



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 630**

Hearing Date: February 12, 2007
Committee On: Education

Introducer(s): (Dierks)
Title: Change provisions relating to freeholder petitions

Roll Call Vote – Final Committee Action:

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

Vote Results:

6	Yes	Senators Adams, Ashford, Avery, Howard, Kopplin, and Raikes
1	No	Senator Burling
1	Present, not voting	Senator Johnson
0	Absent	

Proponents:

Senator M.L. Dierks
Gene Burton
Doug Johnson
Jack Moles

Holly Herzberg
Bob Marks
Michael Montgomery
Duane G. Bair
Chuck Tramp

Representing:

Introducer
Prague Public Schools
Wausa Public Schools
Nemaha Valley Schools / Nebraska Rural
Community Schools Association
Hampton Public Schools
Wausa Public Schools
Southeast Nebraska Consolidated Schools
Self
Self

Opponents:

Clint Hohndorf

Representing:

Self

Neutral:

Paul Underwood

Representing:

Self

Summary of purpose and/or changes:

Legislative Bill 630 would amend § 79-458 by changing the requirements that allow the transfer land from one school district to another, commonly known as freeholding.

Currently, landowners are allowed 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.

This measure would reduce the threshold number of students from 60 high school students to 50 high school students and the time period required for a district to be below the threshold would be extended from 2 years to 4 years. The maximum distance between high schools would also be reduced from 15 miles to 10 miles. The requirement for a levy override would be limited by requiring the override authorization to be in effect for the school fiscal year in which the petition is filed.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson