

LEGISLATIVE BILL 550

Approved by the Governor May 25, 1973

Introduced by Government, Military and Veterans Affairs Committee, Chambers, 11, Chmn.; Barnett, 26; Fowler, 27; Luis, 39; DeCamp, 40; Stull, 49

AN ACT to amend sections 10-702 and 10-703.01, Revised Statutes Supplement, 1972, relating to school district bond elections; to provide for submission at a special election or any statewide primary or general election; to provide procedures; and to repeal the original sections.

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

Section 1. That section 10-702, Revised Statutes Supplement, 1972, be amended to read as follows:

10-702. The question of issuing bonds may be submitted to the electors of a school district at a special election or such question may be voted on at an election held in conjunction with the statewide primary or statewide general election. No bonds shall be issued until the question has been submitted to the qualified electors of the district, and a majority of all the qualified electors voting on the question shall have voted in favor of issuing the same, at an election called for the purpose, upon notice given by the officers of the district at least twenty days prior to such election. If the election for issuing bonds is held as a special election, the procedures provided in section 10-703.01 shall be followed. The question of bond issues in such districts, when defeated, shall not, except in case of fire or other disaster or in the case of a newly-created district, be resubmitted in substance for a period of six months from and after the date of such election, ~~except when submitted at a regular election.~~

When the question of issuing bonds is to be submitted at a statewide primary or statewide general election as ordered by a resolution of a majority of the members of the board of education, such order shall be made in writing and filed with the county clerk or election commissioner not less than fifty days prior to the statewide primary or statewide general election. The order calling for the school bond election shall be filed with the county clerk or election commissioner in the county having the greatest number of electors entitled to vote on the question. The county clerk or election

commissioner receiving such order shall conduct the school bond election for the school district.

The election notices, the issuing of the official ballots on election day, the issuing of the official absent and disabled voters ballots, and the counting and canvassing of the same shall be conducted by the county clerk or election commissioner as provided in Chapter 32.

A special notice of the election shall be published by the board of education in a newspaper or newspapers of general circulation within the district stating the day of the election, the hours during which the polls will be open, and any other information deemed necessary in informing the public of the bond issue. The notice shall be made at least twenty days prior to the election.

If the question of submitting bonds for the school district is voted upon in one or more counties and the ballots have been certified across county lines, the election boards in the counties where the ballots are cast shall count the ballots on election day the same as all other ballots are counted and seal the same in their ballots-cast sack along with other ballots.

The canvassing boards in each county shall canvass the returns in the same manner as other returns are canvassed.

The county clerk or election commissioner in any adjoining county voting on the bond issue shall certify the returns to the county clerk or election commissioner of the county having the greatest number of electors entitled to vote on the question of issuing bonds. The county clerk or election commissioner in such county shall enter the total returns from any adjoining county or counties to the total votes recorded in his official book of votes cast and shall certify the returns to the board of education for which such bond election was held.

Sec. 2. That section 10-703.01, Revised Statutes Supplement, 1972, be amended to read as follows:

10-703.01. In all special elections called for where class I, II, III, or VI districts are voting on the question of issuing bonds of the district, the county clerk or election commissioner or, if the school district lies in more than one county, the county clerk or election commissioner in the county having the greatest number of electors entitled to vote on the question, shall designate the polling places, prepare the form of ballot, and appoint the election officials, who need not