

AMENDMENTS TO LB306

Introduced by Murman, 38.

1           1. Insert the following new sections:

2           **Sec. 2.** Section 49-1493, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           49-1493 The individuals listed in subdivisions (1) through (14) ~~(13)~~  
5 of this section shall file with the commission a statement of financial  
6 interests as provided in sections 49-1496 and 49-1497 for the preceding  
7 calendar year on or before March 1 of each year in which such individual  
8 holds such a position. An individual who leaves office shall, within  
9 thirty days after leaving office, file a statement covering the period  
10 since the previous statement was filed. Disclosure of the interest named  
11 in sections 49-1496 to 49-1498 shall be made by:

12           (1) An individual holding a state executive office as provided in  
13 Article IV of the Constitution of Nebraska, including the Governor,  
14 Lieutenant Governor, Secretary of State, Auditor of Public Accounts,  
15 State Treasurer, Attorney General, Tax Commissioner, and heads of such  
16 other executive departments as set forth in the Constitution or as may be  
17 established by law;

18           (2) An individual holding the office of Commissioner of Education,  
19 member of the State Board of Education, member of the Board of Regents of  
20 the University of Nebraska with the exception of student members, or  
21 member of the Coordinating Commission for Postsecondary Education;

22           (3) A member of the Board of Parole;

23           (4) A member of the Public Service Commission;

24           (5) A member of the Legislature;

25           (6) A member of the board of directors or an officer of a district  
26 organized under the provisions of Chapter 70;

27           (7) A member of any board or commission of the state or any county

1 which examines or licenses a business or which determines rates for or  
2 otherwise regulates a business;

3 (8) A member of a land-use planning commission, zoning commission,  
4 or authority of the state or any county with a population of more than  
5 one hundred thousand inhabitants;

6 (9) An elected official of a city of the primary or metropolitan  
7 class;

8 (10) An elected county official;

9 (11) A member of the Nebraska Environmental Trust Board;

10 (12) An individual employed at the University of Nebraska-Lincoln in  
11 the position of Head Football Coach, Men's Basketball Coach, or Women's  
12 Basketball Coach; and

13 (13) An official or employee of the state designated by rules and  
14 regulations of the commission who is responsible for taking or  
15 recommending official action of a nonministerial nature with regard to:

16 (a) Contracting or procurement;

17 (b) Administering or monitoring grants or subsidies;

18 (c) Land-use planning or zoning;

19 (d) Inspecting, licensing, regulating, or auditing any person; or

20 (e) Any similar action; and -

21 (14) An individual employed by a school board as a superintendent  
22 for a school district.

23 **Sec. 3. (1)(a)** Any contract for employment as a superintendent of a  
24 school district entered into or renewed on or after the effective date of  
25 this act shall include a provision prohibiting the superintendent from  
26 receiving education-related employment income other than such  
27 individual's education-related employment income from the school district  
28 without first obtaining approval from the school board of the school  
29 district employing such superintendent at a regular meeting of the school  
30 board and that any such employment income received by the superintendent  
31 be reported to the school board in accordance with subdivision (b) of

1 this subsection.

2 (b) A superintendent receiving education-related employment income  
3 other than such individual's education-related employment income from the  
4 school district in accordance with subdivision (a) of this subsection  
5 shall annually report all such employment income obtained during the  
6 prior calendar year to the school board and present such report to the  
7 school board at a regular meeting of the school board.

8 (2) For purposes of this section, education-related employment  
9 income means income paid or otherwise provided to an employee by any  
10 employer in the education field resulting from the employer-employee  
11 relationship or income resulting from a contract as an independent  
12 contractor for certain contracted education-related work, such as (a)  
13 work on any education-related foundation, board, commission, or similar  
14 entity or (b) consulting or advising on education-related matters.

15 **Sec. 4.** Section 79-566, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 79-566 The board of education of a Class IV school district shall at  
18 a regular meeting elect from outside its own members a superintendent, an  
19 associate superintendent of instruction, an associate superintendent of  
20 business affairs, a school district treasurer, and the number of  
21 employees the board of education may deem necessary for the proper  
22 conduct of the affairs of the school district at such salaries as the  
23 board of education may determine. The board may contract with them for  
24 terms not to exceed three years. A contract for employment as a  
25 superintendent shall comply with section 3 of this act. The election of  
26 all officers of the board of education and all elections for filling  
27 vacancies on the board of education shall be by ballot. No person shall  
28 be declared elected unless he or she receives the vote of a majority of  
29 all the members of the board of education.

30 **Sec. 5.** Section 79-567, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           79-567 The members of the board of education of a Class V school  
2 district, at their regular meeting in January each year, shall elect a  
3 president and vice president from their own members, who shall serve for  
4 terms of one year or until their successors are elected and qualified.  
5 The members of the board of education may also select from outside their  
6 own members one superintendent of public schools, one secretary, one  
7 treasurer, and such other officers as the board may deem necessary for  
8 the administration of the affairs of the school district, at such salary  
9 as the board may deem just, and in their discretion they may enter into  
10 contracts with such officers for terms of not to exceed three years. A  
11 contract for employment as a superintendent shall comply with section 3  
12 of this act. The board shall have the power to elect its president and  
13 vice president and to select its officers and employees in accordance  
14 with rules adopted by the board.

15           **Sec. 6.** Section 79-594, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17           79-594 The school board in a Class I, II, III, or IV school district  
18 may also elect at any regular meeting one superintendent of public  
19 instruction with such salary as the board deems best and may enter into  
20 contract with him or her at its discretion, for a term not to exceed  
21 three years. Such contract shall comply with section 3 of this act.

22           **Sec. 7.** Section 79-1028.01, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24           79-1028.01 (1) For each school fiscal year, a school district may  
25 exceed its budget authority for the general fund budget of expenditures  
26 as calculated pursuant to section 79-1023 for such school fiscal year by  
27 a specific dollar amount for the following exclusions:

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

31           (b) Expenditures for judgments, except judgments or orders from the

1 Commission of Industrial Relations, obtained against a school district  
2 which require or obligate a school district to pay such judgment, to the  
3 extent such judgment is not paid by liability insurance coverage of a  
4 school district;

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

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

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

18 (ii) For school fiscal years 2025-26 and 2026-27, the amount of the  
19 expenditures described in subdivision (1)(e)(i) of this section for  
20 school fiscal year 2024-25 may be carried over and included in the budget  
21 authority for the general fund budget of expenditures for school fiscal  
22 years 2025-26 and 2026-27;

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

29 (g) Expenditures for incentives agreed to be paid by a school  
30 district to certificated employees in exchange for a voluntary  
31 termination of employment occurring prior to July 1, 2009, occurring on

1 or after the last day of the 2010-11 school year and prior to the first  
2 day of the 2013-14 school year, or, to the extent that a district  
3 demonstrates to the State Board of Education pursuant to subsection (3)  
4 of this section that the agreement will result in a net savings in salary  
5 and benefit costs to the school district over a five-year period,  
6 occurring on or after the first day of the 2013-14 school year and prior  
7 to September 1, 2017;

8 (h) Expenditures by a school district with budgeted expenditures  
9 otherwise equal to the budget authority for the general fund budget of  
10 expenditures for such school district as calculated pursuant to section  
11 79-1023 for such school fiscal year for current and future qualified  
12 voluntary termination incentives for certificated teachers pursuant to  
13 subsection (3) of section 79-8,142 that are not otherwise included in an  
14 exclusion pursuant to this subsection;

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

24 (j) Expenditures by a school district with budgeted expenditures  
25 otherwise equal to the budget authority for the general fund budget of  
26 expenditures for such school district as calculated pursuant to section  
27 79-1023 for such school fiscal year for fifty percent of incentives  
28 agreed to be paid to certificated employees in exchange for a voluntary  
29 termination of employment occurring between September 1, 2018, and August  
30 31, 2019, as a result of a collective-bargaining agreement in force and  
31 effect on September 1, 2017, that are not otherwise included in an

1 exclusion pursuant to this subsection;

2 (k) Expenditures by a school district with budgeted expenditures  
3 otherwise equal to the budget authority for the general fund budget of  
4 expenditures for such school district as calculated pursuant to section  
5 79-1023 for such school fiscal year for twenty-five percent of incentives  
6 agreed to be paid to certificated employees in exchange for a voluntary  
7 termination of employment occurring between September 1, 2019, and August  
8 31, 2020, as a result of a collective-bargaining agreement in force and  
9 effect on September 1, 2017, that are not otherwise included in an  
10 exclusion pursuant to this subsection;

11 (l) The special education budget of expenditures;

12 (m) Expenditures of special grant funds; and

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

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

27 (a) The first school fiscal year the district will be participating  
28 in Network Nebraska for the full school fiscal year, for the difference  
29 of the estimated expenditures for such school fiscal year for  
30 telecommunications services, access to data transmission networks that  
31 transmit data to and from the school district, and the transmission of

1 data on such networks as such expenditures are defined by the department  
2 for purposes of the distance education and telecommunications allowance  
3 minus the dollar amount of such expenditures for the second school fiscal  
4 year preceding the first full school fiscal year the district  
5 participates in Network Nebraska;

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

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

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

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

23 2. Renumber the remaining sections and correct internal references  
24 and the repealer accordingly.