

LEGISLATIVE BILL 421

Approved by the Governor March 23, 1971

Introduced by Wayne W. Ziebarth, 37th District; Thomas C. Kennedy, 21st District; Harold D. Simpson, 46th District; Ramey C. Whitney, 44th District

AN ACT to amend sections 79-326, 79-327, and 79-1421, Reissue Revised Statutes of Nebraska, 1943, relating to the State Board of Education; to provide that board members shall be liable to impeachment in the same manner as other state officers; to eliminate obsolete matter; to increase the number of members for a quorum; and to repeal the original sections.

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

Section 1. That section 79-326, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-326. Members of the State Board of Education ~~may be charged, tried, and removed from office by a court of competent jurisdiction for (1) neglect of duties, (2) extortion, (3) corruption, (4) maladministration in office, (5) conviction of a felony, or (6) drunkenness shall be liable to impeachment in the same manner and on the same grounds as other state officers.~~

Sec. 2. That section 79-327, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-327. (1) The State Board of Education shall meet regularly and periodically in the office of the State Department of Education at the State Capitol at least four times annually; Provided, that meetings shall be held during the first full week in June and during the first full week in December, of each year, ~~and the first meeting of the board shall be held within five days following the inauguration of state officers in January, 1955.~~ It may meet at such other times and places as the board may determine necessary for the proper and efficient conduct of its duties. Special meetings may be called by the presiding officer upon written notice given at least five days preceding the meeting or, in the absence of such call by the presiding officer, the Commissioner of Education shall call such

special meeting upon written request of a majority of the board. ~~Four~~ Five members of the board shall constitute a quorum.

(2) The public shall be admitted to all meetings of the State Board of Education except to such executive sessions as the board may direct. The board shall cause to be kept a record of all public meetings and proceedings of the board. The commissioner, or his designated representative, shall be present at all meetings except when the order of business for the board is the selection of a Commissioner of Education.

(3) The members of the State Board of Education shall receive no compensation for their services but shall be reimbursed for actual and essential expenses incurred in attending meetings or incurred in the performance of duties as directed by the board.

Sec. 3. That section 79-1421, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1421. (1) The State Board of Education, as designated in section 79-322, shall also be the State Board of Vocational Education and, when acting as the State Board of Vocational Education, shall assume the powers and duties thereof, as provided in sections 79-1419 to 79-1435.

(2) the Commissioner of Education shall be the executive officer of the State Board of Vocational Education. The members of the State Board of Vocational Education shall receive no compensation for their services. They shall be reimbursed for actual and essential expenses incurred in attending meetings or incurred in the performance of their duties as directed by the board. The State Board of Vocational Education shall meet in the office of the State Department of Education at the State Capitol regularly and periodically and at least four times annually. It may meet at such other times and places as the board may determine necessary for the proper and efficient conduct of its duties. Special meetings may be called by the presiding officer upon a written notice given at least five days preceding the meeting. In the absence of such a call by the presiding officer, the Commissioner of Education shall call such special meeting upon the written request of a majority of the board. ~~Four~~ Five members of the board shall constitute a quorum for the transaction of business.

Sec. 4. That original sections 79-326, 79-327, and 79-1421, Reissue Revised Statutes of Nebraska, 1943, are repealed.