

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 332

Final Reading

Introduced by Education Committee: Adams, 24, Chairperson; Avery,
28; Cornett, 45; Haar, 21; Howard, 9; Sullivan, 41.

Read first time January 12, 2011

Committee: Education

A BILL

- 1 FOR AN ACT relating to the Board of Educational Lands and Funds; to
- 2 amend section 72-201, Reissue Revised Statutes of
- 3 Nebraska; to change provisions relating to compensation;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 72-201, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 72-201 (1) The Board of Educational Lands and Funds shall
4 consist of five members to be appointed by the Governor with the
5 consent of a majority of the members elected to the Legislature. One
6 member shall be appointed from each of the congressional districts as
7 the districts were constituted on January 1, 1961, and a fifth member
8 shall be appointed from the state at large. One member of the board
9 shall be competent in the field of investments. The initial members
10 shall be appointed to take office on October 1, 1955, and shall hold
11 office for the following periods of time: The member from the first
12 congressional district for one year; the member from the second
13 congressional district for two years; the member from the third
14 congressional district for three years; the member from the fourth
15 congressional district for four years; and the member from the state
16 at large for five years. As the terms of the members expire, the
17 Governor shall appoint or reappoint a member of the board for a term
18 of five years, except members appointed to fill vacancies whose
19 tenures shall be the unexpired terms for which they are appointed. If
20 the Legislature is not in session when such members, or some of them,
21 are appointed by the Governor, such members shall take office and act
22 as recess appointees until the Legislature next thereafter convenes.
23 ~~The~~ Until October 1, 2011, the compensation of the members shall be
24 forty dollars per day for each day's time actually engaged in the
25 performance of the duties of their office. ~~Each~~ Before, on, and after

1 October 1, 2011, each member shall ~~also~~ be paid his or her necessary
2 traveling expenses incurred while upon business of the board as
3 provided in sections 81-1174 to 81-1177. The board shall cause all
4 school, university, agricultural college, and state college lands,
5 owned by or the title to which may hereafter vest in the state, to be
6 registered, leased, and sold, ~~as hereinafter provided,~~ in sections
7 72-201 to 72-251 and shall have the general management and control of
8 such lands, and make necessary rules not provided by law. The funds
9 arising from these lands shall be disposed of in the manner provided
10 by the Constitution of Nebraska, sections 72-201 to 72-251, and other
11 laws of Nebraska not inconsistent herewith.

12 (2) No person shall be eligible to membership on the
13 board who is actively engaged in the teaching profession, who holds
14 or has any financial interest in a school land lease, who is a holder
15 of or a candidate for any state office or a member of any state board
16 or commission, or who has not resided in this state for at least
17 three years.

18 (3) The board shall elect one of its members as
19 chairperson of the Board of Educational Lands and Funds. In the
20 absence of the chairperson, any member of the board may, upon motion
21 duly carried, act in his or her behalf as such chairperson. It shall
22 keep a record of all proceedings and orders made by it. No order
23 shall be made except upon the concurrence of at least three members
24 of the board. It shall make all orders pertaining to the handling of
25 all lands and funds set apart for educational purposes.

1 (4) The board shall maintain an office in Lincoln and
2 shall meet in its office not less than once each month.

3 (5) The board may appoint a secretary for the board. The
4 compensation of the secretary shall be payable monthly, as fixed by
5 the board.

6 Sec. 2. Original section 72-201, Reissue Revised Statutes
7 of Nebraska, is repealed.