

LEGISLATIVE BILL 1110  
 Passed over the Governor's veto  
 April 9, 1998.

Introduced by Hartnett, 45; Bohlke, 33; Wehrbein, 2

AN ACT relating to political subdivisions; to amend section 79-1201, Reissue Revised Statutes of Nebraska, and section 79-1241, Revised Statutes Supplement, 1997; to provide for funding of core services provided by educational service units; to state intent; to eliminate a fund; to harmonize provisions; to repeal the original sections; to outright repeal section 77-4208, Revised Statutes Supplement, 1997; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-1201, Reissue Revised Statutes of Nebraska, is amended to read:

79-1201. Sections 79-1201 to ~~79-1239~~ 79-1242 and section 3 of this act shall be known and may be cited as the Educational Service Units Act.

Sec. 2. Section 79-1241, Revised Statutes Supplement, 1997, is amended to read:

79-1241. Funds appropriated for core services shall be distributed proportionally to each educational service unit by the State Department of Education on or before August 1 of each school fiscal year based on the fall membership in member districts in the preceding school fiscal year, except that no educational service unit shall receive less than two and one-half percent of the funds appropriated for core services. Funds distributed pursuant to this section shall be used for core services with the approval of representatives of two-thirds of the member school districts, representing a majority of the students in the member school districts. If a member school district provides evidence satisfactory to the educational service unit that the district will provide core services for itself in a cost-efficient manner, the educational service unit may distribute funds directly to the district to be used for providing core services, or if all member school districts within the boundaries of an educational service unit together provide evidence satisfactory to the State Department of Education that the districts will provide core services for themselves in a more cost-efficient manner than the educational service unit, the department shall distribute funds directly to the districts to be used for providing core services.

Sec. 3. It is the intent of the Legislature to appropriate nine million seven hundred thousand dollars from the General Fund for FY1998-99 to be distributed pursuant to section 79-1241 for school fiscal year 1998-99. It is the intent of the Legislature to appropriate for FY1999-00 and each fiscal year thereafter the amount appropriated in the prior year increased by the percentage growth in the fall membership of member districts plus the basic allowable growth rate described in section 79-1025. For purposes of this section, fall membership has the same meaning as in section 79-1003.

Sec. 4. Original section 79-1201, Reissue Revised Statutes of Nebraska, and section 79-1241, Revised Statutes Supplement, 1997, are repealed.

Sec. 5. The following section is outright repealed: Section 77-4208, Revised Statutes Supplement, 1997.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.