III, IV, or V district and
19 any affiliated Class I districts or portions of Class I districts. The
20 membership, expenditures, and resources of Class I districts that are
21 affiliated with multiple high school districts will be attributed to
22 local systems based on the percent of the Class I valuation that is
23 affiliated with each high school district;

24 (29) Low-income child means (a) for school fiscal years prior to
25 2016-17, a child under nineteen years of age living in a household having
26 an annual adjusted gross income for the second calendar year preceding
27 the beginning of the school fiscal year for which aid is being calculated
28 equal to or less than the maximum household income that would allow a
29 student from a family of four people to be a free lunch and free milk
30 student during the school fiscal year immediately preceding the school
31 fiscal year for which aid is being calculated and (b) for school fiscal

1 year 2016-17 and each school fiscal year thereafter, a child under
2 nineteen years of age living in a household having an annual adjusted
3 gross income for the second calendar year preceding the beginning of the
4 school fiscal year for which aid is being calculated equal to or less
5 than the maximum household income pursuant to sections 9(b)(1) and 17(c)
6 (4) of the Richard B. Russell National School Lunch Act, 42 U.S.C.
7 1758(b)(1) and 42 U.S.C. 1766(c)(4), respectively, and sections 3(a)(6)
8 and 4(e)(1)(A) of the Child Nutrition Act of 1966, 42 U.S.C. 1772(a)(6)
9 and 42 U.S.C. 1773(e)(1)(A), respectively, as such acts and sections
10 existed on January 1, 2015, for a household of that size that would have
11 allowed the child to meet the income qualifications for free meals during
12 the school fiscal year immediately preceding the school fiscal year for
13 which aid is being calculated;

14 (30) Low-income students means the number of low-income children
15 within the district multiplied by the ratio of the formula students in
16 the district divided by the total children under nineteen years of age
17 residing in the district as derived from income tax information;

18 (31) Most recently available complete data year means the most
19 recent single school fiscal year for which the annual financial report,
20 fall school district membership report, annual statistical summary,
21 Nebraska income tax liability by school district for the calendar year in
22 which the majority of the school fiscal year falls, and adjusted
23 valuation data are available;

24 (32) Poverty students means (a) for school fiscal years prior to
25 2016-17, the number of low-income students or the number of students who
26 are free lunch and free milk students in a district plus the difference
27 of the number of low-income students or the number of students who are
28 free lunch and free milk students in a district, whichever is greater,
29 minus the average number of poverty students for such district, prior to
30 such addition, for the three immediately preceding school fiscal years if
31 such difference is greater than zero and (b) for school fiscal year

1 2016-17 and each school fiscal year thereafter, the unadjusted poverty
2 students plus the difference of such unadjusted poverty students minus
3 the average number of poverty students for such district, prior to such
4 addition, for the three immediately preceding school fiscal years if such
5 difference is greater than zero;

6 (33) Qualified early childhood education average daily membership
7 means the product of the average daily membership for school fiscal year
8 2006-07 and each school fiscal year thereafter of students who will be
9 eligible to attend kindergarten the following school year and are
10 enrolled in an early childhood education program approved by the
11 department pursuant to section 79-1103 for such school district for such
12 school year multiplied by the ratio of the actual instructional hours of
13 the program divided by one thousand thirty-two if: (a) The program is
14 receiving a grant pursuant to such section for the third year; (b) the
15 program has already received grants pursuant to such section for three
16 years; or (c) the program has been approved pursuant to subsection (5) of
17 section 79-1103 for such school year and the two preceding school years,
18 including any such students in portions of any of such programs receiving
19 an expansion grant;

20 (34) Qualified early childhood education fall membership means the
21 product of membership on the last Friday in September 2006 and each year
22 thereafter of students who will be eligible to attend kindergarten the
23 following school year and are enrolled in an early childhood education
24 program approved by the department pursuant to section 79-1103 for such
25 school district for such school year multiplied by the ratio of the
26 planned instructional hours of the program divided by one thousand
27 thirty-two if: (a) The program is receiving a grant pursuant to such
28 section for the third year; (b) the program has already received grants
29 pursuant to such section for three years; or (c) the program has been
30 approved pursuant to subsection (5) of section 79-1103 for such school
31 year and the two preceding school years, including any such students in

1 portions of any of such programs receiving an expansion grant;

2 (35) Regular route transportation means the transportation of
3 students on regularly scheduled daily routes to and from the attendance
4 center;

5 (36) Reorganized district means any district involved in a
6 consolidation and currently educating students following consolidation;

7 (37) School year or school fiscal year means the fiscal year of a
8 school district as defined in section 79-1091;

9 (38) Sparse local system means a local system that is not a very
10 sparse local system but which meets the following criteria:

11 (a)(i) Less than two students per square mile in the county in which
12 each high school is located, based on the school district census, (ii)
13 less than one formula student per square mile in the local system, and
14 (iii) more than ten miles between each high school attendance center and
15 the next closest high school attendance center on paved roads;

16 (b)(i) Less than one and one-half formula students per square mile
17 in the local system and (ii) more than fifteen miles between each high
18 school attendance center and the next closest high school attendance
19 center on paved roads;

20 (c)(i) Less than one and one-half formula students per square mile
21 in the local system and (ii) more than two hundred seventy-five square
22 miles in the local system; or

23 (d)(i) Less than two formula students per square mile in the local
24 system and (ii) the local system includes an area equal to ninety-five
25 percent or more of the square miles in the largest county in which a high
26 school attendance center is located in the local system;

27 (39) Special education means specially designed kindergarten through
28 grade twelve instruction pursuant to section 79-1125, and includes
29 special education transportation;

30 (40) Special grant funds means the budgeted receipts for grants,
31 including, but not limited to, categorical funds, reimbursements for

1 wards of the court, short-term borrowings including, but not limited to,
2 registered warrants and tax anticipation notes, interfund loans,
3 insurance settlements, and reimbursements to county government for
4 previous overpayment. The state board shall approve a listing of grants
5 that qualify as special grant funds;

6 (41) State aid means the amount of assistance paid to a district
7 pursuant to the Tax Equity and Educational Opportunities Support Act;

8 (42) State board means the State Board of Education;

9 (43) State support means all funds provided to districts by the
10 State of Nebraska for the general fund support of elementary and
11 secondary education;

12 (44) Statewide average basic funding per formula student means the
13 statewide total basic funding for all districts divided by the statewide
14 total formula students for all districts;

15 (45) Statewide average general fund operating expenditures per
16 formula student means the statewide total general fund operating
17 expenditures for all districts divided by the statewide total formula
18 students for all districts;

19 (46) Teacher has the definition found in section 79-101;

20 (47) Temporary aid adjustment factor means (a) for school fiscal
21 years before school fiscal year 2007-08, one and one-fourth percent of
22 the sum of the local system's transportation allowance, the local
23 system's special receipts allowance, and the product of the local
24 system's adjusted formula students multiplied by the average formula cost
25 per student in the local system's cost grouping and (b) for school fiscal
26 year 2007-08, one and one-fourth percent of the sum of the local system's
27 transportation allowance, special receipts allowance, and distance
28 education and telecommunications allowance and the product of the local
29 system's adjusted formula students multiplied by the average formula cost
30 per student in the local system's cost grouping;

31 (48) Tuition receipts from converted contracts means tuition

1 receipts received by a district from another district in the most
2 recently available complete data year pursuant to a converted contract
3 prior to the expiration of the contract;

4 (49) Tuitioned students means students in kindergarten through grade
5 twelve of the district whose tuition is paid by the district to some
6 other district or education agency;

7 (50) Unadjusted poverty students means, for school fiscal year
8 2016-17 and each school fiscal year thereafter, the greater of the number
9 of low-income students or the free lunch and free milk calculated
10 students in a district; and

11 (51) Very sparse local system means a local system that has:

12 (a)(i) Less than one-half student per square mile in each county in
13 which each high school attendance center is located based on the school
14 district census, (ii) less than one formula student per square mile in
15 the local system, and (iii) more than fifteen miles between the high
16 school attendance center and the next closest high school attendance
17 center on paved roads; or

18 (b)(i) More than four hundred fifty square miles in the local
19 system, (ii) less than one-half student per square mile in the local
20 system, and (iii) more than fifteen miles between each high school
21 attendance center and the next closest high school attendance center on
22 paved roads.

23 Sec. 34. Section 79-1028.01, Revised Statutes Supplement, 2017, is
24 amended to read:

25 79-1028.01 (1) For each school fiscal year, a school district may
26 exceed its budget authority for the general fund budget of expenditures
27 as calculated pursuant to section 79-1023 for such school fiscal year by
28 a specific dollar amount for the following exclusions:

29 (a) Expenditures for repairs to infrastructure damaged by a natural
30 disaster which is declared a disaster emergency pursuant to the Emergency
31 Management Act;

1 (b) Expenditures for judgments, except judgments or orders from the
2 Commission of Industrial Relations, obtained against a school district
3 which require or obligate a school district to pay such judgment, to the
4 extent such judgment is not paid by liability insurance coverage of a
5 school district;

6 (c) Expenditures pursuant to the Retirement Incentive Plan
7 authorized in section 79-855 or the Staff Development Assistance
8 authorized in section 79-856;

9 (d) Expenditures of amounts received from educational entities as
10 defined in section 79-1201.01 for providing distance education courses
11 through the Educational Service Unit Coordinating Council to such
12 educational entities;

13 (e) Expenditures to pay for employer contributions pursuant to
14 subsection (2) of section 79-958 to the School Employees Retirement
15 System of the State of Nebraska to the extent that such expenditures
16 exceed the employer contributions under such subsection that would have
17 been made at a contribution rate of seven and thirty-five hundredths
18 percent;

19 (f) Expenditures to pay for school district contributions pursuant
20 to subdivision (1)(c)(i) or (1)(d)(i) of section 79-9,113 to the
21 retirement system established pursuant to the Class V School Employees
22 Retirement Act to the extent that such expenditures exceed the school
23 district contributions under such subdivision that would have been made
24 at a contribution rate of seven and thirty-seven hundredths percent;

25 (g) Expenditures for incentives agreed to be paid by a school
26 district to certificated employees in exchange for a voluntary
27 termination of employment occurring prior to July 1, 2009, occurring on
28 or after the last day of the 2010-11 school year and prior to the first
29 day of the 2013-14 school year, or, to the extent that a district
30 demonstrates to the State Board of Education pursuant to subsection (3)
31 of this section that the agreement will result in a net savings in salary

1 and benefit costs to the school district over a five-year period,
2 occurring on or after the first day of the 2013-14 school year and prior
3 to September 1, 2017;

4 (h) Expenditures by a school district with budgeted expenditures
5 otherwise equal to the budget authority for the general fund budget of
6 expenditures for such school district as calculated pursuant to section
7 79-1023 for such school fiscal year for current and future qualified
8 voluntary termination incentives for certificated teachers pursuant to
9 subsection (3) of section 79-8,142 that are not otherwise included in an
10 exclusion pursuant to this subsection;

11 (i) Expenditures by a school district with budgeted expenditures
12 otherwise equal to the budget authority for the general fund budget of
13 expenditures for such school district as calculated pursuant to section
14 79-1023 for such school fiscal year for seventy-five percent of
15 incentives agreed to be paid to certificated employees in exchange for a
16 voluntary termination of employment occurring between September 1, 2017,
17 and August 31, 2018, as a result of a collective-bargaining agreement in
18 force and effect on September 1, 2017, that are not otherwise included in
19 an exclusion pursuant to this subsection;

20 (j) Expenditures by a school district with budgeted expenditures
21 otherwise equal to the budget authority for the general fund budget of
22 expenditures for such school district as calculated pursuant to section
23 79-1023 for such school fiscal year for fifty percent of incentives
24 agreed to be paid to certificated employees in exchange for a voluntary
25 termination of employment occurring between September 1, 2018, and August
26 31, 2019, as a result of a collective-bargaining agreement in force and
27 effect on September 1, 2017, that are not otherwise included in an
28 exclusion pursuant to this subsection;

29 (k) Expenditures by a school district with budgeted expenditures
30 otherwise equal to the budget authority for the general fund budget of
31 expenditures for such school district as calculated pursuant to section

1 79-1023 for such school fiscal year for twenty-five percent of incentives
2 agreed to be paid to certificated employees in exchange for a voluntary
3 termination of employment occurring between September 1, 2019, and August
4 31, 2020, as a result of a collective-bargaining agreement in force and
5 effect on September 1, 2017, that are not otherwise included in an
6 exclusion pursuant to this subsection;

7 (l) The special education budget of expenditures;

8 (m) Expenditures of special grant funds; and

9 (n) Expenditures of funds received as federal impact aid pursuant to
10 20 U.S.C. 7701 to 7714, as such sections existed on January 1, 2016, due
11 to a district having land within its boundaries that is federal property
12 classified as Indian lands under 20 U.S.C. 7713(7), as such section
13 existed on January 1, 2016, and funds received as impact aid due to
14 children in attendance who resided on Indian lands in accordance with 20
15 U.S.C. 7703(a)(1)(C), as such section existed on January 1, 2016.

16 (2) For each school fiscal year, a school district may exceed its
17 budget authority for the general fund budget of expenditures as
18 calculated pursuant to section 79-1023 for such school fiscal year by a
19 specific dollar amount and include such dollar amount in the budget of
20 expenditures used to calculate budget authority for the general fund
21 budget of expenditures pursuant to section 79-1023 for future years for
22 the following exclusions:

23 (a) The first school fiscal year the district will be participating
24 in Network Nebraska for the full school fiscal year, for the difference
25 of the estimated expenditures for such school fiscal year for
26 telecommunications services, access to data transmission networks that
27 transmit data to and from the school district, and the transmission of
28 data on such networks as such expenditures are defined by the department
29 for purposes of the distance education and telecommunications allowance
30 minus the dollar amount of such expenditures for the second school fiscal
31 year preceding the first full school fiscal year the district

1 participates in Network Nebraska;

2 (b) Expenditures for new elementary attendance sites in the first
3 year of operation or the first year of operation after being closed for
4 at least one school year if such elementary attendance site will most
5 likely qualify for the elementary site allowance in the immediately
6 following school fiscal year as determined by the state board;

7 (c) For the first school fiscal year for which early childhood
8 education membership is included in formula students for the calculation
9 of state aid, expenditures for early childhood education equal to the
10 amount the school district received in early childhood education grants
11 pursuant to section 79-1103 for the prior school fiscal year, increased
12 by the basic allowable growth rate; and

13 (d) For school fiscal year 2013-14, an amount not to exceed two
14 percent over the previous school year if such increase is approved by a
15 seventy-five percent majority vote of the school board of such district.

16 (3) The state board shall approve, deny, or modify the amount
17 allowed for any exclusions to the budget authority for the general fund
18 budget of expenditures pursuant to this section.

19 2. On page 105, strike beginning with "34" in line 16 through "52"
20 in line 17 and insert "36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48,
21 49, 50, 51, and 54".

22 3. On page 106, line 4, after "79-978," insert "79-1003,
23 79-1028.01,".

24 4. Renumber the remaining sections accordingly.