

AMENDMENTS TO LB525

(Amendments to E & R amendments, ER120)

Introduced by Kintner, 2.

1 1. Strike sections 10 and 34 and insert the following new sections:

2 Section 1. Section 32-546.01, Revised Statutes Cumulative
3 Supplement, 2014, is amended to read:

4 32-546.01 (1) Each learning community shall be governed by a
5 learning community coordinating council consisting of eighteen voting
6 members, with twelve members elected on a nonpartisan ballot from six
7 numbered subcouncil districts created pursuant to section 32-555.01 and
8 with six members appointed from such subcouncil districts pursuant to
9 this section. Each voter shall be allowed to cast votes for one candidate
10 at both the primary and general elections to represent the subcouncil
11 district in which the voter resides. The four candidates receiving the
12 most votes at the primary election shall advance to the general election.
13 The two candidates receiving the most votes at the general election shall
14 be elected. A candidate shall reside in the subcouncil district for which
15 he or she is a candidate. Coordinating council members shall be elected
16 on the nonpartisan ballot.

17 (2) The initial elected members shall be nominated at the statewide
18 primary election and elected at the statewide general election
19 immediately following the certification of the establishment of the
20 learning community, and subsequent members shall be nominated at
21 subsequent statewide primary elections and elected at subsequent
22 statewide general elections. Except as provided in this section, such
23 elections shall be conducted pursuant to the Election Act.

24 (3) Vacancies in office for elected members shall occur as set forth
25 in section 32-560. Whenever any such vacancy occurs, the remaining
26 elected members of such council shall appoint an individual residing

1 within the geographical boundaries of the subcouncil district for the
2 balance of the unexpired term.

3 (4) Members elected to represent odd-numbered districts in the first
4 election for the learning community coordinating council shall be elected
5 for two-year terms. Members elected to represent even-numbered districts
6 in the first election for the learning community coordinating council
7 shall be elected for four-year terms. Members elected in subsequent
8 elections shall be elected for four-year terms and until their successors
9 are elected and qualified.

10 (5) The appointed members shall be appointed in November of each
11 even-numbered year after the general election. Appointed members shall be
12 school board members of school districts in the learning community either
13 elected to take office the following January or continuing their current
14 term of office for the following two years. For learning communities to
15 be established the following January pursuant to orders issued pursuant
16 to section 79-2102, the Secretary of State shall hold a meeting of the
17 school board members of the school districts in such learning community
18 to appoint one member from such school boards to represent each of the
19 subcouncil districts on the coordinating council of such learning
20 community. For subsequent appointments, the current appointed members of
21 the coordinating council shall hold a meeting of the school board members
22 of such school districts to appoint one member from such school boards to
23 represent each of the subcouncil districts on the coordinating council of
24 the learning community. The appointed members shall be selected by the
25 school board members of the school districts in the learning community
26 who reside in the subcouncil district to be represented pursuant to a
27 secret ballot, shall reside in the subcouncil district to be represented,
28 and shall be appointed for two-year terms and until their successors are
29 appointed and qualified.

30 (6) Vacancies in office for appointed members shall occur upon the
31 resignation, death, or disqualification from office of an appointed

1 member. Disqualification from office shall include ceasing membership on
2 the school board for which membership qualified the member for the
3 appointment to the learning community coordinating council, ~~or~~ ceasing to
4 reside in the subcouncil district represented by such member of the
5 learning community coordinating council, or the school district on whose
6 board of education the appointed member serves having opted out of
7 membership in the learning community pursuant to section 79-2102.
8 Whenever such vacancy occurs, the remaining appointed members shall hold
9 a meeting of the school board members of the school districts in such
10 learning community to appoint a member from such school boards who lives
11 in the subcouncil district to be represented to serve for the balance of
12 the unexpired term.

13 (7) Each learning community coordinating council shall also have a
14 nonvoting member from each member school district which does not have
15 either an elected or an appointed member who resides in the school
16 district on the council. Such nonvoting members shall be appointed by the
17 school board of the school district to be represented to serve for two-
18 year terms, and notice of the nonvoting member selected shall be
19 submitted to the Secretary of State by such board prior to December 31 of
20 each even-numbered year. Each such nonvoting member shall be a resident
21 of the appointing school district and shall not be a school administrator
22 employed by such school district. Whenever a vacancy occurs, the school
23 board of such school district shall appoint a new nonvoting member and
24 submit notice to the Secretary of State and to the learning community
25 coordinating council.

26 (8) Members of a learning community coordinating council shall take
27 office on the first Thursday after the first Tuesday in January following
28 their election or appointment, except that members appointed to fill
29 vacancies shall take office immediately following administration of the
30 oath of office. Each voting member elected or appointed prior to April 6,
31 2010, shall be paid a per diem in an amount determined by such council up

1 to two hundred dollars per day for official meetings of the council and
2 the achievement subcouncil for which he or she is a member, for meetings
3 that occur during the term of office for which the election or
4 appointment of the member took place prior to April 6, 2010, up to a
5 maximum of twelve thousand dollars per fiscal year. Each voting member
6 shall be eligible for reimbursement of reasonable expenses related to
7 service on the learning community coordinating council. Each nonvoting
8 member shall be eligible for reimbursement of reasonable expenses related
9 to service on the learning community coordinating council.

10 Sec. 2. Section 70-651.04, Revised Statutes Cumulative Supplement,
11 2014, is amended to read:

12 70-651.04 All payments which are based on retail revenue from each
13 incorporated city or village shall be divided and distributed by the
14 county treasurer to that city or village, to the school districts located
15 in that city or village, ~~to any learning community located in that city~~
16 ~~or village,~~ and to the county in which may be located any such
17 incorporated city or village in the proportion that their respective
18 property tax levies in the preceding year bore to the total of such
19 levies, ~~except that the only learning community levies to be included are~~
20 ~~the common levies for which the proceeds are distributed to member school~~
21 ~~districts pursuant to sections 79-1073 and 79-1073.01.~~

22 Sec. 4. Section 77-1736.06, Revised Statutes Cumulative Supplement,
23 2014, is amended to read:

24 77-1736.06 The following procedure shall apply when making a
25 property tax refund:

26 (1) Within thirty days of the entry of a final nonappealable order,
27 an unprotested determination of a county assessor, an unappealed decision
28 of a county board of equalization, or other final action requiring a
29 refund of real or personal property taxes paid or, for property valued by
30 the state, within thirty days of a recertification of value by the
31 Property Tax Administrator pursuant to section 77-1775 or 77-1775.01, the

1 county assessor shall determine the amount of refund due the person
2 entitled to the refund, certify that amount to the county treasurer, and
3 send a copy of such certification to the person entitled to the refund.
4 Within thirty days from the date the county assessor certifies the amount
5 of the refund, the county treasurer shall notify each political
6 subdivision, including ~~any school district receiving a distribution~~
7 ~~pursuant to section 79-1073 or 79-1073.01~~ and any land bank receiving
8 real property taxes pursuant to subdivision (3)(a) of section 19-5211, of
9 its respective share of the refund, except that for any political
10 subdivision whose share of the refund is two hundred dollars or less, the
11 county board may waive this notice requirement. Notification shall be by
12 first-class mail, postage prepaid, to the last-known address of record of
13 the political subdivision. The county treasurer shall pay the refund from
14 funds in his or her possession belonging to any political subdivision,
15 including ~~any school district receiving a distribution pursuant to~~
16 ~~section 79-1073 or 79-1073.01~~ and any land bank receiving real property
17 taxes pursuant to subdivision (3)(a) of section 19-5211, which received
18 any part of the tax or penalty being refunded. If sufficient funds are
19 not available or the political subdivision, within thirty days of the
20 mailing of the notice by the county treasurer if applicable, certifies to
21 the county treasurer that a hardship would result and create a serious
22 interference with its governmental functions if the refund of the tax or
23 penalty is paid, the county treasurer shall register the refund or
24 portion thereof which remains unpaid as a claim against such political
25 subdivision and shall issue the person entitled to the refund a receipt
26 for the registration of the claim. The certification by a political
27 subdivision declaring a hardship shall be binding upon the county
28 treasurer;

29 (2) The refund of a tax or penalty or the receipt for the
30 registration of a claim made or issued pursuant to this section shall be
31 satisfied in full as soon as practicable and in no event later than five

1 years from the date the final order or other action approving a refund is
2 entered. The governing body of the political subdivision shall make
3 provisions in its budget for the amount of any refund or claim to be
4 satisfied pursuant to this section. If a receipt for the registration of
5 a claim is given:

6 (a) Such receipt shall be applied to satisfy any tax levied or
7 assessed by that political subdivision next falling due from the person
8 holding the receipt after the sixth next succeeding levy is made on
9 behalf of the political subdivision following the final order or other
10 action approving the refund; and

11 (b) To the extent the amount of such receipt exceeds the amount of
12 such tax liability, the unsatisfied balance of the receipt shall be paid
13 and satisfied within the five-year period prescribed in this subdivision
14 from a combination of a credit against taxes anticipated to be due to the
15 political subdivision during such period and cash payment from any funds
16 expected to accrue to the political subdivision pursuant to a written
17 plan to be filed by the political subdivision with the county treasurer
18 no later than thirty days after the claim against the political
19 subdivision is first reduced by operation of a credit against taxes due
20 to such political subdivision.

21 If a political subdivision fails to fully satisfy the refund or
22 claim prior to the sixth next succeeding levy following the entry of a
23 final nonappealable order or other action approving a refund, interest
24 shall accrue on the unpaid balance commencing on the sixth next
25 succeeding levy following such entry or action at the rate set forth in
26 section 45-103;

27 (3) The county treasurer shall mail the refund or the receipt by
28 first-class mail, postage prepaid, to the last-known address of the
29 person entitled thereto. Multiple refunds to the same person may be
30 combined into one refund or credit. If a refund is not claimed by June 1
31 of the year following the year of mailing, the refund shall be canceled

1 and the resultant amount credited to the various funds originally
2 charged;

3 (4) When the refund involves property valued by the state, the Tax
4 Commissioner shall be authorized to negotiate a settlement of the amount
5 of the refund or claim due pursuant to this section on behalf of the
6 political subdivision from which such refund or claim is due. Any
7 political subdivision which does not agree with the settlement terms as
8 negotiated may reject such terms, and the refund or claim due from the
9 political subdivision then shall be satisfied as set forth in this
10 section as if no such negotiation had occurred;

11 (5) In the event that the Legislature appropriates state funds to be
12 disbursed for the purposes of satisfying all or any portion of any refund
13 or claim, the Tax Commissioner shall order the county treasurer to
14 disburse such refund amounts directly to the persons entitled to the
15 refund in partial or total satisfaction of such persons' claims. The
16 county treasurer shall disburse such amounts within forty-five days after
17 receipt thereof; and

18 (6) If all or any portion of the refund is reduced by way of
19 settlement or forgiveness by the person entitled to the refund, the
20 proportionate amount of the refund that was paid by an appropriation of
21 state funds shall be reimbursed by the county treasurer to the State
22 Treasurer within forty-five days after receipt of the settlement
23 agreement or receipt of the forgiven refund. The amount so reimbursed
24 shall be credited to the General Fund.

25 Sec. 5. Section 77-3442, Revised Statutes Cumulative Supplement,
26 2014, is amended to read:

27 77-3442 (1) Property tax levies for the support of local governments
28 for fiscal years beginning on or after July 1, 1998, shall be limited to
29 the amounts set forth in this section except as provided in section
30 77-3444.

31 (2)(a) Except as provided in subdivision (2)(c e) of this section,

1 school districts and multiple-district school systems, except learning
2 communities ~~and school districts that are members of learning~~
3 ~~communities~~, may levy a maximum levy of one dollar and five cents per one
4 hundred dollars of taxable valuation of property subject to the levy.

5 ~~(b) For each fiscal year, learning communities may levy a maximum~~
6 ~~levy for the general fund budgets of member school districts of ninety-~~
7 ~~five cents per one hundred dollars of taxable valuation of property~~
8 ~~subject to the levy. The proceeds from the levy pursuant to this~~
9 ~~subdivision shall be distributed pursuant to section 79-1073.~~

10 ~~(c) Except as provided in subdivision (2)(e) of this section, for~~
11 ~~each fiscal year, school districts that are members of learning~~
12 ~~communities may levy for purposes of such districts' general fund budget~~
13 ~~and special building funds a maximum combined levy of the difference of~~
14 ~~one dollar and five cents on each one hundred dollars of taxable property~~
15 ~~subject to the levy minus the learning community levies pursuant to~~
16 ~~subdivisions (2)(b) and (2)(g) of this section for such learning~~
17 ~~community.~~

18 ~~(b d)~~ Excluded from the limitations in subdivision ~~subdivisions~~ (2)
19 (a) ~~and (2)(e)~~ of this section are amounts levied to pay for sums agreed
20 to be paid by a school district to certificated employees in exchange for
21 a voluntary termination of employment and amounts levied to pay for
22 special building funds and sinking funds established for projects
23 commenced prior to April 1, 1996, for construction, expansion, or
24 alteration of school district buildings. For purposes of this subsection,
25 commenced means any action taken by the school board on the record which
26 commits the board to expend district funds in planning, constructing, or
27 carrying out the project.

28 ~~(c e)~~ Federal aid school districts may exceed the maximum levy
29 prescribed by subdivision (2)(a) ~~or (2)(e)~~ of this section only to the
30 extent necessary to qualify to receive federal aid pursuant to Title VIII
31 of Public Law 103-382, as such title existed on September 1, 2001. For

1 purposes of this subdivision, federal aid school district means any
2 school district which receives ten percent or more of the revenue for its
3 general fund budget from federal government sources pursuant to Title
4 VIII of Public Law 103-382, as such title existed on September 1, 2001.

5 ~~(f) For school fiscal year 2002-03 through school fiscal year~~
6 ~~2007-08, school districts and multiple-district school systems may, upon~~
7 ~~a three-fourths majority vote of the school board of the school district,~~
8 ~~the board of the unified system, or the school board of the high school~~
9 ~~district of the multiple-district school system that is not a unified~~
10 ~~system, exceed the maximum levy prescribed by subdivision (2)(a) of this~~
11 ~~section in an amount equal to the net difference between the amount of~~
12 ~~state aid that would have been provided under the Tax Equity and~~
13 ~~Educational Opportunities Support Act without the temporary aid~~
14 ~~adjustment factor as defined in section 79-1003 for the ensuing school~~
15 ~~fiscal year for the school district or multiple-district school system~~
16 ~~and the amount provided with the temporary aid adjustment factor. The~~
17 ~~State Department of Education shall certify to the school districts and~~
18 ~~multiple-district school systems the amount by which the maximum levy may~~
19 ~~be exceeded for the next school fiscal year pursuant to this subdivision~~
20 ~~(f) of this subsection on or before February 15 for school fiscal years~~
21 ~~2004-05 through 2007-08.~~

22 ~~(g) For each fiscal year, learning communities may levy a maximum~~
23 ~~levy of two cents on each one hundred dollars of taxable property subject~~
24 ~~to the levy for special building funds for member school districts. The~~
25 ~~proceeds from the levy pursuant to this subdivision shall be distributed~~
26 ~~pursuant to section 79-1073.01.~~

27 ~~(d h) For each fiscal year, learning communities may levy a maximum~~
28 ~~levy of one-half cent on each one hundred dollars of taxable property~~
29 ~~subject to the levy for elementary learning center facility leases, for~~
30 ~~remodeling of leased elementary learning center facilities, and for up to~~
31 ~~fifty percent of the estimated cost for focus school or program capital~~

1 projects approved by the learning community coordinating council pursuant
2 to section 79-2111.

3 (e ~~i~~) For each fiscal year, learning communities may levy a maximum
4 levy of one and one-half cents on each one hundred dollars of taxable
5 property subject to the levy for early childhood education programs for
6 children in poverty, for elementary learning center employees, for
7 contracts with other entities or individuals who are not employees of the
8 learning community for elementary learning center programs and services,
9 and for pilot projects, except that no more than ten percent of such levy
10 may be used for elementary learning center employees.

11 (3)(a) For fiscal years 2011-12 and 2012-13, community college areas
12 may levy a maximum of ten and one-quarter cents per one hundred dollars
13 of taxable valuation of property subject to the levy for operating
14 expenditures and may also levy the additional levies provided in
15 subdivisions (1)(b) and (c) of section 85-1517.

16 (b) For fiscal year 2013-14 and each fiscal year thereafter,
17 community college areas may levy the levies provided in subdivisions (2)
18 (a) through (c) of section 85-1517, in accordance with the provisions of
19 such subdivisions. A community college area may exceed the levy provided
20 in subdivision (2)(b) of section 85-1517 by the amount necessary to
21 retire general obligation bonds assumed by the community college area or
22 issued pursuant to section 85-1515 according to the terms of such bonds
23 or for any obligation pursuant to section 85-1535 entered into prior to
24 January 1, 1997.

25 (4)(a) Natural resources districts may levy a maximum levy of four
26 and one-half cents per one hundred dollars of taxable valuation of
27 property subject to the levy.

28 (b) Natural resources districts shall also have the power and
29 authority to levy a tax equal to the dollar amount by which their
30 restricted funds budgeted to administer and implement ground water
31 management activities and integrated management activities under the

1 Nebraska Ground Water Management and Protection Act exceed their
2 restricted funds budgeted to administer and implement ground water
3 management activities and integrated management activities for FY2003-04,
4 not to exceed one cent on each one hundred dollars of taxable valuation
5 annually on all of the taxable property within the district.

6 (c) In addition, natural resources districts located in a river
7 basin, subbasin, or reach that has been determined to be fully
8 appropriated pursuant to section 46-714 or designated as overappropriated
9 pursuant to section 46-713 by the Department of Natural Resources shall
10 also have the power and authority to levy a tax equal to the dollar
11 amount by which their restricted funds budgeted to administer and
12 implement ground water management activities and integrated management
13 activities under the Nebraska Ground Water Management and Protection Act
14 exceed their restricted funds budgeted to administer and implement ground
15 water management activities and integrated management activities for
16 FY2005-06, not to exceed three cents on each one hundred dollars of
17 taxable valuation on all of the taxable property within the district for
18 fiscal year 2006-07 and each fiscal year thereafter through fiscal year
19 2017-18.

20 (5) Any educational service unit authorized to levy a property tax
21 pursuant to section 79-1225 may levy a maximum levy of one and one-half
22 cents per one hundred dollars of taxable valuation of property subject to
23 the levy.

24 (6)(a) Incorporated cities and villages which are not within the
25 boundaries of a municipal county may levy a maximum levy of forty-five
26 cents per one hundred dollars of taxable valuation of property subject to
27 the levy plus an additional five cents per one hundred dollars of taxable
28 valuation to provide financing for the municipality's share of revenue
29 required under an agreement or agreements executed pursuant to the
30 Interlocal Cooperation Act or the Joint Public Agency Act. The maximum
31 levy shall include amounts levied to pay for sums to support a library

1 pursuant to section 51-201, museum pursuant to section 51-501, visiting
2 community nurse, home health nurse, or home health agency pursuant to
3 section 71-1637, or statue, memorial, or monument pursuant to section
4 80-202.

5 (b) Incorporated cities and villages which are within the boundaries
6 of a municipal county may levy a maximum levy of ninety cents per one
7 hundred dollars of taxable valuation of property subject to the levy. The
8 maximum levy shall include amounts paid to a municipal county for county
9 services, amounts levied to pay for sums to support a library pursuant to
10 section 51-201, a museum pursuant to section 51-501, a visiting community
11 nurse, home health nurse, or home health agency pursuant to section
12 71-1637, or a statue, memorial, or monument pursuant to section 80-202.

13 (7) Sanitary and improvement districts which have been in existence
14 for more than five years may levy a maximum levy of forty cents per one
15 hundred dollars of taxable valuation of property subject to the levy, and
16 sanitary and improvement districts which have been in existence for five
17 years or less shall not have a maximum levy. Unconsolidated sanitary and
18 improvement districts which have been in existence for more than five
19 years and are located in a municipal county may levy a maximum of eighty-
20 five cents per hundred dollars of taxable valuation of property subject
21 to the levy.

22 (8) Counties may levy or authorize a maximum levy of fifty cents per
23 one hundred dollars of taxable valuation of property subject to the levy,
24 except that five cents per one hundred dollars of taxable valuation of
25 property subject to the levy may only be levied to provide financing for
26 the county's share of revenue required under an agreement or agreements
27 executed pursuant to the Interlocal Cooperation Act or the Joint Public
28 Agency Act. The maximum levy shall include amounts levied to pay for sums
29 to support a library pursuant to section 51-201 or museum pursuant to
30 section 51-501. The county may allocate up to fifteen cents of its
31 authority to other political subdivisions subject to allocation of

1 property tax authority under subsection (1) of section 77-3443 and not
2 specifically covered in this section to levy taxes as authorized by law
3 which do not collectively exceed fifteen cents per one hundred dollars of
4 taxable valuation on any parcel or item of taxable property. The county
5 may allocate to one or more other political subdivisions subject to
6 allocation of property tax authority by the county under subsection (1)
7 of section 77-3443 some or all of the county's five cents per one hundred
8 dollars of valuation authorized for support of an agreement or agreements
9 to be levied by the political subdivision for the purpose of supporting
10 that political subdivision's share of revenue required under an agreement
11 or agreements executed pursuant to the Interlocal Cooperation Act or the
12 Joint Public Agency Act. If an allocation by a county would cause another
13 county to exceed its levy authority under this section, the second county
14 may exceed the levy authority in order to levy the amount allocated.
15 Property tax levies for costs of reassumption of the assessment function
16 pursuant to section 77-1340 or 77-1340.04 are not included in the levy
17 limits established in this subsection for fiscal years 2010-11 through
18 2013-14.

19 (9) Municipal counties may levy or authorize a maximum levy of one
20 dollar per one hundred dollars of taxable valuation of property subject
21 to the levy. The municipal county may allocate levy authority to any
22 political subdivision or entity subject to allocation under section
23 77-3443.

24 (10) Property tax levies (a) for judgments, except judgments or
25 orders from the Commission of Industrial Relations, obtained against a
26 political subdivision which require or obligate a political subdivision
27 to pay such judgment, to the extent such judgment is not paid by
28 liability insurance coverage of a political subdivision, (b) for
29 preexisting lease-purchase contracts approved prior to July 1, 1998, (c)
30 for bonds as defined in section 10-134 approved according to law and
31 secured by a levy on property except as provided in section 44-4317 for

1 bonded indebtedness issued by educational service units and school
2 districts, and (d) for payments by a public airport to retire interest-
3 free loans from the Department of Aeronautics in lieu of bonded
4 indebtedness at a lower cost to the public airport are not included in
5 the levy limits established by this section.

6 (11) The limitations on tax levies provided in this section are to
7 include all other general or special levies provided by law.
8 Notwithstanding other provisions of law, the only exceptions to the
9 limits in this section are those provided by or authorized by sections
10 77-3442 to 77-3444.

11 (12) Tax levies in excess of the limitations in this section shall
12 be considered unauthorized levies under section 77-1606 unless approved
13 under section 77-3444.

14 (13) For purposes of sections 77-3442 to 77-3444, political
15 subdivision means a political subdivision of this state and a county
16 agricultural society.

17 (14) For school districts that file a binding resolution on or
18 before May 9, 2008, with the county assessors, county clerks, and county
19 treasurers for all counties in which the school district has territory
20 pursuant to subsection (7) of section 79-458, if the combined levies,
21 except levies for bonded indebtedness approved by the voters of the
22 school district and levies for the refinancing of such bonded
23 indebtedness, are in excess of the greater of (a) one dollar and twenty
24 cents per one hundred dollars of taxable valuation of property subject to
25 the levy or (b) the maximum levy authorized by a vote pursuant to section
26 77-3444, all school district levies, except levies for bonded
27 indebtedness approved by the voters of the school district and levies for
28 the refinancing of such bonded indebtedness, shall be considered
29 unauthorized levies under section 77-1606.

30 Sec. 14. Section 79-215, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 79-215 (1) Except as otherwise provided in this section, a student
2 is a resident of the school district where he or she resides and shall be
3 admitted to any such school district upon request without charge.

4 (2) A school board shall admit a student upon request without charge
5 if at least one of the student's parents resides in the school district.

6 (3) A school board shall admit any homeless student upon request
7 without charge if the district is the district in which the student (a)
8 is currently located, (b) attended when permanently housed, or (c) was
9 last enrolled.

10 (4) A school board may allow a student whose residency in the
11 district ceases during a school year to continue attending school in such
12 district for the remainder of that school year.

13 (5) A school board may admit nonresident students to the school
14 district pursuant to a contract with the district where the student is a
15 resident and shall collect tuition pursuant to the contract.

16 (6) A school board may admit nonresident students to the school
17 district pursuant to the enrollment option program as authorized by
18 sections 79-232 to 79-246, and such admission shall be without charge.

19 (7) A school board of any school district that is a member of a
20 learning community shall admit nonresident students to the school
21 district pursuant to the open enrollment provisions of sections 79-233 to
22 79-246 a diversity plan in a learning community as authorized by section
23 79-2110, and such admission shall be without charge.

24 (8) A school board may admit a student who is a resident of another
25 state to the school district and collect tuition in advance at a rate
26 determined by the school board.

27 (9) When a student as a ward of the state or as a ward of any court
28 (a) has been placed in a school district other than the district in which
29 he or she resided at the time he or she became a ward and such ward does
30 not reside in a foster family home licensed or approved by the Department
31 of Health and Human Services or a foster home maintained or used pursuant

1 to section 83-108.04 or (b) has been placed in any institution which
2 maintains a special education program which has been approved by the
3 State Department of Education and such institution is not owned or
4 operated by the district in which he or she resided at the time he or she
5 became a ward, the cost of his or her education and the required
6 transportation costs associated with the student's education shall be
7 paid by the state, but not in advance, to the receiving school district
8 or approved institution under rules and regulations prescribed by the
9 Department of Health and Human Services and the student shall remain a
10 resident of the district in which he or she resided at the time he or she
11 became a ward. Any student who is a ward of the state or a ward of any
12 court who resides in a foster family home licensed or approved by the
13 Department of Health and Human Services or a foster home maintained or
14 used pursuant to section 83-108.04 shall be deemed a resident of the
15 district in which he or she resided at the time he or she became a foster
16 child, unless it is determined under section 43-1311 or 43-1312 that he
17 or she will not attend such district in which case he or she shall be
18 deemed a resident of the district in which the foster family home or
19 foster home is located.

20 (10)(a) When a student is not a ward of the state or a ward of any
21 court and is residing in a residential setting located in Nebraska for
22 reasons other than to receive an education and the residential setting is
23 operated by a service provider which is certified or licensed by the
24 Department of Health and Human Services or is enrolled in the medical
25 assistance program established pursuant to the Medical Assistance Act and
26 Title XIX or XXI of the federal Social Security Act, as amended, the
27 student shall remain a resident of the district in which he or she
28 resided immediately prior to residing in such residential setting. The
29 resident district for a student who is not a ward of the state or a ward
30 of any court does not change when the student moves from one residential
31 setting to another.

1 (b) If a student is residing in a residential setting as described
2 in subdivision (10)(a) of this section and such residential setting does
3 not maintain an interim-program school as defined in section 79-1119.01
4 or an approved or accredited school, the resident school district shall
5 contract with the district in which such residential setting is located
6 for the provision of all educational services, including all special
7 education services and support services as defined in section 79-1125.01,
8 unless a parent or guardian and the resident school district agree that
9 an appropriate education will be provided by the resident school district
10 while the student is residing in such residential setting. If the
11 resident school district is required to contract, the district in which
12 such residential setting is located shall contract with the resident
13 district and provide all educational services, including all special
14 education services, to the student. If the two districts cannot agree on
15 the amount of the contract, the State Department of Education shall
16 determine the amount to be paid by the resident district to the district
17 in which such residential setting is located based on the needs of the
18 student, approved special education rates, the department's general
19 experience with special education budgets, and the cost per student in
20 the district in which such residential setting is located. Once the
21 contract has been entered into, all legal responsibility for special
22 education and related services shall be transferred to the school
23 district in which the residential setting is located.

24 (c) If a student is residing in a residential setting as described
25 in subdivision (10)(a) of this section and such residential setting
26 maintains an interim-program school as defined in section 79-1119.01 or
27 an approved or accredited school, the department shall reimburse such
28 residential setting for the provision of all educational services,
29 including all special education services and support services, with the
30 amount of payment for all educational services determined pursuant to the
31 average per pupil cost of the service agency as defined in section

1 79-1116. The resident school district shall retain responsibility for
2 such student's individualized education plan, if any. The educational
3 services may be provided through (i) such interim-program school or
4 approved or accredited school, (ii) a contract between the residential
5 setting and the school district in which such residential setting is
6 located, (iii) a contract between the residential setting and another
7 service agency as defined in section 79-1124, or (iv) a combination of
8 such educational service providers.

9 (d) If a school district pays a school district in which a
10 residential setting is located for educational services provided pursuant
11 to subdivision (10)(b) of this section and it is later determined that a
12 different school district was the resident school district for such
13 student at the time such educational services were provided, the school
14 district that was later determined to be the resident school district
15 shall reimburse the school district that initially paid for the
16 educational services one hundred ten percent of the amount paid.

17 (e) A student residing in a residential setting described in this
18 subsection shall be defined as a student with a handicap pursuant to
19 Article VII, section 11, of the Constitution of Nebraska, and as such the
20 state and any political subdivision may contract with institutions not
21 wholly owned or controlled by the state or any political subdivision to
22 provide the educational services to the student if such educational
23 services are nonsectarian in nature.

24 (11) In the case of any individual eighteen years of age or younger
25 who is a ward of the state or any court and who is placed in a county
26 detention home established under section 43-2,110, the cost of his or her
27 education shall be paid by the state, regardless of the district in which
28 he or she resided at the time he or she became a ward, to the agency or
29 institution which: (a) Is selected by the county board with jurisdiction
30 over such detention home; (b) has agreed or contracted with such county
31 board to provide educational services; and (c) has been approved by the

1 State Department of Education pursuant to rules and regulations
2 prescribed by the State Board of Education.

3 (12) No tuition shall be charged for students who may be by law
4 allowed to attend the school without charge.

5 (13) On a form prescribed by the State Department of Education, an
6 adult with legal or actual charge or control of a student shall provide
7 the name of the student, the name of the adult with legal or actual
8 charge or control of the student, the address where the student is
9 residing, and the telephone number and address where the adult may
10 generally be reached during the school day. If the student is homeless or
11 if the adult does not have a telephone number and address where he or she
12 may generally be reached during the school day, those parts of the form
13 may be left blank and a box may be marked acknowledging that these are
14 the reasons these parts of the form were left blank. The adult with legal
15 or actual charge or control of the student shall also sign the form.

16 (14) The department may adopt and promulgate rules and regulations
17 to carry out the department's responsibilities under this section.

18 Sec. 15. Section 79-233, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 79-233 For purposes of sections 79-232 to 79-246:

21 (1) Enrollment option program means the program established in
22 section 79-234;

23 (2) Option school district means the public school district that an
24 option student chooses to attend instead of his or her resident school
25 district;

26 (3) Option student means a student that has chosen to attend an
27 option school district, including a student who resides in a learning
28 community and began attendance as an option student in an option school
29 district in such learning community prior to the end of the first full
30 school year for which the option school district will be a member of such
31 learning community, ~~but not including a student who resides in a learning~~

1 ~~community and who attends pursuant to section 79-2110 another school~~
2 ~~district in such learning community;~~

3 (4) Resident school district means the public school district in
4 which a student resides or the school district in which the student is
5 admitted as a resident of the school district pursuant to section 79-215;
6 and

7 (5) Siblings means all children residing in the same household on a
8 permanent basis who have the same mother or father or who are stepbrother
9 or stepsister to each other.

10 Sec. 16. Section 79-238, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-238 (1) Except as provided in section 79-240, the school board of
13 the option school district shall adopt by resolution specific standards
14 for acceptance and rejection of applications. Standards may include the
15 capacity of a program, class, grade level, or school building or the
16 availability of appropriate special education programs operated by the
17 option school district. Capacity shall be determined by setting a maximum
18 number of option students that a district will accept in any program,
19 class, grade level, or school building, based upon available staff,
20 facilities, projected enrollment of resident students, projected number
21 of students with which the option school district will contract based on
22 existing contractual arrangements, and availability of appropriate
23 special education programs. The school board of the option school
24 district may by resolution declare a program, a class, or a school
25 unavailable to option students due to lack of capacity. Standards shall
26 not include previous academic achievement, athletic or other
27 extracurricular ability, disabilities, proficiency in the English
28 language, or previous disciplinary proceedings except as provided in
29 section 79-266.01. False or substantively misleading information
30 submitted by a parent or guardian on an application to an option school
31 district may be cause for the option school district to reject a

1 previously accepted application if the rejection occurs prior to the
2 student's attendance as an option student.

3 (2) The school board of every school district shall also adopt
4 standards and conditions for acceptance or rejection of a request for
5 release of a resident student submitting an application to an option
6 school district after March 15 under subsection (1) of section 79-237.

7 (3) Any option school district shall give first priority for
8 enrollment to siblings of option students, except that the option school
9 district shall not be required to accept the sibling of an option student
10 if the district is at capacity except as provided in subsection (1) of
11 section 79-240.

12 (4) Any option school district that is in a learning community shall
13 give second priority for enrollment to students who reside in the
14 learning community ~~and who contribute to the socioeconomic diversity of~~
15 ~~enrollment as defined in section 79-2110~~ at the school building to which
16 the student will be assigned pursuant to section 79-235.

17 Sec. 22. Section 79-413, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 79-413 (1) The State Committee for the Reorganization of School
20 Districts created under section 79-435 may create a new school district
21 from other districts, change the boundaries of any district ~~that is not a~~
22 ~~member of a learning community~~, or affiliate a Class I district or
23 portion thereof with one or more existing Class II, III, IV, or V
24 districts upon receipt of petitions signed by sixty percent of the legal
25 voters of each district affected. If the petitions contain signatures of
26 at least sixty-five percent of the legal voters of each district
27 affected, the state committee shall approve the petitions. When area is
28 added to a Class VI district or when a Class I district which is entirely
29 or partially within a Class VI district is taken from the Class VI
30 district, the Class VI district shall be deemed to be an affected
31 district.

1 Any petition of the legal voters of a Class I district in which no
2 city or village is situated which is commenced after January 1, 1996, and
3 proposes the dissolution of the Class I district and the attachment of a
4 portion of it to two or more districts shall require signatures of more
5 than fifty percent of the legal voters of such Class I district. If the
6 state committee determines that such petition contains valid signatures
7 of more than fifty percent of the legal voters of such Class I district,
8 the state committee shall grant the petition.

9 (2)(a) Petitions proposing to change the boundaries of existing
10 school districts ~~that are not members of a learning community~~ through the
11 transfer of a parcel of land, not to exceed six hundred forty acres,
12 shall be approved by the state committee when the petitions involve the
13 transfer of land between Class I, II, III, or IV school districts or when
14 there would be an exchange of parcels of land between Class I, II, III,
15 or IV school districts and the petitions have the approval of at least
16 sixty-five percent of the school board of each affected district. If the
17 transfer of the parcel of land is from a Class I school district to one
18 or more Class II, III, IV, V, or VI school districts of which the parcel
19 is not a part or with which the parcel is not affiliated, any Class II,
20 III, IV, V, or VI school district of which the parcel is not a part or
21 with which the parcel is affiliated shall be deemed an affected district.

22 (b) The state committee shall not approve a change of boundaries
23 pursuant to this section relating to affiliation of school districts if
24 twenty percent or more of any tract of land under common ownership which
25 is proposing to affiliate is not contiguous to the high school district
26 with which affiliation is proposed unless (i) one or more resident
27 students of the tract of land under common ownership has attended the
28 high school program of the high school district within the immediately
29 preceding ten-year period or (ii) approval of the petition or plan would
30 allow siblings of such resident students to attend the same school as the
31 resident students attended.

1 (3)(a) Petitions proposing to create a new school district, to
2 change the boundary lines of existing school districts ~~that are not~~
3 ~~members of a learning community~~, to create an affiliated school system,
4 or to affiliate a Class I district in part and to join such district in
5 part with a Class VI district, any of which involves the transfer of more
6 than six hundred forty acres, shall, when signed by at least sixty
7 percent of the legal voters in each district affected, be submitted to
8 the state committee. In the case of a petition for affiliation or a
9 petition to affiliate in part and in part to join a Class VI district,
10 the state committee shall review the proposed affiliation subject to
11 sections 79-425 and 79-426. The state committee shall, within forty days
12 after receipt of the petition, hold one or more public hearings and
13 review and approve or disapprove such proposal.

14 (b) If there is a bond election to be held in conjunction with the
15 petition, the state committee shall hold the petition until the bond
16 election has been held, during which time names may be added to or
17 withdrawn from the petitions. The results of the bond election shall be
18 certified to the state committee.

19 (c) If the bond election held in conjunction with the petition is
20 unsuccessful, no further action on the petition is required. If the bond
21 election is successful, within fifteen days after receipt of the
22 certification of the bond election results, the state committee shall
23 approve the petition and notify the county clerk to effect the changes in
24 district boundary lines as set forth in the petitions.

25 (4) Any person adversely affected by the changes made by the state
26 committee may appeal to the district court of any county in which the
27 real estate or any part thereof involved in the dispute is located. If
28 the real estate is located in more than one county, the court in which an
29 appeal is first perfected shall obtain jurisdiction to the exclusion of
30 any subsequent appeal.

31 (5) A signing petitioner may withdraw his or her name from a

1 petition and a legal voter may add his or her name to a petition at any
2 time prior to the end of the period when the petition is held by the
3 state committee. Additions and withdrawals of signatures shall be by
4 notarized affidavit filed with the state committee.

5 Sec. 24. Section 79-473, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 79-473 (1) If the territory annexed by a change of boundaries of a
8 city or village which lies within a Class III school district as provided
9 in section 79-407 has been part of a Class IV or Class V school district
10 prior to such annexation, a merger of the annexed territory with the
11 Class III school district shall become effective only if the merger is
12 approved by a majority of the members of the school board of the Class IV
13 or V school district and a majority of the members of the school board of
14 the Class III school district within ninety days after the effective date
15 of the annexation ordinance, ~~except that a merger shall not become~~
16 ~~effective pursuant to this section if such merger involves a school~~
17 ~~district that is a member of a learning community.~~

18 (2) Notwithstanding subsection (1) of this section, when territory
19 which lies within a Class III school district, Class VI school district,
20 or Class I school district which is attached to a Class VI school
21 district or which does not lie within a Class IV or V school district is
22 annexed by a city or village pursuant to section 79-407, the affected
23 school board of the city or village school district and the affected
24 school board or boards serving the territory subject to the annexation
25 ordinance shall meet within thirty days after the effective date of the
26 annexation ordinance ~~if neither school district is a member of a learning~~
27 ~~community~~ and negotiate in good faith as to which school district shall
28 serve the annexed territory and the effective date of any transfer.
29 During the process of negotiation, the affected boards shall consider the
30 following criteria:

31 (a) The educational needs of the students in the affected school

1 districts;

2 (b) The economic impact upon the affected school districts;

3 (c) Any common interests between the annexed or platted area and the
4 affected school districts and the community which has zoning jurisdiction
5 over the area; and

6 (d) Community educational planning.

7 If no agreement has been reached within ninety days after the
8 effective date of the annexation ordinance, the territory shall transfer
9 to the school district of the annexing city or village ten days after the
10 expiration of such ninety-day period unless an affected school district
11 petitions the district court within the ten-day period and obtains an
12 order enjoining the transfer and requiring the boards of the affected
13 school districts to continue negotiation. The court shall issue the order
14 upon a finding that the affected board or boards have not negotiated in
15 good faith based on one or more of the criteria listed in this
16 subsection. The district court shall require no bond or other surety as a
17 condition for any preliminary injunctive relief. If no agreement is
18 reached after such order by the district court and additional
19 negotiations, the annexed territory shall become a part of the school
20 district of the annexing city or village.

21 (3) If, within the boundaries of the annexed territory, there exists
22 a Class VI school, the school building, facilities, and land owned by the
23 school district shall remain a part of the Class VI school district. If
24 the Class VI school district from which territory is being annexed wishes
25 to dispose of such school building, facilities, or land to any individual
26 or political subdivision, including a Class I school district, the
27 question of such disposition shall be placed on the ballot for the next
28 primary or general election. All legal voters of such Class VI school
29 district shall then vote on the question at such election. A simple
30 majority of the votes cast shall resolve the issue.

31 (4) Whenever an application for approval of a final plat or replat

1 is filed for territory which lies within the zoning jurisdiction of a
2 city of the first or second class and does not lie within the boundaries
3 of a Class IV or V school district, ~~the boundaries of a school district~~
4 ~~that is a member of a learning community~~, the boundaries of any county in
5 which a city of the metropolitan class is located, or the boundaries of
6 any county that has a contiguous border with a city of the metropolitan
7 class, the affected school board of the school district within the city
8 of the first or second class or its representative and the affected board
9 or boards serving the territory subject to the final plat or replat or
10 their representative shall meet within thirty days after such application
11 and negotiate in good faith as to which school district shall serve the
12 platted or replatted territory and the effective date of any transfer
13 based upon the criteria prescribed in subsection (2) of this section.

14 If no agreement has been reached prior to the approval of the final
15 plat or replat, the territory shall transfer to the school district of
16 the city of the first or second class upon the filing of the final plat
17 unless an affected school district petitions the district court within
18 ten days after approval of the final plat or replat and obtains an order
19 enjoining the transfer and requiring the affected boards to continue
20 negotiation. The court shall issue the order upon a finding that the
21 affected board or boards have not negotiated in good faith based on one
22 or more of the criteria listed in subsection (2) of this section. The
23 district court shall require no bond or other surety as a condition for
24 any preliminary injunctive relief. If no agreement is reached after such
25 order by the district court and additional negotiations, the platted or
26 replatted territory shall become a part of the school district of the
27 city of the first or second class.

28 For purposes of this subsection, plat and replat apply only to (a)
29 vacant land, (b) land under cultivation, or (c) any plat or replat of
30 land involving a substantive change in the size or configuration of any
31 lot or lots.

1 (5) Notwithstanding any other provisions of this section, all
2 negotiated agreements relative to boundaries or to real or personal
3 property of school districts reached by the affected school boards shall
4 be valid and binding, ~~except that such agreements shall not be binding on~~
5 ~~reorganization plans pursuant to the Learning Community Reorganization~~
6 ~~Act.~~

7 Sec. 25. Section 79-528, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 79-528 (1)(a) On or before July 20 in all school districts, the
10 superintendent shall file with the State Department of Education a report
11 showing the number of children from five through eighteen years of age
12 belonging to the school district according to the census taken as
13 provided in sections 79-524 and 79-578. On or before August 31, the
14 department shall issue to each learning community coordinating council a
15 report showing the number of children from five through eighteen years of
16 age belonging to the learning community based on the member school
17 districts according to the school district reports filed with the
18 department.

19 (b) Each Class I school district which is part of a Class VI school
20 district offering instruction (i) in grades kindergarten through five
21 shall report children from five through ten years of age, (ii) in grades
22 kindergarten through six shall report children from five through eleven
23 years of age, and (iii) in grades kindergarten through eight shall report
24 children from five through thirteen years of age.

25 (c) Each Class VI school district offering instruction (i) in grades
26 six through twelve shall report children who are eleven through eighteen
27 years of age, (ii) in grades seven through twelve shall report children
28 who are twelve through eighteen years of age, and (iii) in grades nine
29 through twelve shall report children who are fourteen through eighteen
30 years of age.

31 (d) Each Class I district which has affiliated in whole or in part

1 shall report children from five through thirteen years of age.

2 (e) Each Class II, III, IV, or V district shall report children who
3 are fourteen through eighteen years of age residing in Class I districts
4 or portions thereof which have affiliated with such district.

5 (f) The board of any district neglecting to take and report the
6 enumeration shall be liable to the school district for all school money
7 which such district may lose by such neglect.

8 (2) On or before June 30 the superintendent of each school district
9 shall file with the Commissioner of Education a report described as an
10 end-of-the-school-year annual statistical summary showing (a) the number
11 of children attending school during the year under five years of age, (b)
12 the length of time the school has been taught during the year by a
13 qualified teacher, (c) the length of time taught by each substitute
14 teacher, and (d) such other information as the Commissioner of Education
15 directs. On or before July 31, the commissioner shall issue to each
16 learning community coordinating council an end-of-the-school-year annual
17 statistical summary for the learning community based on the member school
18 districts according to the school district reports filed with the
19 commissioner.

20 (3)(a) On or before November 1 the superintendent of each school
21 district shall submit to the Commissioner of Education a report described
22 as the annual financial report showing (i) the amount of money received
23 from all sources during the year and the amount of money expended by the
24 school district during the year, (ii) the amount of bonded indebtedness,
25 (iii) such other information as shall be necessary to fulfill the
26 requirements of the Tax Equity and Educational Opportunities Support Act
27 and section 79-1114, and (iv) such other information as the Commissioner
28 of Education directs.

29 (b) On or before December 15, the commissioner shall issue to each
30 learning community coordinating council an annual financial report for
31 the learning community based on the member school districts according to

1 the annual financial reports filed with the commissioner, showing (i) the
2 aggregate amount of money received from all sources during the year for
3 all member school districts and the aggregate amount of money expended by
4 member school districts during the year, (ii) the aggregate amount of
5 bonded indebtedness for all member school districts, (iii) such other
6 aggregate information as shall be necessary to fulfill the requirements
7 of the Tax Equity and Educational Opportunities Support Act and section
8 79-1114 for all member school districts, and (iv) such other aggregate
9 information as the Commissioner of Education directs for all member
10 school districts.

11 (4)(a) On or before October 15 of each year, the superintendent of
12 each school district shall file with the commissioner the fall school
13 district membership report, which report shall include the number of
14 children from birth through twenty years of age enrolled in the district
15 on the last Friday in September of a given school year. The report shall
16 enumerate (i) students by grade level, (ii) school district levies and
17 total assessed valuation for the current fiscal year, and (iii) such
18 other information as the Commissioner of Education directs.

19 ~~(b) On or before October 15 of each year, each learning community~~
20 ~~coordinating council shall issue to the department a report which~~
21 ~~enumerates the learning community levies pursuant to subdivisions (2)(b)~~
22 ~~and (g) of section 77-3442 and total assessed valuation for the current~~
23 ~~fiscal year.~~

24 (b e) On or before November 15 of each year, the department shall
25 issue to each learning community coordinating council the fall learning
26 community membership report, which report shall include the aggregate
27 number of children from birth through twenty years of age enrolled in the
28 member school districts on the last Friday in September of a given school
29 year for all member school districts. The report shall enumerate (i) the
30 aggregate students by grade level for all member school districts, (ii)
31 school district levies and total assessed valuation for the current

1 fiscal year, and (iii) such other information as the Commissioner of
2 Education directs for all member school districts.

3 (c) When any school district fails to submit its fall membership
4 report by November 1, the commissioner shall, after notice to the
5 district and an opportunity to be heard, direct that any state aid
6 granted pursuant to the Tax Equity and Educational Opportunities Support
7 Act be withheld until such time as the report is received by the
8 department. In addition, the commissioner shall direct the county
9 treasurer to withhold all school money belonging to the school district
10 until such time as the commissioner notifies the county treasurer of
11 receipt of such report. The county treasurer shall withhold such money.

12 Sec. 26. Section 79-611, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 79-611 (1) The school board of any school district shall provide
15 free transportation, partially provide free transportation, or pay an
16 allowance for transportation in lieu of free transportation as follows:

17 (a) When a student attends an elementary school in his or her own
18 district and lives more than four miles from the public schoolhouse in
19 such district as measured by the shortest route that must actually and
20 necessarily be traveled by motor vehicle to reach the student's
21 residence;

22 (b) When a student is required to attend an elementary school
23 outside of his or her own district and lives more than four miles from
24 such elementary school as measured by the shortest route that must
25 actually and necessarily be traveled by motor vehicle to reach the
26 student's residence;

27 (c) When a student attends a secondary school in his or her own
28 Class II or Class III school district and lives more than four miles from
29 the public schoolhouse as measured by the shortest route that must
30 actually and necessarily be traveled by motor vehicle to reach the
31 student's residence. This subdivision does not apply when one or more

1 Class I school districts merge with a Class VI school district to form a
2 new Class II or III school district on or after January 1, 1997; and

3 (d) When a student, other than a student in grades ten through
4 twelve in a Class V district, attends an elementary or junior high school
5 in his or her own Class V district and lives more than four miles from
6 the public schoolhouse in such district as measured by the shortest route
7 that must actually and necessarily be traveled by motor vehicle to reach
8 the student's residence.

9 (2)(a) The school board of any school district that is a member of a
10 learning community shall provide free transportation for a student who
11 resides in such learning community and attends school in such school
12 district if (i) the student ~~is transferring pursuant to the open~~
13 ~~enrollment provisions of section 79-2110,~~ qualifies for free or reduced-
14 price lunches and ~~7~~ lives more than one mile from the school to which he
15 or she transfers, ~~and is not otherwise disqualified under subdivision (2)~~
16 ~~(c) of this section,~~ (ii) ~~the student is transferring pursuant to the~~
17 ~~open enrollment provisions of section 79-2110,~~ is a student who
18 ~~contributes to the socioeconomic diversity of enrollment at the school~~
19 ~~building he or she attends, lives more than one mile from the school to~~
20 ~~which he or she transfers, and is not otherwise disqualified under~~
21 ~~subdivision (2)(c) of this section,~~ (ii iii) the student is attending a
22 focus school or program and lives more than one mile from the school
23 building housing the focus school or program, or (iii iv) the student is
24 attending a magnet school or program and lives more than one mile from
25 the magnet school or the school housing the magnet program.

26 (b) ~~For purposes of this subsection, student who contributes to the~~
27 ~~socioeconomic diversity of enrollment at the school building he or she~~
28 ~~attends has the definition found in section 79-2110.~~ This subsection does
29 not prohibit a school district that is a member of a learning community
30 from providing transportation to any intradistrict student.

31 (c) ~~For any student who resides within a learning community and~~

1 ~~transfers to another school building pursuant to the open enrollment~~
2 ~~provisions of section 79-2110 and who had not been accepted for open~~
3 ~~enrollment into any school building within such district prior to~~
4 ~~September 6, 2013, the school board is exempt from the requirement of~~
5 ~~subdivision (2)(a) of this section if (i) the student is transferring to~~
6 ~~another school building within his or her home school district or (ii)~~
7 ~~the student is transferring to a school building in a school district~~
8 ~~that does not share a common border with his or her home school district.~~

9 (3) The transportation allowance which may be paid to the parent,
10 custodial parent, or guardian of students qualifying for free
11 transportation pursuant to subsection (1) or (2) of this section shall
12 equal two hundred eighty-five percent of the mileage rate provided in
13 section 81-1176, multiplied by each mile actually and necessarily
14 traveled, on each day of attendance, beyond which the one-way distance
15 from the residence of the student to the schoolhouse exceeds three miles.
16 Such transportation allowance does not apply to students residing in a
17 learning community who qualify for free or reduced-price lunches.

18 (4) Whenever students from more than one family travel to school in
19 the same vehicle, the transportation allowance prescribed in subsection
20 (3) of this section shall be payable as follows:

21 (a) To the parent, custodial parent, or guardian providing
22 transportation for students from other families, one hundred percent of
23 the amount prescribed in subsection (3) of this section for the
24 transportation of students of such parent's, custodial parent's, or
25 guardian's own family and an additional five percent for students of each
26 other family not to exceed a maximum of one hundred twenty-five percent
27 of the amount determined pursuant to subsection (3) of this section; and

28 (b) To the parent, custodial parent, or guardian not providing
29 transportation for students of other families, two hundred eighty-five
30 percent of the mileage rate provided in section 81-1176 multiplied by
31 each mile actually and necessarily traveled, on each day of attendance,

1 from the residence of the student to the pick-up point at which students
2 transfer to the vehicle of a parent, custodial parent, or guardian
3 described in subdivision (a) of this subsection.

4 (5) When a student who qualifies under the mileage requirements of
5 subsection (1) of this section lives more than three miles from the
6 location where the student must be picked up and dropped off in order to
7 access school-provided free transportation, as measured by the shortest
8 route that must actually and necessarily be traveled by motor vehicle
9 between his or her residence and such location, such school-provided
10 transportation shall be deemed partially provided free transportation.
11 School districts partially providing free transportation shall pay an
12 allowance to the student's parent or guardian equal to two hundred
13 eighty-five percent of the mileage rate provided in section 81-1176
14 multiplied by each mile actually and necessarily traveled, on each day of
15 attendance, beyond which the one-way distance from the residence of the
16 student to the location where the student must be picked up and dropped
17 off exceeds three miles.

18 (6) The board may authorize school-provided transportation to any
19 student who does not qualify under the mileage requirements of subsection
20 (1) of this section and may charge a fee to the parent or guardian of the
21 student for such service. An affiliated high school district may provide
22 free transportation or pay the allowance described in this section for
23 high school students residing in an affiliated Class I district. No
24 transportation payments shall be made to a family for mileage not
25 actually traveled by such family. The number of days the student has
26 attended school shall be reported monthly by the teacher to the board of
27 such public school district.

28 (7) No more than one allowance shall be made to a family
29 irrespective of the number of students in a family being transported to
30 school. If a family resides in a Class I district which is part of a
31 Class VI district and has students enrolled in any of the grades offered

1 by the Class I district and in any of the non-high-school grades offered
2 by the Class VI district, such family shall receive not more than one
3 allowance for the distance actually traveled when both districts are on
4 the same direct travel route with one district being located a greater
5 distance from the residence than the other. In such cases, the travel
6 allowance shall be prorated among the school districts involved.

7 (8) No student shall be exempt from school attendance on account of
8 distance from the public schoolhouse.

9 Sec. 38. Section 79-1007.18, Reissue Revised Statutes of Nebraska,
10 is amended to read:

11 79-1007.18 (1) The department shall calculate an averaging
12 adjustment for districts if the basic funding per formula student is less
13 than the averaging adjustment threshold and the general fund levy for the
14 school fiscal year immediately preceding the school fiscal year for which
15 aid is being calculated was at least one dollar per one hundred dollars
16 of taxable valuation. ~~For school districts that are members of a learning~~
17 ~~community, the general fund levy for purposes of this section includes~~
18 ~~both the common general fund levy and the school district general fund~~
19 ~~levy authorized pursuant to subdivisions (2)(b) and (2)(c) of section~~
20 ~~77-3442.~~ The averaging adjustment shall equal the district's formula
21 students multiplied by the percentage specified in this section for such
22 district of the difference between the averaging adjustment threshold
23 minus such district's basic funding per formula student.

24 (2)(a) For school fiscal years 2012-13 and 2013-14, the averaging
25 adjustment threshold shall equal the lesser of (i) the averaging
26 adjustment threshold for the school fiscal year immediately preceding the
27 school fiscal year for which aid is being calculated increased by the
28 basic allowable growth rate or (ii) the statewide average basic funding
29 per formula student for the school fiscal year for which aid is being
30 calculated.

31 (b) For school fiscal year 2014-15 and each school fiscal year

1 thereafter, the averaging adjustment threshold shall equal the aggregate
2 basic funding for all districts with nine hundred or more formula
3 students divided by the aggregate formula students for all districts with
4 nine hundred or more formula students for the school fiscal year for
5 which aid is being calculated.

6 (3) The percentage to be used in the calculation of an averaging
7 adjustment shall be based on the general fund levy for the school fiscal
8 year immediately preceding the school fiscal year for which aid is being
9 calculated.

10 (4) The percentages to be used in the calculation of averaging
11 adjustments shall be as follows:

12 (a) If such levy was at least one dollar per one hundred dollars of
13 taxable valuation but less than one dollar and one cent per one hundred
14 dollars of taxable valuation, the percentage shall be fifty percent;

15 (b) If such levy was at least one dollar and one cent per one
16 hundred dollars of taxable valuation but less than one dollar and two
17 cents per one hundred dollars of taxable valuation, the percentage shall
18 be sixty percent;

19 (c) If such levy was at least one dollar and two cents per one
20 hundred dollars of taxable valuation but less than one dollar and three
21 cents per one hundred dollars of taxable valuation, the percentage shall
22 be seventy percent;

23 (d) If such levy was at least one dollar and three cents per one
24 hundred dollars of taxable valuation but less than one dollar and four
25 cents per one hundred dollars of taxable valuation, the percentage shall
26 be eighty percent; and

27 (e) If such levy was at least one dollar and four cents per one
28 hundred dollars of taxable valuation, the percentage shall be ninety
29 percent.

30 Sec. 43. Section 79-1036, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 79-1036 (1) In making the apportionment under section 79-1035, the
2 Commissioner of Education shall distribute from the school fund for
3 school purposes, to any and all ~~learning communities and~~ school districts
4 ~~which are not members of a learning community,~~ in which there are
5 situated school lands which have not been sold and transferred by deed or
6 saline lands owned by the state, which lands are being used for a public
7 purpose, an amount in lieu of tax money that would be raised by school
8 district levies and ~~learning community common levies for which the~~
9 ~~proceeds are distributed to member school districts pursuant to sections~~
10 ~~79-1073 and 79-1073.01~~ if such lands were taxable, to be ascertained in
11 accordance with subsection (2) of this section, except that:

12 (a) For Class I districts or portions thereof which are affiliated
13 and in which there are situated school or saline lands, 38.6207 percent
14 of the in lieu of land tax money calculated pursuant to subsection (2) of
15 this section, based on the affiliated school system tax levy computed
16 pursuant to section 79-1077, shall be distributed to the affiliated high
17 school district and the remainder shall be distributed to the Class I
18 district;

19 (b) For Class I districts or portions thereof which are part of a
20 Class VI district which offers instruction in grades nine through twelve
21 and in which there are situated school or saline lands, 38.6207 percent
22 of the in lieu of land tax money calculated pursuant to subsection (2) of
23 this section, based on the Class VI school system levy computed pursuant
24 to section 79-1078, shall be distributed to the Class VI district and the
25 remainder shall be distributed to the Class I district;

26 (c) For Class I districts or portions thereof which are part of a
27 Class VI district which offers instruction in grades seven through twelve
28 and in which there are situated school or saline lands, 55.1724 percent
29 of the in lieu of land tax money calculated pursuant to subsection (2) of
30 this section, based on the Class VI school system levy computed pursuant
31 to section 79-1078, shall be distributed to the Class VI district and the

1 remainder shall be distributed to the Class I district; and

2 (d) For Class I districts or portions thereof which are part of a
3 Class VI district which offers instruction in grades six through twelve
4 and in which there are situated school or saline lands, 62.0690 percent
5 of the in lieu of land tax money calculated pursuant to subsection (2) of
6 this section, based on the Class VI school system levy computed pursuant
7 to section 79-1078, shall be distributed to the Class VI district and the
8 remainder shall be distributed to the Class I district.

9 (2) The county assessor shall certify to the Commissioner of
10 Education the tax levies of each school district ~~and learning community~~
11 in which school land or saline land is located and the last appraised
12 value of such school land, which value shall be the same percentage of
13 the appraised value as the percentage of the assessed value is of market
14 value in subsection (2) of section 77-201 for the purpose of applying the
15 applicable tax levies for each district ~~and learning community~~ in
16 determining the distribution to the districts of such amounts. The school
17 board of any school district ~~and the learning community coordinating~~
18 ~~council of any learning community~~ in which there is located any leased or
19 undeeded school land or saline land subject to this section may appeal to
20 the Board of Educational Lands and Funds for a reappraisalment of such
21 school land if such school board ~~or learning community coordinating~~
22 ~~council~~ deems the land not appraised in proportion to the value of
23 adjoining land of the same or similar value. The Board of Educational
24 Lands and Funds shall proceed to investigate the facts involved in such
25 appeal and, if the contention of the school board ~~or learning community~~
26 ~~coordinating council~~ is correct, make the proper reappraisalment. The
27 value calculation in this subsection shall be used by the Commissioner of
28 Education for making distributions in each school fiscal year.

29 Sec. 44. Section 79-1041, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 79-1041 ~~Each county treasurer of a county with territory in a~~

1 ~~learning community shall distribute any funds collected by such county~~
2 ~~treasurer from the common general fund levy and the common building fund~~
3 ~~levy of such learning community to each member school district pursuant~~
4 ~~to sections 79-1073 and 79-1073.01 at least once each month.~~

5 Each county treasurer shall, upon request of a majority of the
6 members of the school board or board of education in any school district,
7 at least once each month distribute to the district any funds collected
8 by such county treasurer for school purposes.

9 Sec. 45. Section 79-10,120, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 79-10,120 The school board or board of education of a Class II, III,
12 IV, V, or VI school district may establish a special fund for purposes of
13 acquiring sites for school buildings or teacherages, purchasing existing
14 buildings for use as school buildings or teacherages, including the sites
15 upon which such buildings are located, and the erection, alteration,
16 equipping, and furnishing of school buildings or teacherages and
17 additions to school buildings for elementary and high school grades and
18 for no other purpose. ~~The For school districts that are not members of~~
19 ~~learning communities,~~ the fund shall be established from the proceeds of
20 an annual levy, to be determined by the board, of not to exceed fourteen
21 cents on each one hundred dollars upon the taxable value of all taxable
22 property in the district which shall be in addition to any other taxes
23 authorized to be levied for school purposes. Such tax shall be levied and
24 collected as are other taxes for school purposes. ~~For school districts~~
25 ~~that are members of a learning community,~~ such fund shall be established
26 ~~from the proceeds of the learning community special building funds levy~~
27 ~~directed to the school district for such purpose pursuant to subdivision~~
28 ~~(2)(g) of section 77-3442 and the proceeds of any school district special~~
29 ~~building fund levy pursuant to subdivision (2)(c) of section 77-3442.~~

30 Sec. 46. Section 79-10,126, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 79-10,126 A Class V school district ~~that is not a member of a~~
2 ~~learning community~~ shall establish (1) for the general operation of the
3 schools, such fund as will result from an annual levy of such rate of tax
4 upon the taxable value of all the taxable property in such school
5 district as the board of education determines to be necessary for such
6 purpose, (2) a fund resulting from an annual amount of tax to be
7 determined by the board of education of not to exceed fourteen cents on
8 each one hundred dollars upon the taxable value of all the taxable
9 property in the district for the purpose of acquiring sites of school
10 buildings and the erection, alteration, equipping, and furnishing of
11 school buildings and additions to school buildings, which tax levy shall
12 be used for no other purposes, and (3) a further fund resulting from an
13 annual amount of tax to be determined by the board of education to pay
14 interest on and retiring, funding, or servicing of bonded indebtedness of
15 the district.

16 Sec. 49. Section 79-2102, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 79-2102 On or before September 15, 2007, and on or before August 1
19 of each odd-numbered year following the official designation of any new
20 city of the metropolitan class or any valid request to form a new
21 learning community, the Commissioner of Education shall certify the
22 establishment of a new learning community with the effective date of the
23 first Thursday after the first Tuesday in January of the next odd-
24 numbered year following such certification to the county clerks, election
25 commissioners, and county assessors of the counties with territory in the
26 new learning community, to the Property Tax Administrator, to the State
27 Department of Education, and to the school boards of the member school
28 districts of the new learning community. A learning community shall be
29 established for each city of the metropolitan class and shall include all
30 school districts for which the principal office of the school district is
31 located in the county where the city of the metropolitan class is located

1 and all school districts for which the principal office of the school
2 district is located in a county that has a contiguous border of at least
3 five miles in the aggregate with such city of the metropolitan class,
4 except that any such school district may opt out of membership in such
5 learning community by a majority vote of the members of the board of
6 education of such district and by providing written notification from
7 such board of education to the learning community coordinating council
8 and to the Commission of Education not less than six months before the
9 effective date of such district opting out of the learning community. A
10 learning community may also be established at the request of at least
11 three school boards if (1) all school districts for which the principal
12 office of the school district is located in one or more specified
13 counties are participating in the request and either (a) such school
14 districts are all sparse or very sparse as determined pursuant to the Tax
15 Equity and Educational Opportunities Support Act or (b) have a minimum
16 combined total of at least two thousand students or (2) the school
17 districts participating in the request have a minimum combined total of
18 at least ten thousand students. Such requests shall be received by the
19 Commissioner of Education on or before May 1 of each odd-numbered year.

20 Sec. 50. Section 79-2104, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 79-2104 A learning community coordinating council shall have the
23 authority to:

24 ~~(1) Levy a common levy for the general funds of member school~~
25 ~~districts pursuant to sections 77-3442 and 79-1073;~~

26 ~~(2) Levy a common levy for the special building funds of member~~
27 ~~school districts pursuant to sections 77-3442 and 79-1073.01;~~

28 (1 3) Levy for elementary learning center facility leases, for
29 remodeling of leased elementary learning center facilities, and for up to
30 fifty percent of the estimated cost for focus school or program capital
31 projects approved by the learning community coordinating council pursuant

1 to subdivision (2)(~~d~~ h) of section 77-3442 and section 79-2111;

2 (2 ~~4~~) Levy for early childhood education programs for children in
3 poverty, for elementary learning center employees, for contracts with
4 other entities or individuals who are not employees of the learning
5 community for elementary learning center programs and services, and for
6 pilot projects pursuant to subdivision (2)(~~e~~ i) of section 77-3442,
7 except that not more than ten percent of such levy may be used for
8 elementary learning center employees;

9 (3 ~~5~~) Collect, analyze, and report data and information, including,
10 but not limited to, information provided by a school district pursuant to
11 subsection (5) of section 79-201;

12 (4 ~~6~~) Approve focus schools and focus programs to be operated by
13 member school districts;

14 ~~(7) Adopt, approve, and implement a diversity plan which shall~~
15 ~~include open enrollment and may include focus schools, focus programs,~~
16 ~~magnet schools, and pathways pursuant to section 79-2110;~~

17 ~~(8) Administer the open enrollment provisions in section 79-2110 for~~
18 ~~the learning community as part of a diversity plan developed by the~~
19 ~~council to provide educational opportunities which will result in~~
20 ~~increased diversity in schools across the learning community;~~

21 (5 ~~9~~) Annually conduct school fairs to provide students and parents
22 the opportunity to explore the educational opportunities available at
23 each school in the learning community and develop other methods for
24 encouraging access to such information and promotional materials;

25 (6 ~~10~~) Develop and approve reorganization plans for submission
26 pursuant to the Learning Community Reorganization Act;

27 (7 ~~11~~) Establish and administer elementary learning centers through
28 achievement subcouncils pursuant to sections 79-2112 to 79-2114;

29 (8 ~~12~~) Administer the learning community funds distributed to the
30 learning community pursuant to section 79-2111;

31 (9 ~~13~~) Approve or disapprove poverty plans and limited English

1 proficiency plans for member school districts through achievement
2 subcouncils established under section 79-2117;

3 (10 ~~14~~) Establish a procedure for receiving community input and
4 complaints regarding the learning community;

5 (11 ~~15~~) Establish a procedure to assist parents, citizens, and
6 member school districts in accessing an approved center pursuant to the
7 Dispute Resolution Act to resolve disputes involving member school
8 districts or the learning community. Such procedure may include payment
9 by the learning community for some mediation services;

10 (12 ~~16~~) Establish and administer pilot projects related to enhancing
11 the academic achievement of elementary students, particularly students
12 who face challenges in the educational environment due to factors such as
13 poverty, limited English skills, and mobility;

14 (13 ~~17~~) Provide funding to public or private entities engaged in the
15 juvenile justice system providing profiling and diversion programming
16 designed to reduce excessive absenteeism and unnecessary involvement with
17 the juvenile justice system; and

18 (14 ~~18~~) Hold public hearings at its discretion in response to issues
19 raised by residents regarding the learning community, a member school
20 district, and academic achievement.

21 Sec. 79. Section 79-2107, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 79-2107 The boundaries of all school districts for which the
24 principal office of the school district is located in a county in which a
25 city of the metropolitan class is located and all school districts for
26 which the principal office of the school district is located in a county
27 that has a contiguous border of at least five miles in the aggregate with
28 such city of the metropolitan class shall remain as depicted on the map
29 kept by the county clerk pursuant to section 79-490 as of March 1, 2006,
30 for cities of the metropolitan class designated as such prior to January
31 2008 or as of March 1 immediately preceding the designation as a city of

1 the metropolitan class for cities designated as such on or after January
2 1, 2008, ~~until a learning community has been established for such city of~~
3 ~~the metropolitan class~~, except that such districts may transfer property
4 to other such districts with the agreement of the school board of each
5 affected district ~~prior to the effective date for such learning~~
6 ~~community~~.

7 Sec. 52. Section 79-2111, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 79-2111 (1) A learning community may levy a maximum levy pursuant to
10 subdivision (2)(~~d~~ ~~h~~) of section 77-3442 for elementary learning center
11 facility leases, for remodeling of leased elementary learning center
12 facilities, and for up to fifty percent of the estimated costs for focus
13 school or program capital projects approved pursuant to this section. The
14 proceeds from such levy shall be used for elementary learning center
15 facility leases, for remodeling of leased elementary learning center
16 facilities, and to reduce the bonded indebtedness required for approved
17 projects by up to fifty percent of the estimated cost of the approved
18 project. The funds used for reductions of bonded indebtedness shall be
19 transferred to the school district for which the project was approved and
20 shall be deposited in such school district's special building fund for
21 use on such project.

22 (2) The learning community may approve pursuant to this section
23 funding for capital projects which will include the purchase,
24 construction, or remodeling of facilities for a focus school or program
25 designed to meet the requirements of section 79-769. Such approval shall
26 include an estimated cost for the project and shall state the amount that
27 will be provided by the learning community for such project.

28 (3) If, within the ten years following receipt of the funding for a
29 capital project pursuant to this section, a school district receiving
30 such funding uses the facility purchased, constructed, or remodeled with
31 such funding for purposes other than those stated to qualify for the

1 funds, the school district shall repay such funds to the learning
2 community with interest at the rate prescribed in section 45-104.02
3 accruing from the date the funds were transferred to the school
4 district's building fund as of the last date the facility was used for
5 such purpose as determined by the learning community coordinating council
6 or the date that the learning community coordinating council determines
7 that the facility will not be used for such purpose or that such facility
8 will not be purchased, constructed, or remodeled for such purpose.
9 Interest shall continue to accrue on outstanding balances until the
10 repayment has been completed. The remaining terms of repayment shall be
11 determined by the learning community coordinating council. The learning
12 community coordinating council may waive such repayment if the facility
13 is used for a different focus school or program for a period of time that
14 will result in the use of the facility for qualifying purposes for a
15 total of at least ten years.

16 Sec. 55. Section 79-2118, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 79-2118 (1) Each learning community, together with its member school
19 districts, shall develop a diversity plan to provide educational
20 opportunities pursuant to section 79-769 ~~sections 79-769 and 79-2110~~ in
21 each subcouncil district designed to attract students from diverse
22 backgrounds, which plan may be revised from time to time. The initial
23 diversity plan shall be completed by December 31 of the year the initial
24 learning community coordinating council for the learning community takes
25 office. The goal of the diversity plan shall be to annually increase the
26 socioeconomic diversity of enrollment at each grade level in each school
27 building within the learning community until such enrollment reflects the
28 average socioeconomic diversity of the entire enrollment of the learning
29 community.

30 (2) Each diversity plan for a learning community shall include
31 specific provisions relating to each subcouncil district within such

1 learning community. The specific provisions relating to each subcouncil
2 district shall be approved by both the achievement subcouncil for such
3 district and by the learning community coordinating council.

4 (3) The learning community coordinating council shall report
5 electronically to the Education Committee of the Legislature on or before
6 January 1 of each odd-numbered year on the diversity and changes in
7 diversity at each grade level in each school building within the learning
8 community and on the academic achievement for different demographic
9 groups in each school building within the learning community.

10 Sec. 59. Section 79-2404, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-2404 If the school board of any school district or the board of
13 any educational service unit fails to timely file a copy of an approved
14 contract, or contract amendment, for superintendent services or
15 educational service unit administrator services with the State Department
16 of Education as required in section 79-2403, the Commissioner of
17 Education, after notice to the board president and either the
18 superintendent or educational service unit administrator and an
19 opportunity to be heard, shall direct that any state aid granted pursuant
20 to the Tax Equity and Educational Opportunities Support Act to the school
21 district or core services and technology infrastructure funds granted
22 pursuant to section 79-1241.03 to the educational service unit be
23 withheld until such time as the contract or amendment is received by the
24 department. In addition, the commissioner shall direct each county
25 treasurer of a county with territory in the school district or
26 educational service unit to withhold all money belonging to the school
27 district or educational service unit until such time as the commissioner
28 notifies such county treasurer of receipt of such contract or amendment.
29 Each such county treasurer shall withhold such money. ~~For school~~
30 ~~districts that are members of learning communities, a determination of~~
31 ~~school money belonging to the school district shall be based on the~~

1 ~~proportionate share of property tax receipts allocated to the school~~
2 ~~district pursuant to section 79-1073 in addition to the other property~~
3 ~~tax receipts belonging to the school district.~~ If the board does not
4 comply with this section prior to October 1 following the school fiscal
5 year for which the state aid or core services and technology
6 infrastructure funding was calculated, the funds shall revert to the
7 General Fund. The amount of any reverted funds shall be included in data
8 provided to the Governor, the Appropriations Committee of the
9 Legislature, and the Education Committee of the Legislature in accordance
10 with section 79-1031.

11 Sec. 60. The Education Committee of the Legislature shall conduct a
12 study of the challenges faced by the Omaha and Ralston school districts
13 relating to poverty. The committee shall report its findings to the
14 Legislature on or before December 1, 2015.

15 Sec. 64. The following sections are outright repealed: Sections
16 79-1073, 79-1073.01, 79-10,126.01, and 79-2110, Reissue Revised Statutes
17 of Nebraska.

18 2. On page 62, lines 23 and 24, strike "sections 79-769 and
19 79-2110", show as stricken, and insert "section 79-769".

20 3. Renumber the remaining sections, correct internal references, and
21 amend the repealer accordingly.