

January 15, 1982

LB 208

SENATOR REMMERS: Okay, I am sorry (interruption).

SENATOR KOCH: I am just talking about right now an amendment to the committee amendments, get that adopted and then we will go to your question.

SENATOR REMMERS: Okay, I am sorry. I was visiting here and I wasn't paying attention. Thank you.

SENATOR CLARK: Is there any further discussion on the Koch amendment to the amendments? If not, all those in favor vote aye, all those opposed vote nay. This takes a simple majority. Record the vote.

CLERK: 21 ayes, 0 nays on adoption of Senator Koch's amendment to the committee amendments, Mr. President.

SENATOR CLARK: That amendment is adopted. Now on the committee amendments.

SENATOR KOCH: Thank you, Mr. Speaker. The committee after, and now I want to give you the background, we have been dealing with the issue of freeholding for at least three years. It seems like it is like a number of those things in education, it just never goes away. Sometimes we just ignore it and allow it to fester and so we held an interim study on freeholding and the committee has decided that we should try to correct the present laws in the best ways we can on the issue of some parent wanting to freehold property from one district, whether it be a Class I or Class II, to another district, particularly if they are unaccredited or nonaccredited. And so after our hearing on LB 208, then the committee decided we needed several amendments and they are as follows: What we did in subsection (1) of the amendment is to reinstate certain portions of the original subsection, namely, the portion which grants permissive authority to file a freeholder petition under this subsection. In addition to that we modified the original language by placing the filing with the State Board of Education. Prior to that time a great deal of filing went to three people in the county. We were advised by county superintendents and others this often-times became a very emotional issue and it couldn't be responsibly resolved without probably the party being hurt when probably they had the right to request that freehold and it should have been granted. In addition to this, we then amended another section which has to do with all proposed revisions related only to procedural matters by adding again it is how you go through the procedure of filing a petition. We set that out very clearly