

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 975**

Introduced by Murante, 49.

Read first time January 17, 2014

Committee: Executive Board

A BILL

1 FOR AN ACT relating to constitutional officers; to amend sections  
2 32-566 and 32-573, Reissue Revised Statutes of Nebraska;  
3 to change provisions relating to filling a vacancy in the  
4 Legislature and on the Board of Regents of the University  
5 of Nebraska; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 32-566, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           32-566 (1) When a vacancy occurs in the Legislature, the  
4 office shall be filled by the Governor. The Governor shall appoint a  
5 suitable person possessing the qualifications necessary for a member  
6 of the Legislature. ~~If the vacancy occurs within sixty days of a~~  
7 ~~regular general election and if the term vacated expires on the first~~  
8 ~~Tuesday following the first Monday in the following January, the~~  
9 ~~appointee shall serve until the first Tuesday following the first~~  
10 ~~Monday in January, and if the term extends beyond the first Tuesday~~  
11 ~~following the first Monday in the following January, the appointee~~  
12 ~~shall serve until the first Tuesday following the first Monday in~~  
13 ~~January following the second regular general election next succeeding~~  
14 ~~his or her appointment. If the vacancy occurs more than sixty days~~  
15 ~~before a regular general election, the appointee shall serve until~~  
16 ~~the first Tuesday following the first Monday in January following~~  
17 ~~such regular general election and at the regular general election a~~  
18 ~~member of the Legislature shall be elected to serve the unexpired~~  
19 ~~term.~~

20           (2) If the vacancy occurs in the first calendar year of  
21 the term of office or prior to February 1 in the second calendar year  
22 of the term of office, the appointee shall serve until the first  
23 Tuesday following the first Monday in January following the next  
24 regular general election, and at such regular general election a  
25 member of the Legislature shall be elected to serve the unexpired

1 term. If the vacancy occurs on or after February 1 in the second  
2 calendar year of the term of office and prior to the end of the term  
3 of office, the appointee shall serve the remainder of the unexpired  
4 term.

5           Sec. 2. Section 32-573, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7           32-573 (1) When a vacancy occurs in the Board of Regents  
8 of the University of Nebraska, the office shall be filled by the  
9 Governor. The Governor shall appoint a suitable person possessing the  
10 qualifications necessary for a member of the Board of Regents.

11           ~~(2)(a) If the vacancy occurs more than seventy five days~~  
12 ~~before a statewide general election, the appointee shall serve until~~  
13 ~~the first Thursday following the first Tuesday in January following~~  
14 ~~such general election and at such general election a member of the~~  
15 ~~Board of Regents shall be elected to serve the unexpired term if any.~~

16           ~~(b) If the vacancy occurs within seventy five days before~~  
17 ~~a statewide general election and if the term vacated expires on the~~  
18 ~~first Thursday following the first Tuesday in January following such~~  
19 ~~general election, the appointee shall serve the unexpired term.~~

20           ~~(c) If the vacancy occurs within seventy five days before~~  
21 ~~a statewide general election and if the term vacated extends beyond~~  
22 ~~the first Thursday following the first Tuesday in January following~~  
23 ~~such general election, the appointee shall serve until the first~~  
24 ~~Thursday following the first Tuesday in January following the second~~  
25 ~~general election next succeeding his or her appointment and at such~~

1 ~~election a member of the Board of Regents shall be elected to serve~~  
2 ~~the unexpired term if any.~~

3 (2)(a) If the vacancy occurs in the first calendar year  
4 of the term of office or prior to February 1 in the second calendar  
5 year of the term of office, the appointee shall serve until the first  
6 Thursday following the first Tuesday in January following the next  
7 regular general election, and at such regular general election a  
8 member of the Board of Regents shall be elected to serve the  
9 unexpired term.

10 (b) If the vacancy occurs on or after February 1 in the  
11 second calendar year of the term of office and prior to February 1 in  
12 the fourth calendar year of the term of office, the appointee shall  
13 serve until the first Thursday following the first Tuesday in January  
14 following the second regular general election during the term of  
15 office which was vacated, and at such regular general election a  
16 member of the Board of Regents shall be elected to serve the  
17 unexpired term.

18 (c) If the vacancy occurs on or after February 1 in the  
19 fourth calendar year of the term of office and prior to the end of  
20 the term of office, the appointee shall serve the remainder of the  
21 unexpired term.

22 Sec. 3. Original sections 32-566 and 32-573, Reissue  
23 Revised Statutes of Nebraska, are repealed.