

LEGISLATIVE BILL 644

Approved by the Governor March 12, 1984

Introduced by Goodrich, 20

AN ACT relating to schools; to amend sections 79-2911 and 79-2914, Reissue Revised Statutes of Nebraska, 1943; to increase the membership of the Nebraska Educational Facilities Authority; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 79-2911, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2911. The authority shall consist of ~~seven~~ **five** members, to be appointed by the Governor, who shall be residents of the state, not more than ~~four~~ **three** of whom shall be members of the same political party. At least one of the members shall be a trustee, director, officer, or employee of one or more private institutions of higher education in the state. At least one shall be a person having a favorable reputation for skill, knowledge, and experience in the field of finance. At least one shall be a person experienced in and having a favorable reputation for skill, knowledge, and experience in the educational building construction field. At least one shall be a person experienced in and having a favorable reputation in the field of public accounting. The members of the authority first appointed shall serve for terms expiring as follows: One on December 31, 1982; two on December 31, 1983; ~~and two on December 31, 1984; and two on December 31, 1985,~~ respectively, the term of each such member to be designated by the Governor. Upon the expiration of the term of any member, his or her successor shall be appointed for a term of four years and until his or her successor has been appointed and qualified. The Governor shall fill any vacancy for the remainder of the unexpired term. Any member of the authority may be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty or other cause after notice and a public hearing unless such notice and hearing shall be expressly waived in writing by the accused member. Each member shall be eligible for reappointment to a successive term but shall be declared ineligible for three consecutive full terms.

Sec. 2. That section 79-2914, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2914. ~~Three~~ **Four** members of the authority shall constitute a quorum. The affirmative vote of a

majority of all of the members of the authority shall be necessary for any action taken by the authority. A vacancy in the membership of the authority shall not impair the right of a quorum to exercise all the rights and perform all the duties of the authority. Any action taken by the authority under sections 79-2901 to 79-2959 may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted.

Sec. 3. That original sections 79-2911 and 79-2914, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.