

AMENDMENTS TO LB 641

(Amendments to AM1386)

Introduced by Avery, 28

1 1. Insert the following new section:

2 Sec. 2. Section 32-604, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-604 (1) Except as provided in subsection (2) or (4) of
5 this section, no person shall be precluded from being elected or
6 appointed to or holding an elective office for the reason that he
7 or she has been elected or appointed to or holds another elective
8 office.

9 (2) No person serving as a member of the Legislature or
10 in an elective office described in Article IV, section 1 or 20,
11 or Article VII, section 3 or 10, of the Constitution of Nebraska
12 shall simultaneously serve in any other elective office, except
13 that such a person may simultaneously serve in another elective
14 office which is filled at an election held in conjunction with the
15 annual meeting of a public body.

16 (3) Whenever an incumbent serving as a member of the
17 Legislature or in an elective office described in Article IV,
18 section 1 or 20, or Article VII, section 3 or 10, of the
19 Constitution of Nebraska assumes another elective office, except
20 an elective office filled at an election held in conjunction with
21 the annual meeting of a public body, the office first held by the
22 incumbent shall be deemed vacant.

1 (4) No person serving in a high elective office shall
2 simultaneously serve in any other high elective office, except that
3 a county attorney may serve as the county attorney for more than
4 one county if appointed under subsection (2) of section 23-1201.01.

5 (5) Notwithstanding subsections (2) through (4) of this
6 section, any person holding more than one high elective office upon
7 September 13, 1997, shall be entitled to serve the remainder of all
8 terms for which he or she was elected or appointed.

9 (6) For purposes of this section, (a) elective office has
10 the meaning found in section 32-109 and includes an office which is
11 filled at an election held in conjunction with the annual meeting
12 of a public body created by an act of the Legislature and (b)
13 high elective office means a member of the Legislature, an elective
14 office described in Article IV, section 1 or 20, or Article VII,
15 section 3 or 10, of the Constitution of Nebraska, or a county,
16 city, learning community, or school district elective office.

17 2. On page 5, line 4, strike "levies" and insert "the
18 levy".

19 3. On page 72, line 5, after the stricken "of" insert
20 "the first Thursday after the first Tuesday in January of the next
21 odd-numbered year following".

22 4. On page 76, line 1, strike "report" and insert
23 "analyze"; and in line 5 strike "pathway" and insert "pathways".

24 5. On page 81, line 3, strike "or program" and show as
25 stricken.

26 6. On page 89, line 3, strike "region".

27 7. On page 92, line 8, after "members" insert ", with

1 twelve members"; in line 9 after "districts" insert "and with six
2 members appointed from such election districts pursuant to this
3 section" and strike "up to"; in line 10 strike "two candidates"
4 and insert "one candidate"; in line 11 strike "three" and insert
5 "two"; in line 14 after "initial" insert "elected"; in line 20
6 after "office" insert "for elected members"; in line 21 after "any"
7 insert "such" and strike "on the council"; and in line 22 before
8 "members" insert "elected".

9 8. On page 93, after line 5, insert the following new
10 paragraphs:

11 "The appointed members shall be appointed in November
12 of each even-numbered year after the general election. Appointed
13 members shall be school board members of school districts in the
14 learning community either elected to take office the following
15 January or continuing their current term of office for the
16 following two years. For learning communities to be established
17 the following January pursuant to orders issued pursuant to section
18 79-2102, the Secretary of State shall hold a meeting of the school
19 board members of the school districts in such learning community to
20 appoint one member from such school boards to represent each of the
21 election districts on the coordinating council of such learning
22 community. For all other learning communities, the appointed
23 members of the coordinating council shall hold a meeting of
24 the school board members of such school districts to appoint one
25 member from such school boards to represent each of the election
26 districts on the coordinating council of the learning community.
27 The appointed members shall be selected by the school board members

1 of the school districts in the learning community pursuant to
2 a secret ballot, shall reside in the election district to be
3 represented, and shall be appointed for two-year terms and until
4 their successors are appointed and qualified.

5 Vacancies in office for appointed members shall occur
6 upon the resignation, death, or disqualification from office of
7 an appointed member. Disqualification from office shall include
8 ceasing membership on the school board for which membership
9 qualified the member for the appointment to the learning community
10 coordinating council or ceasing to reside in the election district
11 represented by such member of the learning community coordinating
12 council. Whenever such vacancy occurs, the remaining appointed
13 members shall hold a meeting of the school board members of the
14 school districts in such learning community to appoint a member
15 from such school boards who lives in the election district to be
16 represented to serve for the balance of the unexpired term."; in
17 line 11 strike "subcouncils" and insert "subcouncil"; and in line
18 17 strike "from" and insert "representing".

19 9. Amend the repealer, renumber the remaining sections,
20 and correct internal references accordingly.