

LEGISLATIVE BILL 8

Approved by the Governor February 2, 1977

Introduced by Executive Board, Barnett, 26, Chmn.

AN ACT to amend sections 49-704, 49-705, 49-707, 49-765, and 49-767, Reissue Revised Statutes of Nebraska, 1943, relating to statute revision; to clarify powers and duties of the Revisor of Statutes as prescribed; and to repeal the original sections, and also sections 49-702.01, 49-705.01, 49-706, 49-721 to 49-764, and 49-768, Reissue Revised Statutes of Nebraska, 1943, and section 49-766, Revised Statutes Supplement, 1976.

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

Section 1. That section 49-704, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-704. [1] The Revisor of Statutes may, subject to the approval of the Executive Board of the Legislative Council, negotiate and enter into a contract without advertising for bids for the editing, printing, binding, and publication, under his supervision and direction, of the supplements and reissued or replacement volumes to the statutes of Nebraska.

[2] The Revisor of Statutes shall cause a sufficient number of copies of such volumes to be printed under contract according to specifications to be formulated by the Revisor of Statutes.

Sec. 2. That section 49-705, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-705. (1) The Revisor of Statutes, in preparing supplements and reissued or replacement volumes for publication and distribution, shall not alter the sense, meaning or effect of any act of the Legislature, but may (a) renumber sections and parts of sections, (b) rearrange sections, (c) change reference numbers to agree with renumbered chapters, articles, or sections, (d) substitute the proper section, article, or chapter numbers for the terms the preceding section, this article, this act, and like terms, (e) strike out figures where they are merely a repetition of written words, (f) change capitalization for the purpose of uniformity, and (g) correct manifest clerical or typographical errors.

The Revisor of Statutes shall omit all titles to acts, all enacting and repealing clauses, all declarations of emergency, and all validity and construction clauses, including sections stating the effective date of salary changes, unless, from their nature, it may be necessary to retain some of them to preserve the full meaning and intent of the law.

(2) In addition to the authority provided in subsection (1) of this section, the Revisor of Statutes, in preparing supplements and reissued or replacement volumes for publication and distribution, may (a) remove obsolete matter within any section, (b) omit obsolete sections stating the effective date of salary changes, (c) remove from within any section language which the Supreme Court has held to be unconstitutional without impairing the constitutionality of the remainder of the section, (d) omit any section or sections, or any complete act, which the Supreme Court has held to be unconstitutional, (e) reinstate a section as it existed immediately prior to an amendment which the Supreme Court has held unconstitutional, (f) correct faulty internal references, and (g) harmonize provisions with former acts of the Legislature. Changes made under the provisions of this subsection shall be effective only upon publication in the supplement or replacement volume, which publication shall contain a brief note explaining the change made and citing this subsection as the authority therefor. No change made under the provisions of this subsection shall effect any change in the substantive meaning of any section. If the Revisor of Statutes is in doubt whether or not a specific change is authorized by this subsection, he shall not make the change but shall propose it as a legislative bill at the next regular session of the Legislature.

Sec. 3. That section 49-707, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-707. The State Librarian shall cause the supplements and replacement reissued volumes to be copyrighted under the copyright laws of the United States for the benefit of the people of Nebraska. The supplements and reissued or replacement volumes shall be sold and distributed by the State Librarian at such price as shall be prescribed by the Revisor--of--Statutes Executive Board of the Legislative Council, which price shall be sufficient to recover all costs of publication. The money received therefor shall be paid into the state treasury to the credit of the General Fund. The State Librarian shall take receipts for all such money paid into the state treasury. Supplements and replacement

reissued volumes shall be furnished and delivered free of charge in the same number and to the same parties as are designated in section 49-617.

Sec. 4. That section 49-765, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-765. The Revisor of Statutes, when authorized ~~by the Executive Board of the Legislative Council is authorized to reissue and bring up to date~~ reissuing and bringing up to date the Revised Statutes of Nebraska, 1943, ~~He~~ shall incorporate in the reissued volumes all laws enacted by the Legislature since the volumes to be reissued were brought up to date. He shall make such corrections of clerical and typographical errors as may have been discovered since the last publications thereof. He shall also include therein annotations to all decisions of the Supreme Court and federal courts construing the sections therein that have been rendered since the last publication thereof. The reissued volumes shall be made up, printed, and bound to correspond, as nearly as practicable, with the present reissued volumes of the Revised Statutes of Nebraska, 1943.

Sec. 5. That section 49-767, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-767. The Revisor of Statutes shall certify that the contents of the supplements and reissued volumes, as published, are true copies of all laws of a general nature that are in force at the time of the publication thereof. The Revisor of Statutes shall deposit a copy of the supplements and reissued volumes so certified in the office of the Secretary of State.

Sec. 6. That original sections 49-704, 49-705, 49-707, 49-765, and 49-767, Reissue Revised Statutes of Nebraska, 1943, and also sections 49-702.01, 49-705.01, 49-706, 49-721 to 49-764, and 49-768, Reissue Revised Statutes of Nebraska, 1943, and section 49-766, Revised Statutes Supplement, 1976, are repealed.