

104TH CONGRESS  
2D SESSION

# S. 1543

To clarify the treatment of Nebraska impact aid payments.

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IN THE SENATE OF THE UNITED STATES

JANUARY 26, 1996

Mr. KERREY introduced the following bill; which was read twice, considered,  
read the third time, and passed

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## A BILL

To clarify the treatment of Nebraska impact aid payments.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. TREATMENT OF IMPACT AID PAYMENTS.**

4       (a) IN GENERAL.—The Secretary of Education shall  
5       treat any State as having met the requirements of section  
6       5(d)(2)(A) of Public Law 81–874 for fiscal year 1991, and  
7       as not having met those requirements for each of the fiscal  
8       years 1992, 1993, and 1994, if—

9               (1) its program of State aid was not certified  
10       by the Secretary under section 5(d)(2)(C)(i) of Pub-  
11       lic Law 81–874 for any fiscal year before fiscal year  
12       1991;

1           (2) the State submitted timely notice under  
2 that section of its intention to seek that certification;

3           (3) the Secretary determined that the State did  
4 not meet the requirements of section 5(d)(2)(A) of  
5 Public Law 81–874 for fiscal year 1991; and

6           (4) it has made a payment to each local edu-  
7 cational agency in the State, other than any local  
8 educational agency that received a payment for fiscal  
9 year 1991 under section 3(d)(2)(B) of Public Law  
10 81–874, whose State aid it reduced for that fiscal  
11 year, in the full amount of that reduction.

12       (b) REPAYMENT NOT REQUIRED.—Notwithstanding  
13 any other provision of law, any local educational agency  
14 in such a State that received funds under section  
15 3(d)(2)(B) of Public Law 81–874 for fiscal year 1991  
16 shall not, by virtue of subsection (a), be required to repay  
17 those funds to the Secretary.

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