

LEGISLATIVE BILL 212

Approved by the Governor February 22, 1971

Introduced by Wayne W. Ziebarth, 37th District; Ramey C. Whitney, 44th District; Thomas C. Kennedy, 21st District; Harold D. Simpson, 46th District

AN ACT to amend sections 79-105 and 79-106, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide additional standards and authority for reclassification of school districts; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-105, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-105. The number of inhabitants in any school district shall, for the purpose of determining the class to which such district belongs, be the number of inhabitants ascertained by the most recent United States Census or by a certified census taken of the district at the direction of the district board of education and approved by the State Board of Education. The board of any school district is authorized to contract for a special United States Census of the district if the board determines that such a census is necessary.

Sec. 2. That section 79-106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-106. Whenever any school district of the second, third, or fourth class shall attain the number of inhabitants which shall require its classification as a school district of the third, fourth, or fifth class, respectively, the Commissioner of Education shall forthwith reclassify such district as a district of the next higher class. A district of the third class may be reclassified as a district of the second class, upon application of the board of education of such district, if the commissioner finds that the number of inhabitants of such district has decreased to the level established for districts of the second class. Any reclassification pursuant to this section shall become effective at the beginning of the next fiscal year after the order of the commissioner.

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Sec. 3. That original sections 79-105 and 79-106, Reissue Revised Statutes of Nebraska, 1943, are repealed.