

AMENDMENTS TO LB409

Introduced by Groene, 42.

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

3           Section 1. Section 77-3446, Revised Statutes Cumulative Supplement,  
4 2016, is amended to read:

5           77-3446 Base limitation means the budget limitation rate applicable  
6 to school districts and the limitation on growth of restricted funds  
7 applicable to other political subdivisions prior to any increases in the  
8 rate as a result of special actions taken by a supermajority of any  
9 governing board or of any exception allowed by law. The base limitation  
10 is two and one-half percent until adjusted, except that the base  
11 limitation for school districts for school fiscal years 2017-18 and  
12 2018-19 ~~year 2012-13 is one-half of one percent and the base limitation~~  
13 ~~for school districts for school fiscal year 2013-14~~ is one and one-half  
14 percent. The base limitation may be adjusted annually by the Legislature  
15 to reflect changes in the prices of services and products used by school  
16 districts and political subdivisions.

17           Sec. 2. Section 79-1009, Revised Statutes Cumulative Supplement,  
18 2016, is amended to read:

19           79-1009 (1)(a) A district shall receive net option funding if (i)  
20 option students as defined in section 79-233 were actually enrolled in  
21 the school year immediately preceding the school year in which the aid is  
22 to be paid, (ii) option students as defined in such section will be  
23 enrolled in the school year in which the aid is to be paid as converted  
24 contract option students, or (iii) for the calculation of aid for school  
25 fiscal year 2017-18 for school districts that are members of a learning  
26 community, open enrollment students were actually enrolled for school  
27 year 2016-17 pursuant to section 79-2110.

1 (b) The determination of the net number of option students shall be  
2 based on (i) the number of students enrolled in the district as option  
3 students and the number of students residing in the district but enrolled  
4 in another district as option students as of the day of the fall  
5 membership count pursuant to section 79-528, for the school fiscal year  
6 immediately preceding the school fiscal year in which aid is to be paid,  
7 (ii) the number of option students that will be enrolled in the district  
8 or enrolled in another district as converted contract option students for  
9 the fiscal year in which the aid is to be paid, and (iii) for the  
10 calculation of aid for school fiscal year 2017-18 for school districts  
11 that are members of a learning community, the number of students enrolled  
12 in the district as open enrollment students and the number of students  
13 residing in the district but enrolled in another district as open  
14 enrollment students as of the day of the fall membership count pursuant  
15 to section 79-528 for school fiscal year 2016-17.

16 (c) Except as otherwise provided in this subsection, net number of  
17 option students means the difference of the number of option students  
18 enrolled in the district minus the number of students residing in the  
19 district but enrolled in another district as option students. For  
20 purposes of the calculation of aid for school fiscal year 2017-18 for  
21 school districts that are members of a learning community, net number of  
22 option students means the difference of the number of students residing  
23 in another school district who are option students or open enrollment  
24 students enrolled in the district minus the number of students residing  
25 in the district but enrolled in another district as option students or  
26 open enrollment students.

27 (2)(a) For all school fiscal years except school fiscal years  
28 2017-18 and 2018-19 ~~(2) For purposes of this section,~~ net option funding  
29 shall be the sum of the product of the net number of option students  
30 multiplied by the statewide average basic funding per formula student.

31 (b) For school fiscal years 2017-18 and 2018-19, net option funding

1 shall be the sum of the product of the net number of option students  
2 multiplied by ninety-five and five-tenths percent of the statewide  
3 average basic funding per formula student.

4 (3) A district's net option funding shall be zero if the calculation  
5 produces a negative result.

6 Payments made under this section for school fiscal years prior to  
7 school fiscal year 2017-18 shall be made from the funds to be disbursed  
8 under section 79-1005.01.

9 Such payments shall go directly to the option school district but  
10 shall count as a formula resource for the local system.

11 Sec. 3. Section 79-1015.01, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 79-1015.01 (1) Local system formula resources shall include local  
14 effort rate yield which shall be computed as prescribed in this section.

15 (2) For each school fiscal year except school fiscal years 2017-18  
16 and 2018-19 ~~2011-12 through 2013-14~~: (a) For state aid certified pursuant  
17 to section 79-1022, the local effort rate shall be the maximum levy, for  
18 the school fiscal year for which aid is being certified, authorized  
19 pursuant to subdivision (2)(a) of section 77-3442 less five cents; (b)  
20 for the final calculation of state aid pursuant to section 79-1065, the  
21 local effort rate shall be the rate which, when multiplied by the total  
22 adjusted valuation of all taxable property in local systems receiving  
23 equalization aid pursuant to the Tax Equity and Educational Opportunities  
24 Support Act, will produce the amount needed to support the total formula  
25 need of such local systems when added to state aid appropriated by the  
26 Legislature and other actual receipts of local systems described in  
27 section 79-1018.01; and (c) the local effort rate yield for such school  
28 fiscal years shall be determined by multiplying each local system's total  
29 adjusted valuation by the local effort rate.

30 ~~(3) For school fiscal years 2011-12 and 2012-13: (a) For state aid~~  
31 ~~certified pursuant to section 79-1022, the local effort rate shall be the~~

~~1 maximum levy, for the school fiscal year for which aid is being  
2 certified, authorized pursuant to subdivision (2)(a) of section 77-3442  
3 less one and five-hundredths of one cent; (b) for the final calculation  
4 of state aid pursuant to section 79-1065, the local effort rate shall be  
5 the rate which, when multiplied by the total adjusted valuation of all  
6 taxable property in local systems receiving equalization aid pursuant to  
7 the Tax Equity and Educational Opportunities Support Act, will produce  
8 the amount needed to support the total formula need of such local systems  
9 when added to state aid appropriated by the Legislature and other actual  
10 receipts of local systems described in section 79-1018.01; and (c) the  
11 local effort rate yield for such school fiscal years shall be determined  
12 by multiplying each local system's total adjusted valuation by the local  
13 effort rate.~~

14 ~~(3) (4) For school fiscal years 2017-18 and 2018-19 year 2013-14:~~  
15 (a) For state aid certified pursuant to section 79-1022, the local effort  
16 rate shall be the maximum levy, for the school fiscal year for which aid  
17 is being certified, authorized pursuant to subdivision (2)(a) of section  
18 77-3442 less two and ninety-seven hundredths cents; (b) for the final  
19 calculation of state aid pursuant to section 79-1065, the local effort  
20 rate shall be the rate which, when multiplied by the total adjusted  
21 valuation of all taxable property in local systems receiving equalization  
22 aid pursuant to the Tax Equity and Educational Opportunities Support Act,  
23 will produce the amount needed to support the total formula need of such  
24 local systems when added to state aid appropriated by the Legislature and  
25 other actual receipts of local systems described in section 79-1018.01;  
26 and (c) the local effort rate yield for such school fiscal years shall be  
27 determined by multiplying each local system's total adjusted valuation by  
28 the local effort rate.

29 Sec. 4. Original section 79-1015.01, Reissue Revised Statutes of  
30 Nebraska, and sections 77-3446 and 79-1009, Revised Statutes Cumulative  
31 Supplement, 2016, are repealed.

1           Sec. 5.   Since an emergency exists, this act takes effect when  
2   passed and approved according to law.