

LEGISLATIVE BILL 629

Approved by the Governor March 3, 1998

Introduced by Crosby, 29

AN ACT relating to schools; to amend sections 79-102 and 79-407, Revised Statutes Supplement, 1997; to change provisions relating to classification of school districts; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 79-102, Revised Statutes Supplement, 1997, is amended to read:

79-102. School districts in this state are classified as follows:

(1) Class I includes any school district that maintains only elementary grades under the direction of a single school board;

(2) Class II includes any school district embracing territory having a population of one thousand inhabitants or less that maintains both elementary and high school grades under the direction of a single school board;

(3) Class III includes any school district embracing territory having a population of more than one thousand and less than one hundred fifty thousand inhabitants that maintains both elementary and high school grades under the direction of a single school board;

(4) Class IV includes any school district embracing territory having a population of one hundred thousand or more and less than two hundred thousand inhabitants with a city of the primary class within the territory of the district that maintains both elementary and high school grades under the direction of a single school board;

(5) Class V includes any school district embracing territory having a population of two hundred thousand or more inhabitants with a city of the metropolitan class within the territory of the district that maintains both elementary grades and high school grades under the direction of a single school board; and

(6) Class VI includes any school district in this state that maintains only a high school, or a high school and grades seven and eight as provided in section 79-411, under the direction of a single school board.

Sec. 2. Section 79-407, Revised Statutes Supplement, 1997, is amended to read:

79-407. The territory within the corporate limits of each incorporated city or village in the State of Nebraska, together with such additional territory and additions to such city or village as may be added thereto, as declared by ordinances to be boundaries of such city or village, having a population of more than one thousand and less than one hundred fifty thousand inhabitants, including such adjacent territory as now is or hereafter may be attached for school purposes, shall constitute a Class III school district. The school district shall be a body corporate and possess all the usual powers of a corporation for public purposes and may sue and be sued, purchase, hold, and sell such personal and real property, and control such obligations as are authorized by law. The title to all school buildings or other real or personal property owned by any school district within the corporate limits of any city or village shall, upon the organization of the school district, vest immediately in the new school district. The school board of the new school district shall have exclusive control of such buildings and real or personal property for all purposes contemplated in this section, except as provided in section 79-473.

Sec. 3. Original sections 79-102 and 79-407, Revised Statutes Supplement, 1997, are repealed.