

AMENDMENTS TO LB946

Introduced by Government, Military and Veterans Affairs

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

3 Section 1. Section 10-703.01, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 10-703.01 In all special elections called for voting on
6 the question of issuing bonds of the school district, the county
7 clerk or election commissioner or, if the school district lies in
8 more than one county, the county clerk or election commissioner in
9 the county having the greatest number of electors entitled to vote
10 on the question shall designate the polling places and appoint the
11 election officials, who need not be the regular election officials,
12 and otherwise conduct the election as provided under the Election
13 Act except as otherwise specifically provided in this section.
14 Any special election held under this section shall be subject to
15 section 32-405. The school district shall designate the form of
16 ballot and reimburse the county clerk or election official for
17 the expenses of conducting the election as provided in sections
18 32-1201 to 32-1208. The school district officers shall give notice
19 of the election at least twenty days prior to the election and
20 cause the sample ballot to be published in a newspaper of general
21 circulation in the school district one time not more than ten days
22 nor less than three days prior to the election, and no notice of
23 the election shall be required to be given by the county clerk

1 or election commissioner. The notice of election shall state where
2 ballots for early voting may be obtained.

3 The ballots shall be counted by the county clerk or
4 election commissioner conducting the election and two disinterested
5 persons appointed by him or her. When the polls are closed, the
6 receiving board shall deliver the ballots to the county clerk or
7 election commissioner conducting the election who, with the two
8 disinterested persons appointed by him or her, shall proceed to
9 count the ballots.

10 Ballots for early voting shall be furnished to the county
11 clerk or election commissioner and ready for distribution by the
12 county clerk or election commissioner conducting the election not
13 less than fifteen days prior to the election.

14 When a school district lies in more than one county,
15 the county clerk or election commissioner in any other county
16 containing part of such school district shall, upon request,
17 certify its registration books for those precincts in which
18 the school district is located to the county clerk or election
19 commissioner conducting the election and shall immediately forward
20 all requests for ballots for early voting to the county clerk or
21 election commissioner charged with the issuing of such ballots.
22 Not less than five days prior to the election, the school district
23 officers shall certify to the county clerk or election commissioner
24 conducting the election a list of all registered voters of the
25 school district in any other county or counties qualified to vote
26 on the bond issue.

27 All ballots cast at the election shall be counted by the

1 same board. When all the ballots have been counted, the returns of
2 such election shall be turned over to the school board or board of
3 education of the district in which the election was held for the
4 purpose of making a canvass thereof.

5 The two disinterested persons appointed on the counting
6 board shall receive wages at no less than the minimum rate set in
7 section 48-1203 for each hour of service rendered.

8 Sec. 2. Section 23-1901.01, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 23-1901.01 (1) ~~Except as provided in subsection (2) of~~
11 ~~this section,~~ a county surveyor elected after November 1986 A
12 person need not be a resident of the county when he or she files
13 for election as county surveyor, but a person who is elected to be
14 the county surveyor shall reside in a the county for which he or
15 she ~~holds~~ was elected to hold such office.

16 (2) ~~When there is no qualified surveyor within a county~~
17 ~~who will accept the office of county surveyor,~~ In a county having
18 a population of less than one hundred fifty thousand inhabitants
19 in which the voters have voted against the election of a county
20 surveyor pursuant to section 32-525 or in which no county surveyor
21 has been elected and qualified, the county board of such county
22 may employ a competent surveyor either on a full-time or part-time
23 basis from any other county of the State of Nebraska to such
24 office. In making such employment, the county board shall negotiate
25 a contract with the surveyor, such contract to specify the terms
26 and conditions of the appointment or employment, including the
27 compensation of the surveyor, which compensation shall not be

1 subject to section 33-116. A

2 (3) In a county having a population of less than one
3 hundred fifty thousand inhabitants in which the voters have voted
4 for the election of a county surveyor pursuant to section 32-525
5 but no county surveyor has been elected and qualified, a county
6 surveyor employed under ~~this~~ subsection (2) of this section shall
7 serve the same term as that of an elected surveyor, and

8 (4) A person employed or appointed to the office of
9 county surveyor in any county shall not be required to reside in
10 the county of employment or appointment.

11 Sec. 3. Section 32-101, Revised Statutes Supplement,
12 2013, is amended to read:

13 32-101 Sections 32-101 to 32-1551 and section 11 of this
14 act shall be known and may be cited as the Election Act.

15 Sec. 4. Section 32-209, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-209 (1) The election commissioner in counties having
18 a population of more than one hundred thousand inhabitants shall
19 appoint a chief deputy election commissioner in the manner provided
20 in section 32-210. The chief deputy election commissioner shall
21 be a member of a different political party than the election
22 commissioner, shall be a registered voter in the county and of the
23 party he or she is to represent, and shall be a resident of such
24 county for at least one year.

25 (2) The chief deputy election commissioner shall hold
26 office until the term of the election commissioner expires.

27 (3) Before entering upon his or her duties, the chief

1 deputy election commissioner shall take and subscribe an oath in
2 the form provided in section 11-101.01.

3 ~~(3)~~ (4) The chief deputy election commissioner shall give
4 bond to the State of Nebraska in the sum of five thousand dollars
5 with security to be approved by the Governor conditioned on the
6 faithful performance of the duties of such office.

7 ~~(4)~~ (5) The chief deputy election commissioner shall
8 perform duties assigned by the election commissioner. In
9 the absence of the election commissioner, the chief deputy
10 election commissioner shall perform all the duties of the
11 election commissioner consistent with the policies and procedures
12 established by the election commissioner. The chief deputy election
13 commissioner shall also be responsible for carrying out any
14 directions properly made and given by the election commissioner
15 prior to his or her absence.

16 Sec. 5. Section 32-210, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 32-210 The election commissioner in counties having a
19 population of more than one hundred thousand inhabitants shall,
20 within ten days after being appointed or being notified that a
21 vacancy exists in the office of chief deputy election commissioner,
22 notify by registered or certified mail the county chairperson
23 of the political parties from which a chief deputy election
24 commissioner may be appointed that an appointment needs to be
25 made. The county chairperson of the political parties shall call
26 a meeting of a committee comprised of the county chairperson,
27 vice-chairperson, secretary, and treasurer of the political parties

1 within ten days after receiving the letter for the purpose of
2 preparing a list of three or more candidates. The list shall
3 be submitted to the election commissioner within five days after
4 the meeting, and the election commissioner shall select a chief
5 deputy election commissioner from the list of names of candidates
6 submitted within ten days after receiving ~~the list.~~ all lists.

7 Sec. 6. Section 32-405, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-405 Any special election under the Election Act shall
10 be held on the first Tuesday following the second Monday of the
11 selected month unless otherwise specifically provided. No special
12 election shall be held under the Election Act in April, May, June,
13 October, November, or December of an even-numbered year unless
14 it is held in conjunction with the statewide primary or general
15 election. A special election for a Class IV or V school district
16 may be held in conjunction with the primary or general election for
17 a city of the primary or metropolitan class which is governed by a
18 home rule charter.

19 Sec. 7. Section 32-525, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 32-525 (1) Except as provided in section 22-417 and
22 except for counties which vote not to elect the county surveyor as
23 provided in subsection (2) or (4) of this section, when there is
24 a qualified surveyor within a county who will accept the office of
25 county surveyor if elected, a county surveyor on either a full-time
26 or part-time basis, as determined by the county board in accordance
27 with section 23-1901, shall be elected in each county having a

1 population of less than one hundred fifty thousand inhabitants
2 at the statewide general election in 1990 and each four years
3 thereafter.

4 (2) (a) Except as provided in section 22-417 and in
5 subsection (3) of this section, in each county having a population
6 of less than one hundred fifty thousand inhabitants, the question
7 of electing a county surveyor in the county shall be submitted
8 to the registered voters of the county at the statewide general
9 election in 2020. The form of submission upon the ballot shall be
10 as follows: For election of county surveyor; Against election of
11 county surveyor.

12 (b) If a majority of the votes cast on the question
13 are against the election of a county surveyor in such county, the
14 office of county surveyor shall cease as an elected office with
15 the expiration of the term of the incumbent or shall remain as it
16 exists if no elected official holds that office. In such counties,
17 the office shall be filled as provided in subsection (2) of section
18 23-1901.01.

19 (c) If a majority of the votes cast on the question
20 are in favor of the election of a county surveyor, the office
21 shall continue to be elected as provided in subsection (1) of this
22 section or, if no elected county surveyor is in office, a county
23 surveyor shall be elected at the next statewide general election as
24 provided in subsection (1) of this section.

25 (3) If a county having a population of less than one
26 hundred fifty thousand inhabitants has an elected county surveyor
27 in office on January 1, 2020, the county board may, prior to

1 February 1, 2020, following a public hearing, adopt a resolution
2 to continue to elect the county surveyor for the county and not to
3 submit the question pursuant to subsection (2) of this section.

4 (4) (a) Beginning in 2021, in each county having a
5 population of less than one hundred fifty thousand inhabitants,
6 the county board shall submit the question of electing a county
7 surveyor in the county to the registered voters of the county at
8 the next statewide general election if (i) the county board, by
9 majority vote of all the members of the county board, adopts a
10 resolution on or before September 1 prior to the next statewide
11 general election to submit the question to the voters or (ii) a
12 petition conforming to section 32-628 asking for the submission
13 of the question to the voters is presented to the election
14 commissioner or county clerk on or before September 1 prior to the
15 next statewide general election signed by at least ten percent of
16 the registered voters of the county. The election commissioner or
17 county clerk shall verify the signatures pursuant to section 32-631
18 and place the question on the ballot if he or she determines that
19 at least ten percent of the registered voters of the county have
20 signed the petition.

21 (b) The form of submission upon the ballot shall be
22 as follows: For election of county surveyor; Against election of
23 county surveyor.

24 (c) If a majority of the votes cast on the question
25 are against the election of a county surveyor in such county, the
26 office of county surveyor shall cease as an elected office with
27 the expiration of the term of the incumbent or shall remain as it

1 exists if no elected official holds that office. In such counties,
2 the office shall be filled as provided in subsection (2) of section
3 23-1901.01.

4 (d) If a majority of the votes cast on the question
5 are in favor of the election of a county surveyor, the office
6 shall continue to be elected as provided in subsection (1) of this
7 section or, if no elected county surveyor is in office, a county
8 surveyor shall be elected at the next statewide general election as
9 provided in subsection (1) of this section.

10 (5) The term of the county surveyor shall be four years
11 or until his or her successor is elected and qualified. The
12 county surveyor shall meet the qualifications found in sections
13 23-1901 and 23-1901.01. The county surveyor shall be elected on the
14 partisan ballot.

15 Sec. 8. Section 32-542, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-542 ~~Three school board members shall be elected for~~
18 ~~each Class II school district at each statewide general election,~~
19 ~~except that when~~ (1) Members of the school board of a Class II
20 school district shall be elected at the statewide general election.
21 The school board of a Class II school district shall have no
22 fewer than five members and no more than nine members as provided
23 in section 79-550. The number of members to be elected at the
24 statewide general election and the terms for which they will be
25 elected shall be determined by the election commissioner or county
26 clerk with the aid of the secretary of the school board. Terms
27 shall be staggered so that approximately one-half of the members

1 are elected to each board at each general election for terms of
2 four years. When it becomes necessary to establish the staggering
3 of terms by electing at large members for terms of different
4 duration at the same election, candidates receiving the greatest
5 number of votes shall be elected for the longest terms. When a
6 Class II school district is created by a Class I school district
7 which determines by a majority vote to establish a high school
8 pursuant to section 79-406, a ~~six-member~~ the school board shall
9 be elected at the next statewide general election and ~~the three~~
10 approximately one-half of the members receiving the highest number
11 of votes shall be elected for terms of four years, and the ~~three~~
12 members receiving the next highest number of votes shall be elected
13 for terms of two years.

14 (2) Each member's term of office shall begin on the date
15 of the first regular meeting of the board in January following
16 the statewide general election at which he or she is elected
17 and, except as otherwise provided in this section, shall continue
18 for four years or until the member's successor is elected and
19 qualified. ~~The term of a board member holding office on January 1,~~
20 ~~1997, which term would otherwise expire before the first regular~~
21 ~~meeting of the board in January following the statewide general~~
22 ~~election, shall be extended to the first regular meeting of the~~
23 ~~board in January following the date his or her term would otherwise~~
24 ~~expire.~~ The school board members of a Class II school district
25 shall meet the qualifications found in section 79-543.

26 Sec. 9. Section 32-543, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 32-543 (1) If a caucus is held for nominations under
2 section 79-549 for a Class III school district, the board of
3 education shall consist of six members to be elected by the
4 registered voters of the school district at the statewide primary
5 election. Two members shall be elected at each election for a term
6 of six years. The members shall meet the qualifications found in
7 section 79-543.

8 (2) Except as provided in subsection (1) of this section,
9 members of the board of education of a Class III school district
10 shall be nominated at the statewide primary election and elected at
11 the statewide general election. The board of education of a Class
12 III school district shall have ~~six or~~ no fewer than five members
13 and no more than nine members as provided in section 79-549 or
14 79-550, and the members shall be nominated and elected at large
15 or by district or ward as provided in section 32-554 or nominated
16 by district or ward and elected at large as provided in section
17 79-550. The number of members to be nominated at the statewide
18 primary election and elected at the statewide general election and
19 the terms for which they will be nominated and elected shall be
20 determined by the election commissioner or county clerk with the
21 aid of the elected secretary of the board of education of the
22 district. The terms of office of members of such board shall expire
23 on the first Thursday after the first Tuesday in January. Terms
24 shall be staggered so that ~~three~~ approximately one-half of the
25 members shall be ~~are~~ elected to each ~~six-member~~ board and ~~four or~~
26 ~~five members shall be~~ elected to each ~~nine-member~~ board at each
27 general election for terms of four years. When it becomes necessary

1 to establish the staggering of terms by electing members for terms
2 of different duration at the same election, candidates receiving
3 the greatest number of votes shall be elected for the longest
4 terms. The members shall meet the qualifications found in section
5 79-543.

6 Sec. 10. Section 32-567, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-567 Vacancies in office shall be filled as follows:

9 (1) In state and judicial district offices and in the
10 membership of any board or commission created by the state when no
11 other method is provided, by the Governor;

12 (2) In county offices, by the county board;

13 (3) In the membership of the county board, by the county
14 clerk, county attorney, and county treasurer;

15 (4) In the membership of the city council, according to
16 section 32-568 or 32-569, as applicable;

17 ~~(4)~~ (5) In township offices, by the township board or,
18 if there are two or more vacancies on the township board, by the
19 county board;

20 ~~(5)~~ (6) In offices in public power and irrigation
21 districts, according to section 70-615;

22 ~~(6)~~ (7) In offices in natural resources districts,
23 according to section 2-3215;

24 ~~(7)~~ (8) In offices in community college areas, according
25 to section 85-1514;

26 ~~(8)~~ (9) In offices in educational service units,
27 according to section 79-1217;

1 ~~(9)~~ (10) In offices in hospital districts, according to
2 section 23-3534;

3 ~~(10)~~ (11) In offices in metropolitan utilities districts,
4 according to section 14-2104;

5 ~~(11)~~ (12) In membership on airport authority boards,
6 according to section 3-502, 3-611, or 3-703, as applicable;

7 ~~(12)~~ (13) In membership on the board of trustees of a
8 road improvement district, according to section 39-1607;

9 ~~(13)~~ (14) In membership on the council of a municipal
10 county, by the council; and

11 ~~(14)~~ (15) For learning community coordinating councils,
12 according to section 32-546.01.

13 Unless otherwise provided by law, all vacancies shall be
14 filled within forty-five days after the vacancy occurs unless good
15 cause is shown that the requirement imposes an undue burden.

16 Sec. 11. The term of any person elected to serve a
17 four-year term in a governmental body other than the State Board
18 of Education starts on the day of the meeting of the body at which
19 members are regularly sworn in to office. The second half of such a
20 term starts on the day of the meeting of the body at which members
21 are regularly sworn in to office in the second calendar year after
22 the term begins.

23 Sec. 12. Section 32-608, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 32-608 (1) Except as provided in subsection (4) or (5) of
26 this section, a filing fee shall be paid by or on behalf of each
27 candidate prior to filing for office. For candidates who file in

1 the office of the Secretary of State as provided in subdivision (1)
2 of section 32-607, the filing fee shall be paid to the Secretary
3 of State who shall remit the fee to the State Treasurer for credit
4 to the Election Administration Fund. For candidates for any city or
5 village office, the filing fee shall be paid to the city or village
6 treasurer of the city or village in which the candidate resides.
7 For candidates who file in the office of the election commissioner
8 or county clerk, the filing fee shall be paid to the election
9 commissioner or county clerk in the county in which the office
10 is sought. The election commissioner or county clerk shall remit
11 the fee to the county treasurer. The fee shall be placed in the
12 general fund of the county, city, or village. No candidate filing
13 forms shall be filed until the proper payment or the proper receipt
14 showing the payment of such filing fee is presented to the filing
15 officer. On the day of the filing deadline, the city or village
16 treasurer's office shall remain open to receive filing fees until
17 the hour of the filing deadline.

18 (2) Except as provided in subsection (4) or (5) of this
19 section, the filing fees shall be as follows:

20 (a) For the office of United States Senator, state
21 officers, including members of the Legislature, Representatives in
22 Congress, county officers, and city or village officers, except the
23 mayor or council members of cities having a home rule charter, a
24 sum equal to one percent of the annual salary ~~such candidate will~~
25 ~~receive if he or she is elected and qualifies~~ as of November 30 of
26 the year preceding the election for the office for which he or she
27 files as a candidate;

1 (b) For directors of public power and irrigation
2 districts in districts receiving annual gross revenue of forty
3 million dollars or more, twenty-five dollars, and in districts
4 receiving annual gross revenue of less than forty million dollars,
5 ten dollars;

6 (c) For directors of reclamation districts, ten dollars;
7 and

8 (d) For Regents of the University of Nebraska, members
9 of the State Board of Education, and directors of metropolitan
10 utilities districts, twenty-five dollars.

11 (3) All declared write-in candidates shall pay the filing
12 fees that are required for the office at the time that they present
13 the write-in affidavit to the filing officer. Any undeclared
14 write-in candidate who is nominated or elected by write-in votes
15 shall pay the filing fee required for the office within ten days
16 after the canvass of votes by the county canvassing board and
17 shall file the receipt with the person issuing the certificate of
18 nomination or the certificate of election prior to the certificate
19 being issued.

20 (4) No filing fee shall be required for any candidate
21 filing for an office in which a per diem is paid rather than a
22 salary or for which there is a salary of less than five hundred
23 dollars per year. No filing fee shall be required for any candidate
24 for membership on a school board, on the board of an educational
25 service unit, on the board of governors of a community college
26 area, on the board of directors of a natural resources district, or
27 on the board of trustees of a sanitary and improvement district.

1 (5) No filing fee shall be required of any candidate
2 completing an affidavit requesting to file for elective office in
3 forma pauperis. A pauper shall mean a person whose income and other
4 resources for maintenance are found under assistance standards to
5 be insufficient for meeting the cost of his or her requirements and
6 whose reserve of cash or other available resources does not exceed
7 the maximum available resources that an eligible individual may
8 own. Available resources shall include every type of property or
9 interest in property that an individual owns and may convert into
10 cash except:

11 (a) Real property used as a home;

12 (b) Household goods of a moderate value used in the home;

13 and

14 (c) Assets to a maximum value of three thousand
15 dollars used by a recipient in a planned effort directed towards
16 self-support.

17 (6) If any candidate dies prior to an election, the
18 spouse of the candidate may file a claim for refund of the filing
19 fee with the proper governing body prior to the date of the
20 election. Upon approval of the claim by the proper governing body,
21 the filing fee shall be refunded.

22 Sec. 13. Section 32-949.01, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 32-949.01 If a ballot for early voting is destroyed,
25 spoiled, lost, or not received by the registered voter, the voter
26 may cast a provisional ballot pursuant to section 32-915 at the
27 voter's polling place on election day or may obtain a replacement

1 ballot from the election commissioner or county clerk by signing
2 a statement verified on oath or affirmation on a form prescribed
3 by the Secretary of State that the original ballot for early
4 voting was destroyed, spoiled, lost, or not received and delivering
5 the statement to the election commissioner or county clerk. To
6 receive a replacement ballot in person, the voter shall return
7 the statement to the office of the election commissioner or county
8 clerk by ~~noon~~ 8 p.m. on the day of the election. To receive a
9 replacement ballot by mail, the voter shall return the statement
10 to such office prior to the close of business on the fourth
11 business day before the election. If the election commissioner or
12 county clerk receives a statement meeting the requirements of this
13 section, he or she shall deliver a replacement ballot to the voter
14 if the voter is present in the office or shall mail a replacement
15 ballot to the voter at the address shown on the statement. The
16 election commissioner or county clerk shall keep a record of all
17 replacement ballots issued under this section.

18 Sec. 14. Section 32-953, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 32-953 ~~The~~ (1) Except as otherwise provided in subsection
21 (2) of this section, the election commissioner or county clerk
22 shall mail the official ballot to all registered voters of the
23 political subdivision at the addresses appearing on the voter
24 registration register on the same day. The ballots shall be
25 mailed by nonforwardable first-class mail not sooner than the
26 twentieth day before the date set for the election and not later
27 than the tenth day before the date set for the election. The

1 election commissioner or county clerk shall include with the ballot
2 an unsealed identification envelope meeting the requirements of
3 subsection (2) of section 32-947 and instructions sufficient to
4 describe the voting process.

5 (2) The election commissioner or county clerk may choose
6 not to mail a ballot to all registered voters who have been sent
7 a notice pursuant to section 32-329 and failed to respond to the
8 notice. If the election commissioner or county clerk chooses not
9 to mail a ballot to such voters, he or she shall mail a notice to
10 all such registered voters explaining how to obtain a ballot and
11 stating the applicable deadlines.

12 Sec. 15. Section 32-956, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 32-956 If a ballot is destroyed, spoiled, lost, or
15 not received by the registered voter, the voter may obtain a
16 replacement ballot from the election commissioner or county clerk
17 by signing a statement verified on oath or affirmation on a form
18 prescribed by the Secretary of State that the ballot was destroyed,
19 spoiled, lost, or not received and delivering the statement to
20 the election commissioner or county clerk by ~~noon~~ 5 p.m. on the
21 date set for the election. If the voter mails the statement,
22 the election commissioner or county clerk shall not deliver a
23 replacement ballot to the voter unless the statement is received
24 prior to the close of business on the fourth business day before
25 the date set for the election. If the election commissioner or
26 county clerk receives a statement meeting the requirements of this
27 section, he or she shall deliver a replacement ballot to the voter

1 if the voter is present in the office or shall mail a replacement
2 ballot to the voter at the address shown on the statement. The
3 election commissioner or county clerk shall keep a record of all
4 replacement ballots issued under this section.

5 Sec. 16. Section 32-957, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-957 An official ballot under section 32-953 shall be
8 counted only if it is returned in the identification envelope,
9 the envelope is signed by the voter to whom it was issued, and
10 the signature is verified by the election commissioner or county
11 clerk. The election commissioner or county clerk shall verify
12 the signature on each identification envelope received in his or
13 her office with the signature appearing on the voter registration
14 records. If the election commissioner or county clerk is unable
15 to verify a signature, the election commissioner or county clerk
16 shall contact the voter within two days after determining that
17 he or she is unable to verify the signature to ascertain whether
18 the voter cast a ballot. The election commissioner or county
19 clerk may request that the registered voter sign and submit a
20 current signature card pursuant to section 32-318. The election
21 commissioner or county clerk may begin verifying the signatures as
22 the envelopes are received in his or her office. If the election
23 commissioner or county clerk determines that a voter has voted
24 more than once, no ballot cast by that voter in that election
25 shall be counted. The election commissioner or county clerk shall
26 ~~not~~ make public any record or list of registered voters who have
27 returned their ballots. ~~until the election has been certified by~~

1 ~~the canvassing board.~~

2 Sec. 17. Section 32-1202, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-1202 The cost of publication and posting of notices
5 and ballots, the cost of precinct registration lists, the
6 compensation of temporary employees, inspectors, judges and clerks
7 of election, and members of counting boards, the overtime costs
8 of all permanent employees of the election commissioner or
9 county clerk relating to elections, the cost of renting, heating,
10 lighting, and equipping polling places including placing and
11 removing ballot boxes and other fixtures and equipment, the cost
12 of printing and delivering ballots and sample ballots, the cost of
13 postage, cards of instructions for voters, maps, voter books for
14 the polling place, other election supplies, and electronic media,
15 the expense of programming and operation of voting systems, and
16 all other expenses of conducting statewide primary and general
17 elections not listed in section 32-1201 shall be chargeable to the
18 political subdivisions in and for which such elections are held.

19 Sec. 18. Section 49-1413, Revised Statutes Supplement,
20 2013, is amended to read:

21 49-1413 (1) Committee shall mean (a) any combination
22 of two or more individuals which receives contributions or makes
23 expenditures of more than five thousand dollars ~~or more~~ in a
24 calendar year for the purpose of influencing or attempting to
25 influence the action of the voters for or against the nomination or
26 election of one or more candidates or the qualification, passage,
27 or defeat of one or more ballot questions or (b) a person whose

1 primary purpose is to receive contributions or make expenditures
2 and who receives or makes contributions or expenditures of more
3 than five thousand dollars ~~or more~~ in a calendar year for the
4 purpose of influencing or attempting to influence the action of
5 the voters for or against the nomination or election of one or
6 more candidates or the qualification, passage, or defeat of one
7 or more ballot questions, except that an individual, other than a
8 candidate, shall not constitute a committee.

9 (2) Except as otherwise provided in section 49-1445,
10 a committee shall be considered formed and subject to the
11 Nebraska Political Accountability and Disclosure Act upon raising,
12 receiving, or spending more than five thousand dollars in a
13 calendar year as prescribed in this section.

14 (3) A corporation, labor organization, industry, trade,
15 or professional association, limited liability company, or limited
16 liability partnership is not a committee if it makes expenditures
17 or provides personal services pursuant to sections 49-1469 to
18 49-1469.08.

19 Sec. 19. Section 49-1415, Revised Statutes Supplement,
20 2013, is amended to read:

21 49-1415 (1) Contribution shall mean a payment, gift,
22 subscription, assessment, expenditure, contract, payment for
23 services, dues, advance, forbearance, loan, donation, pledge or
24 promise of money or anything of ascertainable monetary value to
25 a person, made for the purpose of influencing the nomination or
26 election of a candidate, or for the qualification, passage, or
27 defeat of a ballot question. An offer or tender of a contribution

1 is not a contribution if expressly and unconditionally rejected or
2 returned.

3 (2) Contribution shall include the purchase of tickets
4 or payment of an attendance fee for events such as dinners,
5 luncheons, rallies, testimonials, and similar fundraising events;
6 an individual's own money or property other than the individual's
7 homestead used on behalf of that individual's candidacy; and the
8 granting of discounts or rebates by broadcast media and newspapers
9 not extended on an equal basis to all candidates for the same
10 office.

11 (3) Contribution shall not include:

12 (a) Volunteer personal services provided without
13 compensation, or payments of costs incurred of less than two
14 hundred fifty dollars ~~or less~~ in a calendar year by an individual
15 for personal travel expenses if the costs are voluntarily incurred
16 without any understanding or agreement that the costs shall be,
17 directly or indirectly, repaid;

18 (b) Amounts received pursuant to a pledge or promise
19 to the extent that the amounts were previously reported as a
20 contribution; or

21 (c) Food and beverages, in the amount of not more than
22 fifty dollars ~~or less~~ in value during a calendar year, which are
23 donated by an individual and for which reimbursement is not given.

24 Sec. 20. Section 49-1433.01, Revised Statutes Supplement,
25 2013, is amended to read:

26 49-1433.01 Major out-of-state contributor means a
27 corporation, union, industry association, trade association, or

1 professional association which is not organized under the laws of
2 the State of Nebraska and which makes contributions or expenditures
3 totaling more than ten thousand dollars ~~or more~~ in any calendar
4 year in connection with one or more elections.

5 Sec. 21. Section 49-1445, Revised Statutes Supplement,
6 2013, is amended to read:

7 49-1445 (1) A candidate shall form a candidate committee
8 upon raising, receiving, or expending more than five thousand
9 dollars ~~or more~~ in a calendar year.

10 (2) A candidate committee may consist of one member with
11 the candidate being the member.

12 (3) A person who is a candidate for more than one office
13 shall form a candidate committee for an office upon raising,
14 receiving, or expending more than five thousand dollars ~~or more~~ in
15 a calendar year for that office.

16 (4) Two or more candidates who campaign as a slate
17 or team for public office shall form a committee upon raising,
18 receiving, or expending jointly in any combination more than five
19 thousand dollars ~~or more~~ in a calendar year.

20 (5) The fee to file for office shall not be included in
21 determining if a candidate has raised, received, or expended more
22 than five thousand dollars ~~or more~~ in a calendar year.

23 (6) Any person who violates this section shall be guilty
24 of a Class IV misdemeanor.

25 Sec. 22. Section 49-1455, Revised Statutes Supplement,
26 2013, is amended to read:

27 49-1455 (1) The campaign statement of a committee, other

1 than a political party committee, shall contain the following
2 information:

3 (a) The filing committee's name, address, and telephone
4 number and the full name, residential and business addresses, and
5 telephone numbers of its committee treasurer;

6 (b) Under the heading RECEIPTS, the total amount of
7 contributions received during the period covered by the campaign
8 statement; under the heading EXPENDITURES, the total amount of
9 expenditures made during the period covered by the campaign
10 statement; and the cumulative amount of those totals for the
11 election period. If a loan was repaid during the period covered
12 by the campaign statement, the amount of the repayment shall
13 be subtracted from the total amount of contributions received.
14 Forgiveness of a loan shall not be included in the totals. Payment
15 of a loan by a third party shall be recorded and reported as a
16 contribution by the third party but shall not be included in the
17 totals. In-kind contributions or expenditures shall be listed at
18 fair market value and shall be reported as both contributions and
19 expenditures;

20 (c) The balance of cash and cash equivalents on hand at
21 the beginning and the end of the period covered by the campaign
22 statement;

23 (d) The full name of each individual from whom
24 contributions totaling more than two hundred fifty dollars ~~or more~~
25 are received during the period covered by the report, together with
26 the individual's street address, the amount contributed, the date
27 on which each contribution was received, and the cumulative amount

1 contributed by that individual for the election period;

2 (e) The full name of each person, except those
3 individuals reported under subdivision (1)(d) of this section,
4 which contributed a total of more than two hundred fifty dollars
5 ~~or more~~ during the period covered by the report together with
6 the person's street address, the amount contributed, the date on
7 which each contribution was received, and the cumulative amount
8 contributed by the person for the election period;

9 (f) The name of each committee which is listed as
10 a contributor shall include the full name of the committee's
11 treasurer;

12 (g) Except as otherwise provided in subsection (3) of
13 this section: The full name and street address of each person to
14 whom expenditures totaling more than two hundred fifty dollars ~~or~~
15 ~~more~~ were made, together with the date and amount of each separate
16 expenditure to each such person during the period covered by the
17 campaign statement; the purpose of the expenditure; and the full
18 name and street address of the person providing the consideration
19 for which any expenditure was made if different from the payee;

20 (h) The amount and the date of expenditures for or
21 against a candidate or ballot question during the period covered
22 by the campaign statement and the cumulative amount of expenditures
23 for or against that candidate or ballot question for the election
24 period. An expenditure made in support of more than one candidate
25 or ballot question, or both, shall be apportioned reasonably among
26 the candidates or ballot questions, or both; and

27 (i) The total amount of funds disbursed by a separate

1 segregated political fund, by state, for the purpose of supporting
2 or opposing candidates and committees in elections in states
3 other than Nebraska and candidates for federal office, including
4 independent expenditures made in such elections.

5 (2) For purposes of this section, election period means
6 the calendar year of the election.

7 (3) A campaign statement shall include the total amount
8 paid to individual petition circulators during the reporting
9 period, if any, but shall not include the name, address, or
10 telephone number of any individual petition circulator if the only
11 payment made to such individual was for services as a petition
12 circulator.

13 Sec. 23. Section 49-1456, Revised Statutes Supplement,
14 2013, is amended to read:

15 49-1456 (1) Any income received by a committee on an
16 account consisting of funds or property belonging to the committee
17 shall not be considered a contribution to the committee but shall
18 be reported as income. Any interest paid by a committee shall be
19 reported as an expenditure.

20 (2) A loan made or received shall be set forth in a
21 separate schedule providing the date and amount of the loan and, if
22 the loan is repaid, the date and manner of repayment. The committee
23 shall provide the name and address of the lender and any person
24 who is liable directly, indirectly, or contingently on each loan of
25 more than two hundred fifty dollars. ~~or more.~~

26 Sec. 24. Section 49-1457, Revised Statutes Supplement,
27 2013, is amended to read:

1 49-1457 (1) The campaign statement filed by a political
2 party committee shall contain the following information:

3 (a) The full name and street address of each person from
4 whom contributions totaling more than two hundred fifty dollars ~~or~~
5 ~~more~~ in value are received in a calendar year, the amount, and the
6 date or dates contributed; and if the person is a committee, the
7 name and address of the committee and the full name and street
8 address of the committee treasurer, together with the amount of the
9 contribution and the date received;

10 (b) An itemized list of all expenditures, including
11 in-kind contributions and expenditures and loans, made during the
12 period covered by the campaign statement which were contributions
13 to a candidate committee of a candidate for elective office or a
14 ballot question committee; or independent expenditures in support
15 of the qualification, passage, or defeat of a ballot question,
16 or in support of the nomination or election of a candidate for
17 elective office or the defeat of any of the candidate's opponents;

18 (c) The total expenditure by the committee for each
19 candidate for elective office or ballot question in whose behalf an
20 independent expenditure was made or a contribution was given for
21 the election; and

22 (d) The filer's name, address, and telephone number, if
23 any, and the full name, residential and business addresses, and
24 telephone numbers of the committee treasurer.

25 (2) A contribution to a candidate or ballot question
26 committee listed under subdivision (1)(b) of this section shall
27 note the name and address of the committee, the name of the

1 candidate and the office sought, if any, the amount contributed,
2 and the date of the contribution.

3 (3) An independent expenditure listed under subdivision
4 (1)(b) of this section shall note the name of the candidate for
5 whose benefit the expenditure was made and the office sought by
6 the candidate, or a brief description of the ballot question for
7 which the expenditure was made, the amount, date, and purpose of
8 the expenditure, and the full name and address of the person to
9 whom the expenditure was made.

10 (4) An expenditure listed which was made in support of
11 more than one candidate or ballot question, or both, shall be
12 apportioned reasonably among the candidates or ballot questions, or
13 both.

14 Sec. 25. Section 49-1461.01, Revised Statutes Supplement,
15 2013, is amended to read:

16 49-1461.01 (1) A ballot question committee shall file
17 with the commission a surety bond running in favor of the State
18 of Nebraska with surety by a corporate bonding company authorized
19 to do business in this state and conditioned upon the payment of
20 all fees, penalties, and interest which may be imposed under the
21 Nebraska Political Accountability and Disclosure Act.

22 (2) A bond in the amount of five thousand dollars shall
23 be filed with the commission within thirty days after the committee
24 receives contributions or makes expenditures of more than one
25 hundred thousand dollars ~~or more~~ in a calendar year, and the amount
26 of the bond shall be increased by five thousand dollars for each
27 additional five hundred thousand dollars received or expended in a

1 calendar year.

2 (3) Proof of any required increase in the amount of
3 the bond shall be filed with the commission within thirty days
4 after each additional five hundred thousand dollars is received or
5 expended. Any failure to pay late filing fees, civil penalties, or
6 interest due under the act shall be recovered from the proceeds of
7 the bond prior to recovery from the treasurer of the committee.

8 (4) Any person violating this section shall be guilty of
9 a Class III misdemeanor.

10 Sec. 26. Section 49-1463.01, Revised Statutes Supplement,
11 2013, is amended to read:

12 49-1463.01 (1) A person required to pay a late filing
13 fee imposed under section 49-1449, 49-1458, 49-1463, 49-1467,
14 49-1469.08, 49-1478.01, or 49-1479.01 may apply to the commission
15 for relief. The commission by order may reduce the amount of a late
16 filing fee imposed and waive any or all of the interest due on
17 the fee upon a showing by such person that (a) the circumstances
18 indicate no intent to file late, (b) the person has not been
19 required to pay late filing fees for two years prior to the time
20 the filing was due, (c) the late filing shows that less than five
21 thousand dollars ~~or less~~ was raised, received, or expended during
22 the reporting period, and (d) a reduction of the late fees and
23 waiver of interest would not frustrate the purposes of the Nebraska
24 Political Accountability and Disclosure Act.

25 (2) A person required to pay a late filing fee imposed
26 for failure to file a statement of exemption under subsection (2)
27 of section 49-1459 may apply to the commission for relief. The

1 commission by order may reduce or waive the late filing fee and
2 waive any or all of the interest due on the fee, and the person
3 shall not be required to make a showing as provided by subsection
4 (1) of this section.

5 Sec. 27. Section 49-1467, Revised Statutes Supplement,
6 2013, is amended to read:

7 49-1467 (1) Any person, other than a committee, who makes
8 an independent expenditure advocating the election of a candidate
9 or the defeat of a candidate's opponents or the qualification,
10 passage, or defeat of a ballot question, which is in an amount
11 of more than two hundred fifty dollars, ~~or more~~, shall file a
12 report of the independent expenditure, within ten days, with the
13 commission.

14 (2) The report shall be made on an independent
15 expenditure report form provided by the commission and shall
16 include the date of the expenditure, a brief description of the
17 nature of the expenditure, the amount of the expenditure, the
18 name and address of the person to whom it was paid, the name and
19 address of the person filing the report, and the name, address,
20 occupation, employer, and principal place of business of each
21 person who contributed more than two hundred fifty dollars ~~or more~~
22 to the expenditure.

23 (3) Any person who fails to file a report of an
24 independent expenditure with the commission shall pay to the
25 commission a late filing fee of twenty-five dollars for each day
26 the statement remains not filed in violation of this section, not
27 to exceed seven hundred fifty dollars.

1 (4) Any person who violates this section shall be guilty
2 of a Class IV misdemeanor.

3 Sec. 28. Section 49-1469, Revised Statutes Supplement,
4 2013, is amended to read:

5 49-1469 (1) A corporation, labor organization, industry,
6 trade, or professional association, limited liability company, or
7 limited liability partnership, which is organized under the laws of
8 the State of Nebraska or doing business in this state and which is
9 not a committee, may:

10 (a) Make an expenditure;

11 (b) Make a contribution; and

12 (c) Provide personal services.

13 (2) Any such entity shall not be required to file reports
14 of independent expenditures pursuant to section 49-1467, but if it
15 makes a contribution or expenditure, or provides personal services,
16 with a value of more than two hundred fifty dollars, ~~or more,~~ it
17 shall file a report with the commission within ten days after the
18 end of the calendar month in which the contribution or expenditure
19 is made or the personal services are provided. The report shall
20 include:

21 (a) The nature, date, and value of the contribution
22 or expenditure and the name of the candidate or committee or a
23 description of the ballot question to or for which the contribution
24 or expenditure was made; and

25 (b) A description of any personal services provided, the
26 date the services were provided, and the name of the candidate or
27 committee or a description of the ballot question to or for which

1 the personal services were provided.

2 (3) Any entity specified in subsection (1) of this
3 section may not receive contributions unless it establishes and
4 administers a separate segregated political fund which shall be
5 utilized only in the manner set forth in sections 49-1469.05 and
6 49-1469.06.

7 Sec. 29. Section 49-1477, Revised Statutes Supplement,
8 2013, is amended to read:

9 49-1477 No person shall receive a contribution from
10 a person other than a committee unless, for purposes of the
11 recipient person's record-keeping and reporting requirements, the
12 contribution is accompanied by the name and address of each person
13 who contributed more than one hundred dollars ~~or more~~ to the
14 contribution. Any person violating the provisions of this section
15 shall be guilty of a Class III misdemeanor.

16 Sec. 30. Section 49-1479.02, Revised Statutes Supplement,
17 2013, is amended to read:

18 49-1479.02 (1) A major out-of-state contributor shall
19 file with the commission an out-of-state contribution report.
20 An out-of-state contribution report shall be filed on a form
21 prescribed by the commission within ten days after the end of
22 the calendar month in which a person becomes a major out-of-state
23 contributor. For the remainder of the calendar year, a major
24 out-of-state contributor shall file an out-of-state contribution
25 report with the commission within ten days after the end of each
26 calendar month in which the contributor makes a contribution or
27 expenditure.

1 (2) An out-of-state contribution report shall disclose as
2 to each contribution or expenditure not previously reported (a) the
3 amount, nature, value, and date of the contribution or expenditure,
4 (b) the name and address of the committee, candidate, or person
5 who received the contribution or expenditure, (c) the name and
6 address of the person filing the report, and (d) the name, address,
7 occupation, and employer of each person making a contribution of
8 more than two hundred dollars ~~or more~~ in the calendar year to the
9 person filing the report.

10 (3) This section shall not apply to (a) a person who
11 files a report of a contribution or an expenditure pursuant to
12 subsection (2) of section 49-1469, (b) a person required to file
13 a report or campaign statement pursuant to section 49-1469.07,
14 (c) a committee having a statement of organization on file with
15 the commission, or (d) a person or committee registered with the
16 Federal Election Commission.

17 (4) Any person who fails to file an out-of-state
18 contribution report with the commission as required by this section
19 shall pay to the commission a late filing fee of one hundred
20 dollars for each of the first ten days the report remains not filed
21 in violation of this section. After the tenth day, such person
22 shall pay, for each day the report remains not filed, an additional
23 late filing fee of one percent of the amount of the contributions
24 or expenditures which were required to be reported, not to exceed
25 ten percent of the amount of the contributions or expenditures
26 which were required to be reported.

27 Sec. 31. Section 49-1488.01, Revised Statutes Supplement,

1 2013, is amended to read:

2 49-1488.01 (1) Every lobbyist who fails to file a
3 quarterly statement or a statement of activity with the Clerk
4 of the Legislature, pursuant to sections 49-1483 and 49-1488, shall
5 pay to the commission a late filing fee of twenty-five dollars
6 for each day any of such statements are not filed in violation of
7 such sections, but not to exceed seven hundred fifty dollars per
8 statement.

9 (2) A lobbyist required to pay a late filing fee pursuant
10 to subsection (1) of this section may apply to the commission
11 for relief. The commission by order may reduce the amount of the
12 late filing fee imposed upon such lobbyist if he or she shows the
13 commission that (a) the circumstances indicate no intent to file
14 late, (b) the lobbyist has not been required to pay a late filing
15 fee for two years prior to the time the filing of the statement was
16 due, (c) the late filing of the statement shows that less than five
17 thousand dollars ~~or less~~ was raised, received, or expended during
18 the reporting period, and (d) a reduction of the late fee would not
19 frustrate the purposes of the Nebraska Political Accountability and
20 Disclosure Act.

21 (3) A lobbyist required to pay a late filing fee pursuant
22 to subsection (1) of this section who qualifies for an exemption
23 to the filing of quarterly statements pursuant to subsection (5)
24 of section 49-1483 may apply to the commission for relief. The
25 commission by order may reduce or waive the late filing fee and
26 the person shall not be required to make a showing as provided by
27 subsection (2) of this section.

1 Sec. 32. Section 79-406, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 79-406 A Class II school district shall be created
4 whenever a Class I school district determines to establish a high
5 school by a majority vote of the legal voters at an annual or
6 special meeting.

7 The members of the school board serving when it is
8 decided to establish a high school shall determine how many members
9 the school board will have and shall continue in office until
10 the first regular meeting of the board in January following the
11 next statewide general election. The Class II district school board
12 shall be elected pursuant to section 32-542.

13 Sec. 33. Section 79-443, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 79-443 After one or more public hearings have been held,
16 the state committee may approve a plan or plans of reorganization.
17 Such plan shall contain:

18 (1) A description of the proposed boundaries of the
19 reorganized districts;

20 (2) A summary of the reasons for each proposed change,
21 realignment, or adjustment of the boundaries. If such plan provides
22 for the creation of a new Class VI district, it shall designate
23 whether such district shall include high school grades only or be
24 known as a Class VI junior-senior high school district as described
25 in section 79-411;

26 (3) A summary of the terms on which reorganization is to
27 be made between the reorganized districts. Such terms shall include

1 a provision for initial school board districts or wards within the
2 proposed district, which proposed initial school board districts
3 or wards shall be determined by the state committee taking into
4 consideration population and valuation, a determination of the
5 number of members to be appointed to the initial school board for
6 Class II and III school districts, and a determination of the terms
7 of the board members first appointed to membership on the board of
8 the newly reorganized district;

9 (4) A separate statement as to whether the reorganization
10 is contingent upon the success of a bond election held in
11 conjunction with the reorganization;

12 (5) A statement of the findings with respect to the
13 location of schools, the utilization of existing buildings, the
14 construction of new buildings, and the transportation requirements
15 under the proposed plan of reorganization. The plan may contain
16 provisions for the holding of school within existing buildings in
17 the newly reorganized district and that a school constituted under
18 this section shall be maintained from the date of reorganization
19 unless the legal voters served by the school vote by a majority
20 vote for discontinuance of the school;

21 (6) A map showing the boundaries of established school
22 districts and the boundaries proposed under any plan or plans of
23 reorganization; and

24 (7) Such other matters as the state committee determines
25 proper to be included.

26 Sec. 34. Section 79-451, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 79-451 Within thirty days after the classification of
2 the reorganized school districts by the county clerk under section
3 79-450, the state committee shall appoint from among the legal
4 voters of each new school district created the number of school
5 board members necessary to constitute a school board of the class
6 in which the new school district has been classified, specified in
7 the plan of reorganization. A reorganized school district shall be
8 formed and organized and shall have a school board not later than
9 April 1 following the last legal action, as prescribed in section
10 79-450, necessary to effect the changes in boundaries as set forth
11 in the plan of reorganization, although the physical reorganization
12 of such reorganized school district may not take effect until June
13 1. The first board shall be appointed on an at-large basis, and
14 all boards shall be elected at large until such time as school
15 districts are established as provided in section 32-554.

16 In appointing the first school board of a Class II school
17 district, the members shall be appointed so that the terms of
18 ~~three~~ approximately one-half of the members expire on the date of
19 the first regular meeting of the board in January after the first
20 even-numbered year following their appointment and the terms of the
21 ~~three~~ remaining members expire on the date of the first regular
22 meeting of the board in January after the second even-numbered
23 year following their appointment. At the statewide general election
24 in the first even-numbered year after the reorganization, ~~three~~
25 approximately one-half of the board members in each Class II school
26 district shall be elected to terms of four years, and thereafter
27 all candidates shall be elected to terms of four years. Each

1 member's term shall begin on the date of the first regular meeting
2 of the board in January following his or her election.

3 In appointing the first school board of a Class III
4 school district, ~~with a six-member board serving terms of four~~
5 ~~years,~~ the terms of three approximately one-half of the members
6 shall expire on the first Thursday after the first Tuesday
7 in January after the first even-numbered year following their
8 appointment and the terms of the ~~three~~ remaining members shall
9 expire on the first Thursday after the first Tuesday in January
10 after the second even-numbered year following their appointment.

11 In appointing the first school board of a Class III
12 school district with a ~~nine-member board serving terms of four~~
13 ~~years,~~ the terms of ~~four members shall expire on the first Thursday~~
14 ~~after the first Tuesday in January after the first even-numbered~~
15 ~~year following their appointment and the terms of five members~~
16 ~~shall expire on the first Thursday after the first Tuesday~~
17 ~~in January after the second even-numbered year following their~~
18 ~~appointment. Thereafter all Class III district school boards shall~~
19 ~~be elected to terms of four years.~~

20 The school board so appointed shall proceed at once to
21 organize in the manner prescribed by law.

22 Sec. 35. Section 79-4,123, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 79-4,123 After one or more public hearings have been
25 held, the state committee may approve a plan or plans of
26 reorganization pursuant to the Learning Community Reorganization
27 Act. Such plan shall contain:

1 (1) A description of the proposed boundaries of the
2 reorganized districts and a designation of the class for each
3 district;

4 (2) A summary of the reasons for each proposed change,
5 realignment, or adjustment of the boundaries which shall include,
6 but not be limited to, an explanation of how the plan complies
7 with any statutory requirements for learning community organization
8 and an assurance that the plan does not increase the geographic
9 size of any school district that has more than twenty-five thousand
10 students;

11 (3) A summary of the terms on which reorganization is to
12 be made between the reorganized districts. Such terms shall include
13 a provision for initial school board districts or wards within the
14 proposed district, which proposed initial school board districts
15 or wards shall be determined by the state committee taking into
16 consideration population and valuation, a determination of the
17 number of members to be appointed to the initial school board for
18 Class II and III school districts, and a determination of the terms
19 of the board members first appointed to membership on the board of
20 the newly reorganized district;

21 (4) A statement of the findings with respect to the
22 location of schools, the utilization of existing buildings, the
23 construction of new buildings, and the transportation requirements
24 under the proposed plan of reorganization;

25 (5) A map showing the boundaries of established school
26 districts and the boundaries proposed under any plan or plans of
27 reorganization; and

1 (6) Such other matters as the state committee determines
2 proper to be included.

3 Sec. 36. Section 79-4,129, Revised Statutes Supplement,
4 2013, is amended to read:

5 79-4,129 (1) Within thirty days after the classification
6 of the reorganized school districts by the county clerk under
7 section 79-4,128, the state committee shall appoint from among the
8 legal voters of each new school district created the number of
9 school board members necessary to constitute a school board of
10 the class in which the new school district has been classified.
11 specified in the plan of reorganization. A reorganized school
12 district shall be formed and organized and shall have a school
13 board not later than April 1 following the last legal action, as
14 prescribed in section 79-4,128, necessary to effect the changes in
15 boundaries as set forth in the plan of reorganization, although the
16 physical reorganization of such reorganized school district shall
17 take effect July 1 following the classification of the reorganized
18 school districts under section 79-4,128. The first board shall be
19 appointed on an at-large basis, and all boards shall be elected
20 at large until such time as election districts are established as
21 provided in section 32-554.

22 (2) In appointing the first school board of a Class
23 II school district, the members shall be appointed so that the
24 terms of ~~three~~ approximately one-half of the members expire on
25 the date of the first regular meeting of the board in January
26 after the first even-numbered year following their appointment
27 and the terms of the ~~three~~ remaining members expire on the date

1 of the first regular meeting of the board in January after the
2 second even-numbered year following their appointment. At the
3 statewide general election in the first even-numbered year after
4 the reorganization, ~~three~~ approximately one-half of the board
5 members in each Class II school district shall be elected to terms
6 of four years. Thereafter all candidates shall be elected to terms
7 of four years. Each member's term shall begin on the date of the
8 first regular meeting of the board in January following his or her
9 election.

10 (3) In appointing the first school board of a Class
11 III school district, ~~with a six-member board serving terms of~~
12 ~~four years,~~ the terms of ~~three~~ approximately one-half of the
13 members shall expire on the first Thursday after the first Tuesday
14 in January after the first even-numbered year following their
15 appointment and the terms of the ~~three~~ remaining members shall
16 expire on the first Thursday after the first Tuesday in January
17 after the second even-numbered year following their appointment.
18 Thereafter all Class III district school boards ~~with six-member~~
19 ~~boards~~ shall be elected to terms of four years.

20 (4) In appointing the first school board of a Class
21 III school district ~~with a nine-member board serving terms of~~
22 ~~four years,~~ the terms of ~~four~~ members shall expire on the first
23 Thursday after the first Tuesday in January after the first
24 even-numbered year following their appointment and the terms of
25 ~~five~~ members shall expire on the first Thursday after the first
26 Tuesday in January after the second even-numbered year following
27 their appointment. Thereafter all Class III district school boards

1 ~~with nine-member boards shall be elected to terms of four years.~~

2 ~~(5)~~ (4) In appointing the first school board of a Class
3 IV school district, the members shall be appointed so that the
4 terms of three members shall expire on the third Monday in May
5 of the first odd-numbered year following their appointment and
6 the terms of four members shall expire on the third Monday in
7 May of the second odd-numbered year following their appointment.
8 Thereafter all Class IV district school boards shall be elected to
9 terms of four years.

10 ~~(6)~~ (5) In appointing the first school board of a Class
11 V school district after a reorganization under this section with
12 a nine-member board serving terms of four years, the terms of the
13 members shall expire as provided in section 32-545. All Class V
14 district school boards shall be elected to terms of four years.

15 ~~(7)~~ (6) The school boards appointed under this section
16 shall proceed at once to organize in the manner prescribed by law.

17 Sec. 37. Section 79-547, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 79-547 (1) The Except as otherwise provided in section
20 79-550, the school board or board of education shall consist of the
21 following members:

22 (a) In a Class II district, six members; and

23 (b) In a Class III district, six members, ~~unless the~~
24 ~~board of education provides a nine-member board pursuant to section~~
25 ~~79-550.~~

26 (2) In addition to the members specified in subsection
27 (1) of this section, such school boards or boards of education may

1 include one or more student members selected pursuant to section
2 79-559.

3 Sec. 38. Section 79-549, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 79-549 (1) The school board of any Class III school
6 district that is a member of a learning community may place before
7 the legal voters of the school district the issue of whether to
8 begin to have a caucus for nominations by adopting a resolution to
9 place the issue before the legal voters and certifying the issue to
10 the election commissioner or county clerk prior to September 1 for
11 placement on the ballot at the next statewide general election. The
12 legal voters of the school district may also have the issue placed
13 on the ballot at the statewide general election by circulating a
14 petition and gathering the signatures of the legal voters residing
15 within the school district at least equal to seven percent of
16 the number of persons registered to vote in the school district
17 at the last statewide primary election. The petitions shall be
18 filed with the election commissioner or county clerk for signature
19 verification on or before August 15 prior to a statewide general
20 election. If the election commissioner or county clerk determines
21 that the appropriate number of legal voters signed the petition, he
22 or she shall place the issue on the ballot for the next statewide
23 general election. The issue shall not be placed on the ballot again
24 within four years after voting on the issue at a statewide general
25 election.

26 (2) Any Class III school district that nominated school
27 board members by caucus pursuant to this section as it existed

1 immediately before July 14, 2006, shall continue such procedure
2 until the legal voters of the district vote not to continue to
3 have a caucus for nominations pursuant to subsection (3) of this
4 section. A caucus shall be held pursuant to subsection (5) of this
5 section not less than seventy days prior to the holding of the
6 election to nominate two or more candidates for each vacancy to
7 be voted upon at the election to be held in conjunction with the
8 statewide primary election pursuant to subsection (1) of section
9 32-543. No candidate nominated shall have his or her name placed
10 upon the ballot for the general election unless, not more than
11 ten days after his or her nomination, he or she files with the
12 secretary of the school board a written statement accepting the
13 nomination. The secretary of the school board shall certify the
14 names of the candidates to the election commissioner or county
15 clerk who shall prepare the official ballot listing the names
16 as certified and without any area designation. All legal voters
17 residing within the school district shall be permitted to vote at
18 such election.

19 (3) The school board may place before the legal voters
20 of the school district the issue of whether to continue to have a
21 caucus for nominations by adopting a resolution to place the issue
22 before the legal voters and certifying the issue to the election
23 commissioner or county clerk prior to September 1 for placement
24 on the ballot at the next statewide general election. The legal
25 voters of the school district may also have the issue placed on the
26 ballot at the statewide general election by circulating a petition
27 and gathering the signatures of the legal voters residing within

1 the school district at least equal to seven percent of the number
2 of persons registered to vote in the school district at the last
3 statewide primary election. The petitions shall be filed with the
4 election commissioner or county clerk for signature verification
5 on or before August 15 prior to a statewide general election.
6 If the election commissioner or county clerk determines that the
7 appropriate number of legal voters signed the petition, he or
8 she shall place the issue on the ballot for the next statewide
9 general election. The issue shall not be placed on the ballot again
10 within four years after voting on the issue at a statewide general
11 election.

12 (4) If the legal voters vote not to continue to have
13 a caucus, ~~candidates shall~~ the school board shall determine the
14 number of members to be nominated and elected as provided in
15 subsection (2) of section 32-543. The terms of the members in
16 office at the time of the vote shall be extended to the first
17 Thursday after the first Tuesday in January after the expiration of
18 their terms. At the first general election following the vote, ~~the~~
19 ~~member~~ a number of members receiving the greatest number of votes
20 shall be elected for a term of four years and ~~the member~~ a number
21 of members receiving the next greatest number of votes shall be
22 elected for a term of two years so that approximately one-half of
23 the school board members are elected every two years.

24 (5) A school district which uses a caucus for nominations
25 shall develop rules and procedures for conducting the caucus which
26 will ensure:

27 (a) Publication of the rules and procedures by multiple

1 sources if necessary so that every resident of the school district
2 has access to information on the process for placing a name in
3 nomination and voting at the caucus;

4 (b) Facilities for voting at the caucus which comply with
5 the federal Americans with Disabilities Act of 1990 and which will
6 accommodate a reasonably anticipated number of legal voters;

7 (c) Election security which will provide for a fair and
8 impartial election, including the secrecy of the ballot, one vote
9 per legal voter, and only legal voters of the school district being
10 allowed to vote;

11 (d) Equal access to all legal voters of the school
12 district, including the presence of an interpreter at the caucus
13 at the expense of the school district and ballots for the blind
14 and visually impaired to provide access to the process by all legal
15 voters of the school district;

16 (e) Adequate time and opportunity for legal voters of the
17 school district to exercise their right to vote; and

18 (f) Notification of nomination to the candidates and to
19 the secretary of the school board.

20 The rules and regulations shall be approved by the
21 election commissioner or county clerk prior to use for a caucus.

22 Sec. 39. Section 79-550, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 79-550 (1) A The school board of a Class II or III school
25 district with a six-member board of education may, by resolution
26 adopted in an odd-numbered year, provide for an increase a change
27 in the number of members from six to nine. The board of education

1 shall appoint members to fill the three vacancies thus created in
2 the manner prescribed in section 32-570, on the school board to
3 a minimum of five members and a maximum of nine members to be
4 effective at the beginning of the term of office for school board
5 members elected at the next statewide general election. The school
6 board shall include in the resolution:

7 (a) A statement of the change in number of members to be
8 added to or eliminated from the school board;

9 (b) A statement that the change does not take effect
10 until the beginning of the term of office for school board members
11 elected at the next statewide general election;

12 (c) If the members are not nominated or elected by
13 district or ward in the school district:

14 (i) If the change in number adds members to the school
15 board, a statement of the number of members to be elected at
16 the next statewide general election, including the members whose
17 terms are expiring and the additional members, and the number of
18 such members to be elected to four-year terms and the number of
19 such members to be elected to two-year terms so that approximately
20 one-half of the total number of members are elected at each
21 statewide general election. The members receiving the highest
22 number of votes shall be elected to four-year terms, and the
23 members receiving the next highest number of votes shall be elected
24 to two-year terms; and

25 (ii) If the change in number decreases the number of
26 members on the school board, a statement of the number of members
27 to be elected at the next statewide general election, if any, and

1 at the subsequent statewide general election, if necessary, and
2 the number of such members to be elected at such elections to
3 four-year terms and the number of such members to be elected at
4 such elections to two-year terms so that approximately one-half of
5 the total number of members are elected at each statewide general
6 election. The members receiving the highest number of votes shall
7 be elected to four-year terms, and the members receiving the next
8 highest number of votes shall be elected to two-year terms; and

9 (d) If the members are nominated or elected by district
10 or ward in the school district:

11 (i) The changes to the boundaries of districts or wards;

12 (ii) A statement that the changes to the boundaries are
13 effective for purposes of nominating or electing, as applicable,
14 members to the school board beginning with the next statewide
15 primary and general elections but that the changes in boundaries
16 are not effective for purposes of representation until the
17 beginning of the term of office for school board members elected at
18 the next statewide general election;

19 (iii) A statement of which districts or wards, as
20 changed, are on the ballot at the next statewide primary or
21 general election, as applicable, and whether the members elected
22 from such districts or wards are being elected for four-year terms
23 or two-year terms;

24 (iv) A statement specifying the newly established
25 districts which each member will represent for the remainder of his
26 or her term, if necessary;

27 (v) If the change in number adds members to the school

1 board, a statement of the number of members to be elected at the
2 next statewide general election, including the members whose terms
3 are expiring and the additional members, and the districts or wards
4 of such members to be elected to four-year terms and the districts
5 or wards of such members to be elected to two-year terms so that
6 approximately one-half of the total number of members are elected
7 at each statewide general election; and

8 (vi) If the change in number decreases the number of
9 members on the school board, a statement of the number of members
10 to be elected at the next statewide general election, if any,
11 and at the subsequent statewide general election, if necessary,
12 and the districts or wards of such members to be elected at such
13 elections to four-year terms and the districts or wards of such
14 members to be elected at such elections to two-year terms so that
15 approximately one-half of the total number of members are elected
16 at each statewide general election.

17 ~~(2) A Class III school district with a nine-member board~~
18 ~~of education may by resolution provide for decreasing the number of~~
19 ~~members of the board of education from nine to six. When such a~~
20 ~~decrease is provided, three of the vacancies which would otherwise~~
21 ~~occur at the next election shall not be filled.~~

22 ~~(3) (2) If the members of the school board of education~~
23 ~~of a Class III school district are nominated and elected by~~
24 ~~district or ward, the board of education may by resolution provide~~
25 ~~for the nomination of the members by district or ward and the~~
26 ~~election of the members at large. If the members are nominated~~
27 ~~by district or ward and elected at large, the board of education~~

1 may by resolution provide for the nomination and election of the
2 members by district or ward.

3 Sec. 40. Section 79-10,111, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 79-10,111 The legal voters in a Class I or II school
6 district, when lawfully assembled, may adjourn from time to time,
7 as may be necessary, to designate a site for a schoolhouse by
8 a vote of fifty-five percent of those present and to change the
9 designation of a site for a schoolhouse by a similar vote at any
10 annual or special meeting. In any school district in which the
11 schoolhouse is located three-fourths of one mile or more from the
12 center of such district, such schoolhouse site may be changed to
13 a point nearer the center of the district by a majority vote of
14 those present at any such school meeting. In any school district
15 containing more than one hundred fifty children five through twenty
16 years of age and having a school board of ~~six~~ five or more
17 members, the schoolhouse site in the district may be changed or the
18 purchasing of a new site may be directed, or both, at any annual or
19 special meeting, by a fifty-five percent vote of those present at
20 any such meeting. A schoolhouse site shall not be changed more than
21 once in any one school year.

22 Sec. 41. This act becomes operative on January 1, 2015.

23 Sec. 42. If any section in this act or any part of any
24 section is declared invalid or unconstitutional, the declaration
25 shall not affect the validity or constitutionality of the remaining
26 portions.

27 Sec. 43. Original sections 10-703.01, 23-1901.01, 32-209,

1 32-210, 32-405, 32-525, 32-542, 32-543, 32-567, 32-608, 32-949.01,
2 32-953, 32-956, 32-957, 32-1202, 79-406, 79-443, 79-451, 79-4,123,
3 79-547, 79-549, 79-550, and 79-10,111, Reissue Revised Statutes
4 of Nebraska, and sections 32-101, 49-1413, 49-1415, 49-1433.01,
5 49-1445, 49-1455, 49-1456, 49-1457, 49-1461.01, 49-1463.01,
6 49-1467, 49-1469, 49-1477, 49-1479.02, 49-1488.01, and 79-4,129,
7 Revised Statutes Supplement, 2013, are repealed.