

AMENDMENTS TO LB303

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 eighteen members, including:

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

7 (b) The Property Tax Administrator or a designee of the Property Tax
8 Administrator;

9 (c) One representative of the Governor appointed by the Governor;

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

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

17 (f) Four members who are superintendents or school board members
18 representing a Class I, II, or III school district. There shall be at
19 least one member appointed pursuant to this subdivision (1)(f)
20 representing each class of school district. Of the members appointed
21 pursuant to this subdivision (1)(f), no more than two members shall
22 represent the same class of school district, no more than three members
23 may be superintendents, and no more than three members may be school
24 board members;

25 (g) One member that is a representative of a Class IV school
26 district and one member that is a representative of a Class V school
27 district. One member appointed pursuant to this subdivision (1)(g) shall

1 be a school board member of the school district being represented and the
2 other member appointed pursuant to this subdivision (1)(g) shall be a
3 school administrator in the other school district being represented; and

4 (h) Five members appointed from the state at large, which shall
5 include (i) at least one individual having experience in business, (ii)
6 at least one individual having experience in farming, (iii) at least one
7 individual teaching as a certified teacher in a public school, and (iv)
8 two other individuals. Members appointed pursuant to subdivision (i) and
9 (ii) of this subdivision (1)(h) may be retired.

10 (2)(a) The members described in subdivision (1)(d) of this section
11 shall be appointed by the Executive Board of the Legislative Council in
12 January of each odd-numbered year for two-year terms, except that the
13 initial members shall be appointed within thirty days after the effective
14 date of this act and shall serve until their successors are appointed in
15 January 2027.

16 (b) The members described in subdivisions (1)(a) through (c) of this
17 section shall serve as ex officio members of the commission.

18 (3) The members described in subdivisions (1)(e) through (h) of this
19 section shall be appointed by the Governor within thirty days after the
20 effective date of this act. Initial appointees under this subsection
21 shall serve terms as described in subsection (4) of this section.
22 Thereafter, such members shall serve terms of three years, and any
23 vacancy shall be filled by the Governor for the remainder of the vacated
24 term. For purposes of determining term length and expiration of such
25 terms, the initial terms for such members shall begin thirty days after
26 the effective date of this act.

27 (4)(a) The initial terms for members described in subdivisions (1)
28 (e) through (h) of this section shall be as follows:

29 (i) The member appointed pursuant to subdivision (1)(e) of this
30 section, one member described in subdivision (1)(g) of this section, and
31 one member described in subdivision (1)(h) of this section shall serve a

1 three-year term;

2 (ii) Two members described in subdivision (1)(f) of this section,
3 one member described in subdivision (1)(g) of this section, and one
4 member described in subdivision (1)(h) shall serve an initial term of two
5 years; and

6 (iii) Two members described in subdivision (1)(f) of this section
7 and three members described in subdivision (1)(h) of this section shall
8 serve an initial term of one year.

9 (b) The Governor shall, upon appointment, designate the initial term
10 for the members appointed subject to subdivision (4)(a) of this section.

11 (5) If at any point a member no longer meets the qualification for
12 such member's position on the commission, such member shall vacate
13 membership on the commission. Any vacancy in the commission shall be
14 filled in the same manner and same qualification as the original
15 appointment.

16 (6) A member of the commission appointed pursuant to subsection (3)
17 of this section shall not receive any compensation for services as a
18 member but shall be reimbursed for expenses incurred as a member of the
19 commission as provided in sections 81-1174 to 81-1177.

20 (7) The Commissioner of Education or the designee of the
21 Commissioner of Education shall be the chairperson of the commission, and
22 the commission shall elect a vice-chairperson from among its members.

23 (8) The commission shall meet at least four times a year and at
24 least once per calendar quarter.

25 (9) The State Department of Education may provide staff to assist
26 the commission as needed and requested by the chairperson of the
27 commission in accordance with guidelines developed by the commission. The
28 commission may also obtain assistance from the State Department of
29 Education, the Department of Revenue, and the Legislative Fiscal Analyst
30 in acquiring the data needed to carry out its duties.

31 (10) For administrative purposes, the commission shall be housed

1 within the State Department of Education.

2 **Sec. 2. (1)(a)** The purpose of the School Financing Review Commission
3 is to study and provide advisory recommendations relating to school
4 funding in Nebraska. The commission shall:

5 (i) Evaluate the school funding formula for education under the Tax
6 Equity and Educational Opportunities Support Act and make recommendations
7 for adjustments or changes to such formula that may be necessary to help
8 prevent the increase of property taxes;

9 (ii) Regularly review the resources side of the formula under the
10 Tax Equity and Educational Opportunities Support Act;

11 (iii) Regularly review the needs side of the formula under the Tax
12 Equity and Educational Opportunities Support Act;

13 (iv) Analyze options for how to minimize the negative impact on
14 schools during times when the state may be unable to fully fund the
15 formula under the Tax Equity and Educational Opportunities Support Act;

16 (v) Analyze the impact of funding for education on student
17 achievement and outcomes, focusing on, but not limited to: Access to
18 early childhood education; student attendance; literacy; graduation rate;
19 college-going rate; and postsecondary workforce participation; and

20 (vi) Analyze the impact of funding for education on issues and
21 resources impacting students with relatively high needs, including, but
22 not limited to, students who live in areas of high concentrations of
23 poverty, students with an individualized education program, and students
24 with limited English proficiency.

25 (b) The School Financing Review Commission, to the extent it is
26 practical, shall compare findings from subdivision (1)(a) of this section
27 to similar policies from other states.

28 (2) By December 1, 2025, and by November 1 of each year thereafter,
29 the commission shall prepare and electronically deliver to the Clerk of
30 the Legislature an annual report with the observations and
31 recommendations developed pursuant to subsection (1) of this section.

1 **Sec. 3.** Since an emergency exists, this act takes effect when passed
2 and approved according to law.