

AMENDMENTS TO LB682

Introduced by Murman, 38.

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

3 **Section 1.** Section 49-1493, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 49-1493 The individuals listed in subdivisions (1) through ~~(14)~~ ~~(13)~~
6 of this section shall file with the commission a statement of financial
7 interests as provided in sections 49-1496 and 49-1497 for the preceding
8 calendar year on or before March 1 of each year in which such individual
9 holds such a position. An individual who leaves office shall, within
10 thirty days after leaving office, file a statement covering the period
11 since the previous statement was filed. Disclosure of the interest named
12 in sections 49-1496 to 49-1498 shall be made by:

13 (1) An individual holding a state executive office as provided in
14 Article IV of the Constitution of Nebraska, including the Governor,
15 Lieutenant Governor, Secretary of State, Auditor of Public Accounts,
16 State Treasurer, Attorney General, Tax Commissioner, and heads of such
17 other executive departments as set forth in the Constitution or as may be
18 established by law;

19 (2) An individual holding the office of Commissioner of Education,
20 member of the State Board of Education, member of the Board of Regents of
21 the University of Nebraska with the exception of student members, or
22 member of the Coordinating Commission for Postsecondary Education;

23 (3) A member of the Board of Parole;

24 (4) A member of the Public Service Commission;

25 (5) A member of the Legislature;

26 (6) A member of the board of directors or an officer of a district
27 organized under the provisions of Chapter 70;

1 (7) A member of any board or commission of the state or any county
2 which examines or licenses a business or which determines rates for or
3 otherwise regulates a business;

4 (8) A member of a land-use planning commission, zoning commission,
5 or authority of the state or any county with a population of more than
6 one hundred thousand inhabitants;

7 (9) An elected official of a city of the primary or metropolitan
8 class;

9 (10) An elected county official;

10 (11) A member of the Nebraska Environmental Trust Board;

11 (12) An individual employed at the University of Nebraska-Lincoln in
12 the position of Head Football Coach, Men's Basketball Coach, or Women's
13 Basketball Coach; ~~and~~

14 (13) An official or employee of the state designated by rules and
15 regulations of the commission who is responsible for taking or
16 recommending official action of a nonministerial nature with regard to:

17 (a) Contracting or procurement;

18 (b) Administering or monitoring grants or subsidies;

19 (c) Land-use planning or zoning;

20 (d) Inspecting, licensing, regulating, or auditing any person; or

21 (e) Any similar action; and -

22 (14) An individual employed by a school board as a superintendent
23 for a school district.

24 **Sec. 2.** (1) Any contract for employment as a superintendent of a
25 school district entered into or renewed on or after the effective date of
26 this act shall include a provision prohibiting the superintendent from
27 receiving employment income other than such individual's employment
28 income from the school district for employment as the superintendent and
29 any income specifically stipulated in the contract during such contract
30 term.

31 (2) For purposes of this section:

1 (a) Employment income means income paid or otherwise provided to an
2 employee by an employer in the education field resulting from the
3 employer-employee relationship or income resulting from a contract as an
4 independent contractor for certain contracted education-related work,
5 such as (i) work on any education-related foundation, board, commission,
6 or similar entity or (ii) consulting or advising on education-related
7 matters; and

8 (b) Employment income does not include income arising from (i) an
9 employer-employee relationship if such employer is not engaged in the
10 education field, (ii) a contract as an independent contractor for non-
11 education-related work, (iii) a farming and ranching operation, (iv)
12 leasing real estate, (v) stocks, bonds, or other investments, or (vi) any
13 other source as specifically stipulated in the contract for employment as
14 a superintendent.

15 **Sec. 3.** Section 79-566, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-566 The board of education of a Class IV school district shall at
18 a regular meeting elect from outside its own members a superintendent, an
19 associate superintendent of instruction, an associate superintendent of
20 business affairs, a school district treasurer, and the number of
21 employees the board of education may deem necessary for the proper
22 conduct of the affairs of the school district at such salaries as the
23 board of education may determine. The board may contract with them for
24 terms not to exceed three years. A contract for employment as a
25 superintendent shall comply with section 2 of this act. The election of
26 all officers of the board of education and all elections for filling
27 vacancies on the board of education shall be by ballot. No person shall
28 be declared elected unless he or she receives the vote of a majority of
29 all the members of the board of education.

30 **Sec. 4.** Section 79-567, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 79-567 The members of the board of education of a Class V school
2 district, at their regular meeting in January each year, shall elect a
3 president and vice president from their own members, who shall serve for
4 terms of one year or until their successors are elected and qualified.
5 The members of the board of education may also select from outside their
6 own members one superintendent of public schools, one secretary, one
7 treasurer, and such other officers as the board may deem necessary for
8 the administration of the affairs of the school district, at such salary
9 as the board may deem just, and in their discretion they may enter into
10 contracts with such officers for terms of not to exceed three years. A
11 contract for employment as a superintendent shall comply with section 2
12 of this act. The board shall have the power to elect its president and
13 vice president and to select its officers and employees in accordance
14 with rules adopted by the board.

15 **Sec. 5.** Section 79-594, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-594 The school board in a Class I, II, III, or IV school district
18 may also elect at any regular meeting one superintendent of public
19 instruction with such salary as the board deems best and may enter into
20 contract with him or her at its discretion, for a term not to exceed
21 three years. Such contract shall comply with section 2 of this act.

22 **Sec. 6.** Original sections 49-1493, 79-566, 79-567, and 79-594,
23 Reissue Revised Statutes of Nebraska, are repealed.