

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

January 27, 2003 LB 67

failure to communicate that in the current statute, and that is the point, I guess you could say, of Section 19 and the provision in question here. Currently, a Class I district could apply for additional budget authority. The K-12 would have up to April 10 to make a decision. Law requires that they communicate that decision to the Class I board, but, again, they may not because there is not a penalty associated with not reporting it, and Class I budgets then have the April 15 date. So, by April 14, five days after the decision deadline, there are some important decisions that Class I districts have to make. With the proposed bill, with the provision that's in the green copy, a Class I district would have a little bit more certainty to operate under in that, if they requested additional budget authority and did not hear from the K-12 district, they could proceed, knowing that their additional budget authority would be granted. There's already a provision in law that if no decision is made by, as Senator Beutler pointed, by April 10, then the budget authority is granted. The issue is, what is an appropriate penalty? And I think Senator Beutler is absolutely correct. This penalty would suggest that if a K-12 board makes a decision, fails to communicate that decision, then, in effect, that decision, if it's a denial of the additional budget authority, would be reversed. I think, in this particular case, although it's a fair point to raise the issue about what is an appropriate penalty, I think this is a fair penalty. Because it is important to the Class I district and its financial operation, as it is to the K-12 district, because we're talking about a shared budget authority, if you will, that this decision, this communication, be regarded as very important. This bill would emphasize that that communication is not only statutorily required, but it is very important, and would, I think, strongly encourage that that communication take place. So I think...

SPEAKER BROMM: One minute.

SENATOR RAIKES: ...the provision in the bill is appropriate and, as a result, I'm not going to support Senator Beutler's amendment. Thank you.

SPEAKER BROMM: Senator Beutler, there are no other lights. Do