

AMENDMENTS TO LB976

Introduced by Karpisek

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

3           Section 1. Sections 1 to 29 of this act shall be known  
4 and may be cited as the Redistricting Act.

5           Sec. 2. (1) It is the intent of the Legislature to  
6 recognize that decennial redistricting is a significant part of  
7 the legislative and political process and must be administered  
8 in an equitable and transparent manner to ensure confidence in  
9 government.

10           (2) It is the intent of the Legislature to create and  
11 approve districts that have an equal distribution of population, as  
12 directed by Article I, section 2, of the Constitution of the United  
13 States and the Constitution of Nebraska. It is the responsibility  
14 of the Legislature to follow redistricting principles prescribed  
15 by the Supreme Court of the United States, including ensuring  
16 that districts are composed of compact and contiguous territory,  
17 protecting the existing boundaries of counties, political  
18 subdivisions, core communities, and communities of interest when  
19 practicable, placing precincts wholly within a single legislative  
20 district and placing legislative districts wholly within a single  
21 congressional district when practicable, and ensuring that the  
22 drawing of the boundary of a single district does not result in  
23 cracking, packing, or otherwise diluting the voting rights of any

1 voting majority or minority based on race or language.

2 (3) It is the intent of the Legislature to create the  
3 Independent Redistricting Advisory Commission for the purpose of  
4 assisting the Legislature in the process of redistricting in 2021  
5 and thereafter.

6 Sec. 3. For purposes of the Redistricting Act, the  
7 definitions in sections 4 to 18 of this act apply.

8 Sec. 4. Census data means the adopted official population  
9 figures and maps from the Census Redistricting (Public Law 94-171)  
10 TIGER/Line Shapefiles for the most recent federal census published  
11 by the United States Department of Commerce, Bureau of the Census,  
12 or the most recent official population figures and maps published  
13 by the Bureau of the Census for the most recent federal census.

14 Sec. 5. Commission means the Independent Redistricting  
15 Advisory Commission.

16 Sec. 6. Cracking means dividing the electoral strength of  
17 a particular group by a redistricting plan.

18 Sec. 7. Director means the Director of Research of the  
19 office of Legislative Research or his or her designee.

20 Sec. 8. District means any United States House of  
21 Representatives district, legislative district, State Board of  
22 Education district, University of Nebraska Board of Regents  
23 district, Supreme Court judicial district, or Public Service  
24 Commission district.

25 Sec. 9. Executive board means the Executive Board of the  
26 Legislative Council.

27 Sec. 10. Federal census means the decennial census

1 required by federal law to be conducted by the United States  
2 Department of Commerce, Bureau of the Census, in every year ending  
3 in zero.

4       Sec. 11. Legislative caucus means a group of legislative  
5 districts from which members are elected to the executive board as  
6 designated in subsection (1) of section 50-401.01.

7       Sec. 12. Packing means consolidating one group as  
8 a supermajority in a small number of districts resulting in  
9 a reduction of the group's electoral influence in surrounding  
10 districts.

11       Sec. 13. Political party office means an elective office  
12 in the national or state organization of a political party.

13       Sec. 14. Public officeholder means a person holding an  
14 office of this state or a county, city, village, or other political  
15 subdivision of this state which is filled by an election process  
16 involving nomination and election of candidates.

17       Sec. 15. Redistricting means dividing the State of  
18 Nebraska into districts by designating boundary lines based on  
19 population through legislative action.

20       Sec. 16. Registered lobbyist means an individual required  
21 to register with the Clerk of the Legislature under section  
22 49-1483.

23       Sec. 17. Relative means an individual who is related to  
24 the person in question as father, mother, son, daughter, brother,  
25 sister, uncle, aunt, first cousin, nephew, niece, husband, wife,  
26 grandfather, grandmother, father-in-law, mother-in-law, son-in-law,  
27 daughter-in-law, brother-in-law, sister-in-law, stepfather,

1 stepmother, stepson, stepdaughter, stepbrother, stepsister, half  
2 brother, or half sister.

3           Sec. 18. Target population means the number derived by  
4 dividing the total population of the state by the number of single  
5 member districts to be created.

6           Sec. 19. (1) In preparation for drawing new district  
7 boundaries on the basis of census data, the director shall  
8 acquire and maintain temporary and permanent equipment, materials,  
9 supplies, facilities, software, and staff as necessary to assist  
10 the commission in the development of programs and procedures.  
11 The director shall create and maintain a web site, in accordance  
12 with state requirements, which shall include, but not be limited  
13 to, information regarding members of the commission, census data  
14 for Nebraska, state redistricting history, relevant maps, schedule  
15 for public comment, and statutory redistricting authority. The  
16 Legislature shall appropriate funds to the office of Legislative  
17 Research to be spent for the purchase or lease of temporary or  
18 permanent equipment, materials, supplies, facilities, software, or  
19 staff for the explicit purpose of carrying out the Redistricting  
20 Act only and with prior approval of the executive board.

21           (2) The director shall act as a liaison between the  
22 commission, the Legislature, the executive board, and the Secretary  
23 of State.

24           (3) As soon as possible after January 1 of each year  
25 ending in one, the director shall (a) obtain from the United States  
26 Department of Commerce, Bureau of the Census, the census data  
27 needed for redistricting which the bureau is required to provide to

1 this state, (b) use the census data to assign a target population  
2 to each district based upon the census data, and (c) develop base  
3 maps for the commission to use in developing redistricting plans.

4 (4) Upon delivery by the director to the executive board  
5 of redistricting plans for the districts pursuant to section 29 of  
6 this act, the director shall, at the earliest possible time, make  
7 available to the public the following information:

8 (a) Copies of maps illustrating each of the six  
9 redistricting plans recommended by the commission; and

10 (b) Copies of the target population and total population  
11 of each district included in each of the six redistricting plans  
12 and the relative deviation of the population of each district from  
13 the target population for the district.

14 Sec. 20. Not later than January 30 of each year ending  
15 in one, the Independent Redistricting Advisory Commission shall  
16 be established as provided by the Redistricting Act. Each of the  
17 three legislative caucuses shall certify to the Secretary of State  
18 and the Speaker of the Legislature the appointment of two persons  
19 selected as provided in this section to serve on the commission.  
20 The members of each legislative caucus who are affiliated with  
21 the political party polling the highest number of votes at the  
22 last general election for Governor shall select one person who  
23 is a resident of the area represented by the members of the  
24 caucus and who is affiliated with such party to serve on the  
25 commission, except that if there are no members of a legislative  
26 caucus who are affiliated with such political party, the members of  
27 the Legislature who are affiliated with such political party shall

1 select one person who is a resident of the area represented by the  
2 members of the caucus and who is affiliated with such party to  
3 serve on the commission for that legislative caucus. The members of  
4 each legislative caucus who are affiliated with the political party  
5 polling the second highest number of votes at the last general  
6 election for Governor shall select one person who is a resident  
7 of the area represented by the members of the caucus and who is  
8 affiliated with such party to serve on the commission, except that  
9 if there are no members of a legislative caucus who are affiliated  
10 with such political party, the members of the Legislature who are  
11 affiliated with such political party shall select one person who  
12 is a resident of the area represented by the members of the caucus  
13 and who is affiliated with such party to serve on the commission  
14 for that legislative caucus. In addition to the six members  
15 selected pursuant to this section, a chairperson shall be selected  
16 pursuant to section 25 of this act. The commission's only functions  
17 shall be those prescribed by the act. The commission shall be  
18 reconstituted if the Governor or Legislature, as authorized by  
19 Article IV, section 8, of the Constitution of Nebraska, calls  
20 for a special session of the Legislature on any redistricting  
21 plan or in the event of a successful legal challenge to any  
22 part of any redistricting plan for the purpose of reformulating  
23 the challenged redistricting plan. The members of the commission  
24 shall be reimbursed for per diem, travel, and actual expenditures  
25 as authorized under sections 81-1174 to 81-1177. The commission  
26 shall receive necessary equipment, materials, supplies, facilities,  
27 software, and staff from the office of Legislative Research.

1           Sec. 21. The Redistricting Fund is created. The  
2 Legislature shall appropriate, from the General Fund, an amount  
3 prescribed by the executive board to the Redistricting Fund for  
4 temporary or permanent equipment, materials, supplies, facilities,  
5 software, and staff for the office of Legislative Research for  
6 purposes of assisting the commission and for per diems and travel  
7 and actual expenses of the members of the commission. Any money in  
8 the fund following the termination of the commission shall revert  
9 to the General Fund. Any money in the Redistricting Fund available  
10 for investment shall be invested by the state investment officer  
11 pursuant to the Nebraska Capital Expansion Act and the Nebraska  
12 State Funds Investment Act.

13           Sec. 22. The commission shall cease to exist and suspend  
14 all official action following the final legislative approval and  
15 Governor's signature on all six redistricting plans. Following such  
16 suspension, the director shall prepare and submit electronically  
17 a detailed report and financial statement to the Legislature  
18 disclosing all expenditures made by the office of Legislative  
19 Research on behalf of the commission. The director shall transmit  
20 original copies of all information developed by the commission  
21 pursuant to carrying out its duties under the Redistricting  
22 Act to the Secretary of State, including maps, census data  
23 collected, meetings of minutes, written communications, digital or  
24 electronic video, tapes, emails, and other information of similar  
25 nature. The Secretary of State shall be the custodian for the  
26 permanent preservation of such information which shall constitute  
27 the official record.

1           Sec. 23. To be eligible to serve on the commission, a  
2 person shall:

3           (1) Be a Nebraska resident;

4           (2) Be a registered voter who, at the time of  
5 appointment, has not changed political party affiliation within the  
6 previous twenty-four months;

7           (3) Not be a registered lobbyist and, at the time  
8 of appointment, not have been a registered lobbyist within the  
9 previous twelve months;

10           (4) Not be a public officeholder in Nebraska nor a  
11 political party officeholder in Nebraska or the United States;

12           (5) Not be a relative of or employed by (a) a member of  
13 the United States Congress or the Legislature, (b) a constitutional  
14 officer, or (c) a person employed by the University of Nebraska;  
15 and

16           (6) Not be employed by the University of Nebraska.

17           Sec. 24. No member of the commission shall, while a  
18 member of the commission, hold or campaign to be elected or  
19 appointed to a position in the United States Congress, Legislature,  
20 Public Service Commission, Supreme Court, State Board of Education,  
21 or Board of Regents of the University of Nebraska.

22           Sec. 25. (1) Each legislative caucus shall place each  
23 person selected by or for the caucus up for approval by the  
24 Legislature. The Legislature shall vote on each person separately.  
25 If an appointment is not approved, the legislative caucus shall  
26 select another person in the manner provided in section 20 of this  
27 act for approval by the Legislature.

1           (2) Prior to legislative approval, each member of the  
2 commission shall file a statement of financial interests with  
3 the Nebraska Accountability and Disclosure Commission pursuant to  
4 sections 49-1493 to 49-14,104 and shall be subject to section  
5 49-1499.03.

6           (3) Within ten days after the Legislature has approved  
7 the six members for the commission, the members shall (a) by  
8 majority vote select a chairperson, who is not one of the six  
9 members approved by the Legislature and who is not affiliated  
10 with the same political party as any of the other members of the  
11 commission, and (b) report such selection to the Secretary of State  
12 and the Speaker of the Legislature. The chairperson shall not have  
13 voting rights with respect to decisions by the commission but shall  
14 otherwise have the same duties as other members of the commission.  
15 The chairperson shall have the same qualifications as other members  
16 of the commission except for requirements as to political party  
17 affiliation. Prior to the first meeting, the chairperson shall file  
18 a statement of financial interests as described in subsection (2)  
19 of this section and shall be subject to section 49-1499.03.

20           (4) Four voting members shall constitute a quorum for  
21 decisions by the commission. The commission shall meet at the  
22 call of the chairperson. All meetings shall be subject to the  
23 Open Meetings Act. The commission shall be subject to the Records  
24 Management Act.

25           (5) Any member of the commission who violates the  
26 Redistricting Act, who becomes ineligible for the office pursuant  
27 to section 23 or 24 of this act, who changes his or her political

1 party affiliation, or who has a known or discovered conflict of  
2 interest may be removed by a majority vote of the Legislature.

3 (6) Any vacancy on the commission shall be filled in the  
4 manner provided in section 20 of this act by the legislative caucus  
5 which selected the member whose position is vacant within five  
6 legislative days after the vacancy occurs, and such replacement  
7 member shall hold the same political party affiliation as the  
8 member whose position is vacant.

9 Sec. 26. (1) The commission shall review redistricting  
10 guidelines used by the Legislature in the previous year ending in  
11 one and any subsequent controlling legal opinions of the Supreme  
12 Court of the United States. The commission shall adopt substantive  
13 and procedural guidelines, consistent with the Redistricting Act,  
14 that will guide the commission's redistricting process. During the  
15 legislative session of each year ending in one, the substantive  
16 guidelines adopted by the commission shall be presented to the  
17 Legislature. The commission shall, at the earliest feasible time,  
18 make available to the public the guidelines prepared under this  
19 section.

20 (2) Prior to delivering any redistricting plan and the  
21 corresponding maps and census data to the executive board in  
22 accordance with the Redistricting Act, the office of Legislative  
23 Research shall not provide to persons outside the office any  
24 information regarding any plan unless explicitly approved by the  
25 commission. This prohibition does not apply to census data.

26 (3) The commission shall, not later than April 1 of  
27 the year ending in one, properly provide notice for, schedule,

1 and conduct at least four public hearings in different geographic  
2 regions of the state on each of the six redistricting plans  
3 developed by the commission. Following completion of all hearings,  
4 the commission shall promptly prepare and submit electronically  
5 to the executive board and the Clerk of the Legislature a report  
6 summarizing information and testimony received by the commission in  
7 the course of the hearings. The commission's report shall include  
8 any written or oral public comments and conclusions which the  
9 members of the commission deem appropriate on the information and  
10 testimony received at the hearings or otherwise presented to the  
11 commission. The report shall be submitted no later than fourteen  
12 calendar days after the date of the completion of the final hearing  
13 on all six redistricting bills.

14 (4) After receiving public comments, the commission  
15 may revise the initial redistricting plans. Upon delivery of a  
16 redistricting plan to the executive board under subsection (1) of  
17 section 29 of this act, the commission shall include a written  
18 explanation of any revisions made to the plan from the base map  
19 developed under section 19 of this act.

20 Sec. 27. (1) In the preparation of the redistricting  
21 plans, neither the director nor the commission shall have access  
22 to (a) political party affiliations of registered voters, (b)  
23 previous election results, or (c) any demographic information other  
24 than census data, except that the director and the commission  
25 shall consider the addresses of incumbents for purposes of  
26 keeping incumbents within the boundaries of their districts when  
27 practicable. The director and commission shall prepare and approve

1 boundaries that are compact and contiguous and protect the  
2 boundaries of existing county, city, and core communities, whenever  
3 practicable. The director and commission shall not draw district  
4 boundary lines to favor any one individual, group, political party,  
5 or incumbent officeholder.

6 (2) The director and commission shall not draw any  
7 district boundary that results in cracking, packing, or otherwise  
8 diluting the voting rights of any voting majority or minority based  
9 on race or language in violation of the federal Voting Rights Act  
10 or traditional redistricting principles prescribed by the Supreme  
11 Court of the United States.

12 Sec. 28. The following criteria shall be specifically  
13 applicable to the public bodies for which the Legislature will  
14 review and approve new district boundaries in years ending in one:

15 (1) United States House of Representatives:

16 (a) A number of single-member districts equal to the  
17 number of districts assigned to Nebraska in accordance with 2  
18 U.S.C. 2a and 2b;

19 (b) Population among districts shall be as nearly equal  
20 as practicable, that is, with an overall range of deviation at or  
21 approaching zero percent; and

22 (c) No plan will be considered which results in an  
23 overall range of deviation in excess of one percent or a relative  
24 deviation in excess of plus or minus one-half percent, based on  
25 the ideal district population. Any deviation from absolute equality  
26 of population must be necessary to the achievement of a legitimate  
27 state objective as that concept has been articulated by the Supreme

1 Court of the United States.

2 To the extent that such objectives are relied on, they  
3 shall be applied consistently and shall include, but not be  
4 limited to, the creation of compact districts, the preservation  
5 of municipal boundaries, and the preservation of the cores of  
6 prior districts. If more than one plan is presented to the  
7 Legislature that will substantially vindicate such objectives,  
8 preference will be given to the plan that provides the greatest  
9 degree of population equality;

10 (2) Legislature:

11 (a) Forty-nine single-member districts;

12 (b) In establishing new legislative district boundaries,  
13 the Legislature shall create districts that are as nearly equal  
14 in population as may be. No plan will be considered which results  
15 in an overall range of deviation in excess of ten percent or a  
16 relative deviation in excess of plus or minus five percent, based  
17 on the target population;

18 (c) Any deviation in excess of the deviation set forth  
19 in subdivision (b) of this subdivision must be justifiable as  
20 necessary for the realization of a rational state policy as that  
21 concept has been articulated by the United States Supreme Court;  
22 and

23 (d) If the population of any county falls within  
24 the relative deviation set forth in subdivision (b) of this  
25 subdivision, the boundaries of that county shall define a  
26 legislative district;

27 (3) Supreme Court:

1           (a) Six single-member districts; and

2           (b) Equality of population shall be achieved in  
3 accordance with the standards established for redistricting the  
4 Legislature;

5           (4) Board of Regents of the University of Nebraska:

6           (a) Eight single-member districts; and

7           (b) Equality of population shall be achieved in  
8 accordance with the standards established for redistricting the  
9 Legislature;

10          (5) Public Service Commission:

11          (a) Five-single member districts; and

12          (b) Equality of population shall be achieved in  
13 accordance with the standards established for redistricting the  
14 Legislature; and

15          (6) State Board of Education:

16          (a) Eight single-member districts; and

17          (b) Equality of population shall be achieved in  
18 accordance with the standards established for redistricting the  
19 Legislature.

20           Sec. 29. (1) Following completion of public hearings  
21 under section 26 of this act, but not later than April 1  
22 of each year ending in one, the director shall deliver to  
23 the executive board and the Clerk of the Legislature the six  
24 commission-recommended plans of redistricting and corresponding  
25 public hearing reports as prepared in accordance with the  
26 Redistricting Act. The reports shall be submitted electronically.  
27 Not less than two days after the director delivers the plans, the

1 chairperson of the executive board shall introduce a legislative  
2 bill for each commission-recommended redistricting plan. Each of  
3 the legislative bills for the redistricting plans shall be placed  
4 directly on General File, and there shall be no amendments to such  
5 bills except amendments by the Enrollment and Review Committee  
6 of the Legislature. If any of the legislative bills for the six  
7 redistricting plans introduced under this subsection are not passed  
8 by the Legislature within ten legislative days after introduction  
9 or are vetoed by the Governor, the Speaker of the Legislature shall  
10 notify the director and the commission which legislative bills  
11 did not pass or were vetoed and the vetoes were not overridden  
12 and request that a new redistricting plan be prepared pursuant to  
13 subsection (2) of this section for each such legislative bill.

14 (2) If any of the legislative bills for the redistricting  
15 plans recommended by the commission and submitted by the director  
16 fail to be passed within such ten-legislative-day period or are  
17 vetoed by the Governor and the vetoes were not overridden, the  
18 commission shall prepare and recommend a new plan of redistricting  
19 for each legislative bill which failed or was vetoed and the  
20 veto was not overridden. The plan or plans shall be prepared in  
21 accordance with the Redistricting Act. If additional plans are  
22 required under this subsection, the director shall deliver each  
23 such plan to the executive board not later than ten calendar days  
24 after receipt of notice from the Speaker of the Legislature under  
25 this section or not later than ten calendar days after the Governor  
26 vetoes the legislative bill or bills, whichever is later. Not less  
27 than two days after the director delivers the plan or plans, the

1 chairperson of the executive board shall introduce a legislative  
2 bill for each such plan. Each legislative bill for a redistricting  
3 plan shall be placed directly on General File, and there shall be  
4 no amendments to such bills except amendments by the Enrollment and  
5 Review Committee. If any legislative bill for a redistricting plan  
6 introduced under this subsection is not passed by the Legislature  
7 within ten legislative days after introduction or is vetoed by  
8 the Governor and the veto is not overridden, the Speaker of the  
9 Legislature shall notify the director and the commission which  
10 legislative bills did not pass or were vetoed and the vetoes  
11 were not overridden and request that a new redistricting plan be  
12 prepared pursuant to this subsection.

13           Sec. 30. Section 49-1493, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15           49-1493 The individuals listed in subdivisions (1)  
16 through ~~(13)~~ (14) of this section shall file with the commission a  
17 statement of financial interests as provided in sections 49-1496  
18 and 49-1497 for the preceding calendar year on or before April  
19 1 of each year in which such individual holds such a position.  
20 An individual who leaves office shall, within thirty days after  
21 leaving office, file a statement covering the period since the  
22 previous statement was filed. Disclosure of the interest named in  
23 sections 49-1496 to 49-1498 shall be made by:

24           (1) An individual holding a state executive office  
25 as provided in Article IV of the Constitution of Nebraska,  
26 including the Governor, Lieutenant Governor, Secretary of State,  
27 Auditor of Public Accounts, State Treasurer, Attorney General, Tax

1 Commissioner, and heads of such other executive departments as set  
2 forth in the Constitution or as may be established by law;

3 (2) An individual holding the office of Commissioner of  
4 Education, member of the State Board of Education, member of the  
5 Board of Regents of the University of Nebraska with the exception  
6 of student members, or member of the Coordinating Commission for  
7 Postsecondary Education;

8 (3) A member of the Board of Parole;

9 (4) A member of the Public Service Commission;

10 (5) A member of the Legislature;

11 (6) A member of the board of directors or an officer of a  
12 district organized under the provisions of Chapter 70;

13 (7) A member of any board or commission of the state  
14 or any county which examines or licenses a business or which  
15 determines rates for or otherwise regulates a business;

16 (8) A member of a land-use planning commission, zoning  
17 commission, or authority of the state or any county with a  
18 population of more than one hundred thousand inhabitants;

19 (9) An elected official of a city of the primary or  
20 metropolitan class;

21 (10) An elected county official;

22 (11) A member of the Nebraska Environmental Trust Board;

23 (12) An individual employed at the University of  
24 Nebraska-Lincoln in the position of Head Football Coach, Men's  
25 Basketball Coach, or Women's Basketball Coach; and

26 (13) An official or employee of the state designated by  
27 rules and regulations of the commission who is responsible for

1 taking or recommending official action of a nonministerial nature  
2 with regard to:

- 3 (a) Contracting or procurement;
- 4 (b) Administering or monitoring grants or subsidies;
- 5 (c) Land-use planning or zoning;
- 6 (d) Inspecting, licensing, regulating, or auditing any  
7 person; or
- 8 (e) Any similar action; ~~and-~~
- 9 (14) A member of the Independent Redistricting Advisory  
10 Commission.

11 Sec. 31. Section 49-1499.03, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 49-1499.03 (1)(a) An official of a political subdivision  
14 designated in section 49-1493 who would be required to take any  
15 action or make any decision in the discharge of his or her official  
16 duties that may cause financial benefit or detriment to him or her,  
17 a member of his or her immediate family, or a business with which  
18 he or she is associated, which is distinguishable from the effects  
19 of such action on the public generally or a broad segment of the  
20 public, shall take the following actions as soon as he or she is  
21 aware of such potential conflict or should reasonably be aware of  
22 such potential conflict, whichever is sooner:

- 23 (i) Prepare a written statement describing the matter  
24 requiring action or decision and the nature of the potential  
25 conflict; and
- 26 (ii) Deliver a copy of the statement to the commission  
27 and to the person in charge of keeping records for the political

1 subdivision who shall enter the statement onto the public records  
2 of the subdivision.

3 (b) The official shall take such action as the commission  
4 shall advise or prescribe to remove himself or herself from  
5 influence over the action or decision on the matter.

6 (c) This subsection does not prevent such a person from  
7 making or participating in the making of a governmental decision to  
8 the extent that the individual's participation is legally required  
9 for the action or decision to be made. A person acting pursuant to  
10 this subdivision shall report the occurrence to the commission.

11 (2) (a) Any person holding an elective office of a city  
12 or village not designated in section 49-1493, and any person  
13 holding an elective office of a school district, and any member  
14 appointed to the Independent Redistricting Advisory Commission who  
15 would be required to take any action or make any decision in the  
16 discharge of his or her official duties that may cause financial  
17 benefit or detriment to him or her, a member of his or her  
18 immediate family, or a business with which he or she is associated,  
19 which is distinguishable from the effects of such action on the  
20 public generally or a broad segment of the public, shall take the  
21 following actions as soon as he or she is aware of such potential  
22 conflict or should reasonably be aware of such potential conflict,  
23 whichever is sooner:

24 (i) Prepare a written statement describing the matter  
25 requiring action or decision and the nature of the potential  
26 conflict;

27 (ii) Deliver a copy of the statement to the person

1 in charge of keeping records for the city, village, ~~or~~ school  
2 district, or Independent Redistricting Advisory Commission who  
3 shall enter the statement onto the public records of the city,  
4 village, ~~or~~ school district, or Independent Redistricting Advisory  
5 Commission; and

6 (iii) Abstain from participating or voting on the matter  
7 in which the person holding elective office or appointive office  
8 has a conflict of interest.

9 (b) The person holding elective office or appointive  
10 office may apply to the commission for an opinion as to whether the  
11 person has a conflict of interest.

12 (3) Matters involving an interest in a contract are  
13 governed either by sections 49-14,102 and 49-14,103 or by sections  
14 49-14,103.01 to 49-14,103.06. Matters involving the hiring of an  
15 immediate family member are governed by section 49-1499.04. Matters  
16 involving nepotism or the supervision of a family member by an  
17 official or employee in the executive branch of state government  
18 are governed by section 49-1499.07.

19 Sec. 32. If any section in this act or any part of any  
20 section is declared invalid or unconstitutional, the declaration  
21 shall not affect the validity or constitutionality of the remaining  
22 portions.

23 Sec. 33. Original sections 49-1493 and 49-1499.03,  
24 Reissue Revised Statutes of Nebraska, are repealed.