

AMENDMENTS TO LB 720

Introduced by Government, Military and Veterans Affairs

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 32-545, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           32-545 (1) A member of the board of education of a Class  
6 V school district shall be elected from each district provided for  
7 in section 32-552. The members shall meet the qualifications found  
8 in ~~section~~ sections 79-543 and 79-552. At each statewide general  
9 election, six

10           (2) The term of office of each member serving on the  
11 effective date of this act expires on the first Monday of January  
12 2013.

13           (3) Any eligible registered voter may file a candidate  
14 filing form on or before August 1, 2012, for placement of his  
15 or her name on the nonpartisan ballot for the statewide general  
16 election in November 2012 for the district in which he or she  
17 resides.

18           (4) At the statewide general election in November 2012,  
19 members representing odd-numbered districts shall be elected for  
20 four-year terms and members representing even-numbered districts  
21 shall be elected for two-year terms. Such terms begin on the first  
22 Monday of January 2013. Thereafter, members of the board shall be  
23 elected to serve for four years from and including the first Monday

1 of the January following their election or until their successors  
2 are elected and qualified. ~~Candidates~~

3 (5) Beginning in 2014, candidates shall be nominated at  
4 the statewide primary election upon a nonpartisan ballot. ~~At the~~  
5 ~~statewide general election in 1976 and each four years thereafter,~~  
6 ~~one member shall be elected from each even-numbered district.~~  
7 ~~At the statewide general election in 1978 and each four years~~  
8 ~~thereafter,~~ one member shall be elected from each odd-numbered  
9 district. The members shall meet the qualifications found in  
10 section ~~79-543.~~

11 Sec. 2. Section 32-552, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 32-552 (1) At least five months prior to an election,  
14 the governing board of any political subdivision requesting the  
15 adjustment of the boundaries of election districts shall provide  
16 written notification to the election commissioner or county clerk  
17 of the need and necessity of his or her office to perform such  
18 adjustments.

19 (2) After the next federal decennial census, the election  
20 commissioner of the county in which the greater part of a Class IV  
21 school district is situated shall, subject to review by the school  
22 board, divide the school district into seven numbered districts,  
23 substantially equal in population as determined by the most recent  
24 federal decennial census. The election commissioner shall consider  
25 the location of schools within the district and their boundaries.  
26 The election commissioner shall adjust the boundaries of the  
27 election districts, subject to final review and adjustment by the

1 school board, to conform to changes in the territory and population  
2 of the school district and also following each federal decennial  
3 census. Except when specific procedures are otherwise provided,  
4 section 32-553 shall apply to all Class IV school districts.

5 (3) The election commissioner of the county in which the  
6 greater part of a Class V school district is situated shall divide  
7 the school district into ~~twelve~~ seven numbered districts of compact  
8 and contiguous territory and of as nearly equal population as may  
9 be practical. The election commissioner shall adjust the boundaries  
10 of such districts, subject to final review and adjustment by the  
11 school board, to conform to changes in the territory of the school  
12 district and also following each federal decennial census. The  
13 twelve numbered districts in existence on the effective date of  
14 this act shall remain unchanged until January 7, 2013, for purposes  
15 of members whose terms expire in January 2013.

16 Sec. 3. Section 79-4,129, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

18 79-4,129 (1) Within thirty days after the classification  
19 of the reorganized school districts by the county clerk under  
20 section 79-4,128, the state committee shall appoint from among the  
21 legal voters of each new school district created the number of  
22 members necessary to constitute a school board of the class in  
23 which the new school district has been classified. A reorganized  
24 school district shall be formed and organized and shall have a  
25 school board not later than April 1 following the last legal  
26 action, as prescribed in section 79-4,128, necessary to effect the  
27 changes in boundaries as set forth in the plan of reorganization,

1 although the physical reorganization of such reorganized school  
2 district shall take effect July 1 following the classification of  
3 the reorganized school districts under section 79-4,128. The first  
4 board shall be appointed on an at-large basis, and all boards  
5 shall be elected at large until such time as election districts are  
6 established as provided in section 32-554.

7 (2) In appointing the first school board of a Class  
8 II school district, the members shall be appointed so that the  
9 terms of three members expire on the date of the first regular  
10 meeting of the board in January after the first even-numbered year  
11 following their appointment and the terms of the three remaining  
12 members expire on the date of the first regular meeting of the  
13 board in January after the second even-numbered year following  
14 their appointment. At the statewide general election in the first  
15 even-numbered year after the reorganization, three board members  
16 in each Class II school district shall be elected to terms of  
17 four years. Thereafter all candidates shall be elected to terms  
18 of four years. Each member's term shall begin on the date of the  
19 first regular meeting of the board in January following his or her  
20 election.

21 (3) In appointing the first school board of a Class  
22 III school district with a six-member board serving terms of  
23 four years, the terms of three members shall expire on the first  
24 Thursday after the first Tuesday in January after the first  
25 even-numbered year following their appointment and the terms of  
26 the three remaining members shall expire on the first Thursday  
27 after the first Tuesday in January after the second even-numbered

1 year following their appointment. Thereafter all Class III district  
2 school boards with six-member boards shall be elected to terms of  
3 four years.

4 (4) In appointing the first school board of a Class  
5 III school district with a nine-member board serving terms of  
6 four years, the terms of four members shall expire on the first  
7 Thursday after the first Tuesday in January after the first  
8 even-numbered year following their appointment and the terms of  
9 five members shall expire on the first Thursday after the first  
10 Tuesday in January after the second even-numbered year following  
11 their appointment. Thereafter all Class III district school boards  
12 with nine-member boards shall be elected to terms of four years.

13 (5) In appointing the first school board of a Class IV  
14 school district, the members shall be appointed so that the terms  
15 of three members shall expire on the third Monday in May of the  
16 first odd-numbered year following their appointment and the terms  
17 of four members shall expire on the third Monday in May of the  
18 second odd-numbered year following their appointment. Thereafter  
19 all Class IV district school boards shall be elected to terms of  
20 four years.

21 (6) In appointing the first school board of a Class V  
22 school district after a reorganization under this section with  
23 a ~~twelve-member~~ seven-member board serving terms of four years,  
24 the terms of ~~six~~ three members shall expire on the first Monday  
25 in January after the first even-numbered year following their  
26 appointment and the terms of ~~six~~ four members shall expire on  
27 the first Monday in January after the second even-numbered year

1 following their appointment. Thereafter all Class V district school  
2 boards shall be elected to terms of four years.

3 (7) The school boards appointed under this section shall  
4 proceed at once to organize in the manner prescribed by law.

5 Sec. 4. Section 79-552, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 79-552 (1) The board of education of a Class V school  
8 district shall consist of twelve members, ~~one~~ until the first  
9 Monday in January 2013 and shall consist of seven members beginning  
10 on such day. One member shall be elected from each district  
11 pursuant to section 32-545. Such board of education ~~and also~~  
12 ~~may also include~~ a nonvoting student member or members selected  
13 pursuant to section 79-559. Each elected member shall be a resident  
14 of the district for at least six months prior to the election. Each  
15 candidate for election to and each member of the board of education  
16 shall be a taxpayer in and a resident of the district of such  
17 school district as designated pursuant to section 32-552.

18 (2) All persons elected as members of the board of  
19 education shall take and subscribe to the usual oath of office  
20 before the first Monday in January following their election, and  
21 the student member shall take and subscribe to the usual oath of  
22 office before the first Monday in January following his or her  
23 designation. In case any person so elected fails so to do, his or  
24 her election shall be void and the vacancy shall be filled by the  
25 board as provided in section 32-570.

26 Sec. 5. Original sections 32-545, 32-552, 79-4,129, and  
27 79-552, Reissue Revised Statutes of Nebraska, are repealed.

1                   Sec. 6. Since an emergency exists, this act takes effect  
2 when passed and approved according to law.