



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 219**

Hearing Date: February 12, 2007
Committee On: Education

Introducer(s): (Dierks)
Title: Change requirements for freeholder petitions

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

- | | | |
|---|---------------------|---|
| 8 | Yes | Senators Adams, Ashford, Avery, Burling, Howard, Johnson, Kopplin, and Raikes |
| 0 | No | |
| 0 | Present, not voting | |
| 0 | Absent | |
-

Proponents:

Senator M.L. Dierks
Chuck Tramp
Catherine D. Lang
Beth Bazyn Ferrell
Matt Arndt

Representing:

Introducer
Self
Department of Property Assessment and Taxation
Nabraska Association of County Officials
Self

Opponents:

Clint Hohndorf

Representing:

Self

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 219 would amend § 79-458 by requiring petitions to transfer land from one school district to another pursuant to such section to be filed on or before June 1st. This procedure is commonly known as freeholding. A new provision would make such transfers effective on January 1st following the filing of the petition. The current provisions do not specify when transfers become effective.

Landowners are allowed under § 79-458 to transfer land from a Class II or III school district if such district:

1. Has had an average daily membership in grades 9-12 of less than sixty for 2 consecutive school fiscal years immediately preceding the filing of the petition;
2. Has voted to exceed the maximum levy and the vote is effective for the school fiscal year in which the petition is filed or for the following school fiscal year;
3. Has a high school within 15 miles on a maintained public highway or maintained public road of another high school; and
4. Is not a member of a learning community.

The land may be transferred to a district that is contiguous to the land. For the purpose of determining whether a tract of land is contiguous, all petitions currently being considered by the board are considered together as a whole. The petitions must also be approved by a majority of the school board of the district to which the land would be attached.

Explanation of amendments, if any:

The Committee Amendments would require the board consisting of the county assessor, county clerk, and county treasurer to approve or disapprove petitions on or before November 1st. The appeals provisions would also be amended to reflect the November 1st deadline.

Senator Ron Raikes, Chairperson