

LEGISLATIVE BILL 423

Passed over the Governor's veto May 19, 1975

Introduced by Chambers, 11

AN ACT to amend section 79-1003, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide for election of members of the board of education of a Class V school district from districts; to provide an operative date; and to repeal the original section.

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

Section 1. That section 79-1003, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1003. The board of education of a fifth class school district shall consist of twelve members, ~~to be chosen by the qualified electors of the entire school district lying wholly or partially within the corporate limits of such city by a plurality of votes.~~ The election commissioner of the county in which the greater part of such district is situated shall divide the school district into twelve numbered districts of compact and contiguous territory and of as nearly equal population as may be practical. A member of the board shall be elected from each such district. Each member of the board of education must shall be a taxpayer in and a resident of the district of such school district as designated by the election commissioner. At each general election six members of the board shall be elected to serve for four years from and including the first Monday of the January following their election, or until their successors are elected and qualified. All persons elected as members of the board of education shall, before the first Monday in January following their election, take and subscribe to the usual oath of office. In case any person so elected shall fail so to do, his election shall be void, and the vacancy thereby occasioned shall be filled by the board. Candidates shall be nominated at the primary election upon a nonpolitical ballot. The names of the twelve two candidates receiving the highest number of votes at such primary election, ~~or of all candidates if there are less than twelve upon the primary ballot,~~ in each district designated by the election commissioner shall be placed upon the official ballot for the board of education at the general election. For the general board of education election, the ballot shall be prepared in substantially the same form and the names rotated as is provided for election of other nonpolitical candidates, and the ~~six~~

persons person receiving the highest number of votes in each district designated by the election commissioner shall be elected to the board of education. Any person who shall be a candidate at the primary election shall, at least sixty days prior to the primary, file with the officer authorized to conduct such election a statement of candidacy setting out his qualifications and willingness to abide by the election, such statement to be subscribed and sworn to before a notary or other person qualified to take oaths. There shall be no filing fee or any other requirement than the statement above provided for to enable qualified electors to become candidates for the board of education. Members of the board of education on the effective date of this act shall serve until the expiration of their terms. At the general election in 1976 and each four years thereafter, one member shall be elected from each of the even-numbered districts. At the general election in 1978 and each four years thereafter, one member shall be elected from each of the odd-numbered districts. The election commissioner shall adjust the boundaries of such districts to conform to changes in the territory of the school district and following each federal decennial census.

Sec. 2. This act shall become operative January 1, 1976.

Sec. 3. That original section 79-1003, Reissue Revised Statutes of Nebraska, 1943, is repealed.