

AMENDMENTS TO LB132

Introduced by Education.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. (1) The School Financing Review Commission is created.  
4 The commission shall consist of twenty-one members, including:

5           (a) The Commissioner of Education or a designee of the Commissioner  
6 of Education;

7           (b) One representative of the Governor appointed by the Governor;

8           (c) Three members of the Legislature, who shall be nonvoting members  
9 of the commission, one from each congressional district with no more than  
10 two from the same political party and with one being a member of the  
11 Education Committee of the Legislature and one being a member of the  
12 Revenue Committee of the Legislature;

13           (d) The Property Tax Administrator or a designee of the Property Tax  
14 Administrator;

15           (e) One representative of postsecondary education with expertise in  
16 school finance;

17           (f) One member of the Educational Service Unit Coordinating Council;

18           (g) One school board member and one school administrator each  
19 representing a Class III school district with not more than one thousand  
20 two hundred students;

21           (h) One school board member and one school administrator each  
22 representing a Class III school district with more than one thousand two  
23 hundred students but not more than ten thousand students;

24           (i) One representative of a Class IV school district and one  
25 representative of a Class V school district. One member appointed  
26 pursuant to this subdivision shall be a school board member of the school  
27 district being represented, and the other member appointed pursuant to

1 this subdivision shall be a school administrator in the other school  
2 district being represented;

3 (j) One member who is teaching as a certificated teacher in a public  
4 school; and

5 (k) Six members from the state at large, two from each congressional  
6 district, who reside in school districts of varied sizes and with varying  
7 percentages of limited English proficiency students and poverty students.  
8 At least one of the members appointed pursuant to this subdivision shall  
9 have experience in business and at least one shall have experience in  
10 farming.

11 (2) The members described in subdivision (1)(c) shall be appointed  
12 be the Executive Board of the Legislative Council in January of each odd-  
13 numbered year for two-year terms, except the initial members shall be  
14 appointed within thirty days after the effective date of this act and  
15 shall serve until their successors are appointed in January of 2023.

16 (3) The members described in subdivisions (1)(e) through (k) of this  
17 section shall be appointed by the Governor within thirty days after the  
18 effective date of this act to serve through December 31, 2030, and any  
19 vacancy shall be filled by the Governor for the remainder of the vacated  
20 term. Of the four members described in subdivisions (1)(g) and (h) of  
21 this section, at least one shall be from each congressional district. To  
22 the extent possible, the membership of the commission shall be diverse in  
23 terms of race, gender, and other demographic factors.

24 (4) Members of the commission shall not receive any compensation for  
25 their services but shall be reimbursed for expenses incurred as a member  
26 of the commission as provided in sections 81-1174 to 81-1177.

27 (5) The Commissioner of Education or the designee of the  
28 Commissioner of Education shall be the chairperson of the commission, and  
29 the commission shall elect a vice-chairperson from among its members.

30 (6) The staff of the State Department of Education may assist as  
31 needed and requested by the chairperson of the commission in accordance

1 with guidelines developed by the commission. The commission may also  
2 obtain assistance from the State Department of Education and the  
3 Department of Revenue in acquiring the data needed to carry out its  
4 duties.

5 (7) 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 indepth review of the financing of the public elementary and secondary  
9 schools. As a part of such indepth review, 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 a heavy reliance on property tax;

14 (b) Examine the option of using a measure of income as a component  
15 in the 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 public prekindergarten services;

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

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

30 (h) Examine methods used by other states to fund public elementary  
31 and secondary school infrastructure needs;

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

3           (j) Prepare a preliminary report and present it to the Legislative  
4 Council in November 2021. A final report with recommendations on  
5 maintaining adequate and equitable funding for public schools in light of  
6 information gathered through the review shall be presented to the  
7 Governor, to the State Board of Education, and electronically to the  
8 Legislature by December 1, 2021.

9           (2) After submission of its final report described in subsection (1)  
10 of this section, to assure that every Nebraskan is educated for success,  
11 the School Financing Review Commission shall:

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

14           (b) Review, make recommendations on, and report on progress toward  
15 achieving any goals established by the Legislature and the State  
16 Department of Education related to such mission. The commission may  
17 solicit comments, concerns, and case studies from schools of all sizes in  
18 Nebraska and develop best practices for implementing and achieving such  
19 goals; and

20           (c) Review the implementation of the Tax Equity and Educational  
21 Opportunities Support Act and the implementation of any recommendations  
22 contained in the reports issued under subsection (1) of this section.

23           (3) On or before July 1 of each even-numbered year beginning in 2024  
24 and ending in 2030, the School Financing Review Commission shall report  
25 to the Governor, to the State Board of Education, and electronically to  
26 the Legislature on the adequacy of school funding sources.

27           Sec. 3. Since an emergency exists, this act takes effect when  
28 passed and approved according to law.