

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 463**

Introduced by Watermeier, 1.

Read first time January 17, 2017

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to cemeteries; to amend section 12-401,
- 2 Reissue Revised Statutes of Nebraska; to change a provision relating
- 3 to who may be appointed to certain cemetery boards; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 12-401, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 12-401 The mayor of any city having fewer than twenty-five thousand  
4 inhabitants, by and with the consent of the council or a majority  
5 thereof, and the chairperson of the board of trustees of any village, by  
6 and with the consent of the village board or a majority thereof, may  
7 appoint a board of not fewer than three nor more than six members, to be  
8 known as the cemetery board, from among the citizens at large of such  
9 city, or from among the citizens at large from the county in which the  
10 village is located for such village, who shall serve without pay and  
11 shall have entire control and management of any cemetery belonging to  
12 such city or village. Neither the mayor nor any member of the council nor  
13 the chairperson nor any member of the village board of trustees may be a  
14 member of the cemetery board. At the time of establishing such cemetery  
15 board, approximately one-third of the members shall be appointed for a  
16 term of one year, one-third for a term of two years, and one-third for a  
17 term of three years, and thereafter members shall be appointed for terms  
18 of three years. Vacancies in the membership of the board other than  
19 through the expiration of a term shall be filled for the unexpired  
20 portion of the term.

21 Sec. 2. Original section 12-401, Reissue Revised Statutes of  
22 Nebraska, is repealed.