

COMMITTEE STATEMENT
LB 347

HEARING DATE: January 27, 1997

COMMITTEE ON: EDUCATION

TITLE: LB 347 (Bohlke, McKenzie) Change and eliminate provisions relating to schools, education, penalties. and school districts

ROLL CALL VOTE, FINAL COMMITTEE ACTION

Advanced to General File

Y Advanced to General File with amendments

Indefinitely Postponed

Vote results:

7 Yes Senators Bohlke, Wickersham, McKenzie. Stuhr, Suttle, Bromm, Beutler

0 No

0 Present, not voting

1 Absent Senator Warner

PROPOSERS	Representing
Thomasin Barry	For the Introducer
Larry J. Scherer	Consultant

OPPOSERS	Representing
----------	--------------

NEUTRAL	Representing
---------	--------------

Summary of purpose and/or changes:

Section 79-529 provides requirements for toilet facilities when interior facilities are not available. This section is repealed because there are not any known schools that are affected. The Federation of School Districts statutes in SS 79-1401 to 79-1416 are repealed because they are not being used. Programs that are repealed because they were never funded or implemented include the Professional Staff Development Program (§ 79-879), aid for extended teacher contracts (§ 79-823), a scientist-in-residence program (§ 79-710), and an exemplary curriculum dissemination program (§ 79-711). Sections 79-1054 to 79-1061, containing provisions regarding the federal Education Finance Act of 1949, are repealed because the federal program was never implemented.

An old reference to a procedure regarding teaching certificates for teachers with less than four years of college is deleted from § 79-814, because the procedure no longer exists. An exception to the certification requirements for teachers teaching exclusively in community colleges was removed from § 79-802. The community college provisions have been moved to Chapter 85, so this provision is no longer necessary.

Section 79-1301 requires the Department of Education to establish a technology consortium if funds are appropriated. The funding language is deleted. The consortium was formed without a specific appropriation. An old reference to a procedure regarding teaching certificates for teachers with less than four years of college is deleted from § 79-814 because the procedure no longer exists. An exception to the certification requirements for teachers teaching exclusively in community colleges was removed from §

79-802. The community college provisions have been moved to Chapter 85, so this provision is no longer necessary.

Section 79-1301 requires the Department of Education to establish a technology consortium if funds are appropriated. The funding language is deleted. The consortium was formed without a specific appropriation.

Section 79-1313 is amended to expand the means of transmission available for the Nebraska Educational Telecommunications Commission to keep up with new developments in technology. An annual report to the Legislature and intent for underserved to have a priority are deleted from the section. Several other sections are amended to reflect those changes and to clarify the available technologies. Section 79-1314 is amended to delete the definition of formal telecommunications and to replace the term instructional technology with instructional telecommunications.

Amendments to § 79-1316 delete obsolete language for the implementation of a statewide system for public radio, clarify permissible technologies, add specific authorization for programming for the deaf and hard of hearing, add a requirement that programming for postsecondary education to be consistent with the policies of the Coordinating Commission for Postsecondary Education, and require the maintenance of Nebraska Educational Telecommunications Commission policies. Two requirements are also deleted from § 79-1316. The priority for the instructional needs of elementary and secondary school when two or more agencies desire to provide substantially equivalent programming is deleted. The requirement to maintain the proceedings of the Legislature in the film library is also deleted. The Commission membership is amended in § 79-1315 to allow a designee to attend meetings if the Commissioner of Education or the deputy commissioner are unable to attend. The Commission's eminent domain powers in § 79-1322 are amended by replacing specific property descriptions with a more general description of transmission purposes. The Commission is specified as one of the organizations that the Department of Education may contract with for instructional telecommunications under § 791323.

Section 79-743 is amended to eliminate colleges and universities from the entities that may establish programs for instruction in vocations not requiring an advanced degree pursuant to that section. The Coordinating Commission for Postsecondary Education approves programs for postsecondary institutions. A provision is deleted from § 79-744, which disallowed the approval of programs that were inconsistent with postsecondary education.

The definition for present senior school employee is removed from the retirement definitions in section § 79-902. The term is not being used. In that same section, the definition of public school is clarified by narrowing the definition to schools offering instruction in elementary or high school grades. The definition for withdrawal from service is removed from § 79-978 due to lack of use. Sections 79-8,102 to 79-8,105 contain the stipend provisions for the Reserve Teacher program. The Reserve Teacher program allows teachers who retired prior to September 1958 to assist the Department of Education and receive a stipend of \$2,400 per year.

Legislative Bill 1014 from 1996 was similar to LB 347 and was advanced to general file by the Education Committee. These bills are trailer bills

produced from the recodification process that resulted in LB 900 in 1996, which was passed and signed by the Governor last year.

Explanation of Amendments. if any:

The committee amendments to LB 347 clarify that the Nebraska Educational Telecommunications Commission shall arrange for the operation of statewide educational telecommunications networks in cooperation with the State Board of Education and the Coordinating Commission for Postsecondary Education, rather than consistent with policies of those agencies. The Commission's eminent domain authority is restricted in the amendment by requiring the approval of the Legislature or the Executive Board if the Legislature is not in session. The sections for Reserve Teacher program are removed from the outright repealer. so the program will continue to serve the two remaining beneficiaries.

Chairperson