

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 253**

Introduced by Adams, 24.

Read first time January 16, 2013

Committee:

A BILL

- 1 FOR AN ACT relating to schools; to amend sections 79-401 and 79-862,
- 2 Reissue Revised Statutes of Nebraska; to correct a
- 3 reference to a governmental entity and a statutory
- 4 reference; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 79-401, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           79-401 The Legislature finds and declares that orderly  
4 and appropriate reorganization of school districts may contribute to  
5 the objectives of tax equity, educational effectiveness, and cost  
6 efficiency. The Legislature further finds that there is a need for  
7 greater flexibility in school reorganization options and procedures.  
8 It is the intent of the Legislature to encourage an orderly and  
9 appropriate reorganization of school districts. The Legislature  
10 establishes as its goals for the reorganization of school districts  
11 that:

12           (1) All real property and all elementary and secondary  
13 students should be within school systems which offer education in  
14 grades kindergarten through twelve. For purposes of meeting this  
15 goal, Class I and Class VI school district combinations shall be  
16 considered as including all real property and all elementary and  
17 secondary students within a school district which offers education in  
18 kindergarten through grade twelve;

19           (2) School districts offering education in kindergarten  
20 through grade twelve should be encouraged, when possible, to consider  
21 cooperative programs in order to enhance educational opportunities to  
22 students; and

23           (3) The State Department of Education in conjunction with  
24 the Bureau of Educational Research and Field ~~Studies~~ Services in the  
25 Department of ~~Education~~ Educational Administration at the University

1 of Nebraska-Lincoln should be encouraged to offer greater technical  
2 assistance to school districts which are considering reorganization  
3 options.

4           Sec. 2. Section 79-862, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6           79-862 The commission shall, with the advice and consent  
7 of the Governor, appoint a clerk of the commission who shall hold  
8 office at the pleasure of the commission. The clerk shall, under the  
9 direction of the chairperson of the commission, keep a complete and  
10 accurate record of the proceedings of the commission, record all  
11 pleadings and other papers filed with the commission, issue all  
12 necessary notices and writs, superintend the business of the  
13 commission, and perform such other duties as the commission directs.  
14 The clerk shall not be a member of the commission and shall not  
15 participate in hearings before the commission except to schedule and  
16 make other arrangements for the conduct of hearings.

17           The commission may also appoint or retain such other  
18 persons as it may deem necessary for the performance of its functions  
19 and shall prescribe their duties, fix their compensation, and provide  
20 for reimbursement of their expenses as provided in sections 81-1174  
21 ~~and to~~ 81-1177 within the amounts available in the budget of the  
22 commission.

23           Sec. 3. Original sections 79-401 and 79-862, Reissue  
24 Revised Statutes of Nebraska, are repealed.