



**Hundredth Legislature - First Session - 2007**  
**Committee Statement**  
**LB 473**

---

**Hearing Date:** February 6, 2007  
**Committee On:** Education

**Introducer(s):** (Chambers)

**Title:** Change provisions relating to learning communities and Class V school district elections

---

**Roll Call Vote – Final Committee Action:**

Advanced to General File  
Advanced to General File with Amendments  
X 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 Ernie Chambers  
Ellen Pratt

**Representing:**

Introducer  
Self

**Opponents:**

Ken Bird  
Scott Hazelrigg  
John Bonaiuto

**Representing:**

Westside Community Schools  
Westside Community Schools  
Nebraska Association of School Boards

**Neutral:**

Vickey Parks  
Senator Rich Pahls  
Willie J. Hamilton

**Representing:**

Self  
District #31  
Self

---

**Summary of purpose and/or changes:**

Legislative Bill 473 would modify the provisions requiring the division of Class V school districts. The State Committee for the Reorganization of School Districts would be required to reorganize school districts in a city of the metropolitan class if any Class V school district in such city has more than three high school building or if such district has more than 20,000 students. The districts that would be included in the reorganization would include the Class V school district and any contiguous Class II or III school districts that are completely within the boundaries of the city of the metropolitan class and have not had another incorporated city within

---

their boundaries in the preceding 30 years. The districts would be reorganized into new Class V school districts containing the attendance areas of two or three high school buildings. The measure also provides for the election of board members for the new Class V school districts.

Section 32-545 would be amended by adding provisions for the election of board members for new Class V school districts. All 12 board members of a new Class V school district would be elected at the statewide primary in the year in which a new Class V school district would be formed and would begin serving on June 1 of that year. After the initial board is elected, the succeeding board members would be elected based on the number of the election district. A cross reference would also be transferred from subsection (2) to (1).

Section 32-552 would be amended by adding that the election commissioner for the county having the greater part of the school district shall divide the school district into 12 numbered election districts within 30 days after a request by the State Committee, whenever a new Class V school district is being formed. Language requiring the adjustment of election districts to conform to changes in the territory of the school district would be eliminated.

Section 32-601 would be amended by requiring the State Committee to notify the election commissioner or county clerk of offices to be filled for a new Class V school district no later than January 5 of the year in which the new district will be formed.

Section 32-604 would be amended by allowing a school board member for a new Class V school district to serve as a school board member for a school district that has territory that will become part of the new Class V school district.

Section 79-4,117 would be amended by including a new section in the Learning Community Reorganization Act. The new section provides that any Class V school district created or modified by an order of the State Committee shall be deemed a new Class V school district on the effective date of the order. The effective date of such orders would be required to be January 1 of an even-numbered year for election purposes and July 1 of that year for all other purposes.

Section 79-4,122 would be amended by including the division of Class V school districts in the hearing requirements pursuant to the Learning Community Reorganization Act.

Section 79-4,125 would be amended by eliminating an exception for the division of Class V school districts from the general disapproval provisions pursuant to the Learning Community Reorganization Act.

Section 4,129 would be amended by requiring the State Committee to request the election commissioner of the county in which the greater portion of the territory of a Class V school district is situated to divide the school district into 12 numbered election districts. The election districts would be included in the order forming the new Class V school district. The State Committee would be required to notify the election commissioner or county clerk of offices to be filled for the new Class V school district no later than January 5 of the year in which the new Class V school district will be formed. The initial board of the Class V school district would be elected pursuant to the new provisions in § 32-545. Existing provisions for the appointment of the first school board of a Class V school district would be deleted.

Section 79-4,130 would be amended by requiring the State Committee to issue orders on or before December 31, 2007 and on or before December 31 of each odd-numbered year thereafter, the State Committee would be required to reorganize school districts in a city of the metropolitan class if any Class V school district in such city has more than three high school building or if such district has more than 20,000 students. The orders would reorganize the Class V school district and any contiguous Class II or III school districts that are completely within the boundaries of the city of the metropolitan class and have not had another incorporated city or portion thereof within their boundaries in the preceding 30 years. The districts would be reorganized into new Class V school districts containing the attendance areas of two or three high school buildings. The effective date for the orders would be the following January 1 for election purposes and July 1 for all other purposes.

The State Committee would be required to develop a plan meeting the requirements to be included in the required orders and to hold a hearing. The plan would be required to include an assignment of assets and liabilities of the district involved in the reorganization. The current provisions for the learning community to submit a plan to divide Class V districts and for the State Committee to proceed if they disapprove the plan would be deleted. An existing requirement for new Class V districts to contain contiguous attendance areas would also be deleted.

Section 79-552 would be amended by requiring elected board members for new Class V school districts to take the oath of office before June 1 following their election. Any student member for a new Class V would take the oath before June 1 following his or her designation.

Section 79-567 would be amended by requiring the board of education of a new Class V school district to elect a president and vice president at their initial meeting with a term to end at the first regular meeting in January.

A new section would require the school board members and employees of exiting school districts affected by orders issued by the State Committee for the Reorganization of School Districts to prepare their school districts for a smooth transition.

The measure contains an emergency clause.

**Explanation of amendments, if any:**

---

**Senator Ron Raikes, Chairperson**