

RESOLUTION

RESOLVED, pursuant to Legislative Bill 736 of the Seventy-Seventh Session of the Legislature of Nebraska, effective as of this date, that this Board of Regents of the Municipal University of Omaha shall issue a proclamation calling a special election December 12, 1967, for the purpose of voting on the adoption by the electors of the City of Omaha the following proposition:

Shall the board of regents of the municipal University of Omaha transfer and convey all the campus property belonging to the municipal University of Omaha to The Board of Regents of the University of Nebraska, for the purpose of establishing a university to be known as the University of Nebraska at Omaha, and to be under the control and management of The Board of Regents of the University of Nebraska, all as provided by Legislative Bill 736 of the Seventy-Seventh Session, Nebraska State Legislature, 1967?

Further Resolved that such proclamation shall state that the election is called in order to submit the above stated proposition for adoption or rejection, and shall be signed by the president and attested by the secretary of the university board, and published in the Omaha World-Herald and the Daily Record newspapers in general circulation in the City of Omaha, at least forty-five days preceding such election.

The proclamation shall contain the complete text of the act. The election shall be conducted by the election commissioner of Douglas County in the manner and form prescribed by law and the cost thereof shall be paid by the municipal University of Omaha.

I, MARGARET FISCHER, Secretary of the Board of Regents of the municipal University of Omaha, do hereby certify that the above is a true copy of a resolution passed at a meeting of said board held on the 23rd day of October, 1967, by an affirmative vote of a majority of said Board.

Secretary

SEAL

PROCLAMATION AND NOTICE OF SPECIAL ELECTION

PROCLAMATION BY THE BOARD OF REGENTS OF THE MUNICIPAL UNIVERSITY OF OMAHA, AND NOTICE BY THE DOUGLAS COUNTY ELECTION COMMISSIONER OF A SPECIAL ELECTION TO BE HELD DECEMBER 12, 1967, TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY OF OMAHA FOR ADOPTION OR REJECTION A PROPOSITION TO TRANSFER THE PROPERTY OF SAID UNIVERSITY TO THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA FOR THE PURPOSE OF ESTABLISHING A UNIVERSITY TO BE KNOWN AS THE UNIVERSITY OF NEBRASKA AT OMAHA, AND TO BE UNDER THE CONTROL AND MANAGEMENT OF THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, ALL AS PROVIDED BY LEGISLATIVE BILL 736 OF THE SEVENTY SEVENTH SESSION, NEBRASKA STATE LEGISLATURE, 1967.

A Proclamation is hereby issued by the Board of Regents of the Municipal University of Omaha, and Notice is hereby given by the Douglas County Election Commissioner that pursuant to an affirmative vote of _____ members of said Board of Regents, being a majority of said members, at a meeting of said Board held on the 23rd day of October, 1967, a special election will be held in the City of Omaha on Tuesday, the 12th day of December, 1967, at which time the following proposition will be submitted to the qualified electors of said City for adoption or rejection:

"Shall the board of regents of the municipal University of Omaha transfer and convey all the campus property belonging to the municipal University of Omaha to the Board of Regents of the University of Nebraska, for the purpose of establishing a university to be known as the University of Nebraska at Omaha, and to be under the control and management of The Board of Regents of the University of Nebraska, all as provided by Legislative Bill 736 of the Seventy-seventh Session, Nebraska State Legislature, 1967?"

Under said proposition shall be printed on separate lines the word "Yes" and the word "No". All ballots of qualified electors of the City of Omaha cast with an "x" mark before the word "Yes" shall be counted and considered in favor of said proposition, and all ballots of such qualified electors cast with an "x" mark before the word "No" shall be counted and considered against said proposition.

The election shall be conducted by the Election Commissioner of Douglas County, who shall certify the results of the canvas thereof to the President of the Board of Regents of the State University of Nebraska and the President of the Board of Regents of the University of Omaha.

If a majority of all the votes cast at the election shall be in favor of the proposition submitted there shall be established a university to be located in the City of Omaha to be known as the University of Nebraska at Omaha, under the control and management of, and to be administered by, the Board of Regents of the University of Nebraska from and after July 1, 1968, according to the provisions of Legislative Bill 736.

The provisions of said bill, which became effective October 23, 1967, are as follows:

Section 1. As used in this act, unless the context otherwise requires:

(1) University board shall mean the board of regents of the municipal University of Omaha;

(2) State board shall mean The Board of Regents of the University of Nebraska;

(3) Campus property shall mean the real estate, buildings, furnishings, fixtures, and equipment comprising the educational plant of the University of Omaha; and

(4) Endowment property shall mean scholarship funds, investment real estate, and the income from such real estate and trust property and funds held in trust for the benefit of the municipal University of Omaha.

Sec. 2. Within sixty days after the effective date of this act the board of regents of the municipal University of Omaha shall issue a proclamation calling a special election for the purpose of voting on the adoption by the electors of such city of the following proposition: Shall the board of regents of the municipal University of Omaha transfer and convey all the campus property belonging to the municipal University of Omaha to The Board of Regents of the University of Nebraska, for the purpose of establishing a university to be known as the University of Nebraska at Omaha, and to be under the control and management of The Board of Regents of the University of Nebraska, all as provided by Legislative Bill 736 of the Seventy-seventh Session, Nebraska State Legislature, 1967?

Such proclamation shall state that the election is called in order to submit the above stated proposition for adoption or rejection, and shall be signed by the president and attested by the secretary of the university board, and published in a newspaper or newspapers, designated by the university board, in general circulation in the city of Omaha at least forty-five days preceding such election. The proclamation shall contain the complete text of this act. The election shall be conducted by the election commissioner of Douglas County in the manner and form prescribed by law and the cost thereof shall be paid by the municipal University of Omaha. The election commissioner shall certify the results of the canvass of such an election to the president of the state board and the president of the university board.

Sec. 3. If a majority of all the votes cast at the election provided for in section 2 of this act shall be in favor of the proposition submitted there shall be established a university to be located in the city of Omaha to be known as the University of Nebraska at Omaha, under the control and management of, and to be administered by, the state board from and after July 1, 1968.

Sec. 4. If such university is so established, the state board shall, from and after July 1, 1968, have the power to prescribe the standards for admission of students and to fix student fees, the curriculum, the degrees, and certificate programs, and after such date, the existing University board shall exercise no powers or duties as such board with reference to the municipal University of Omaha.

Sec. 5. Upon the establishment of such university, known as the University of Nebraska at Omaha, the university board shall transfer and convey to the state board all of the campus

property owned by the municipal University of Omaha, and all of the rights, title or interest such municipal University of Omaha may have or hereafter acquire in all campus property, but the actual possession, control, and use of such property shall be retained by the university board until July 1, 1968, and on such date the state board shall take actual possession and control thereof. The instruments of transfer or conveyance shall be executed by the president of the university board for and in the name of the municipal University of Omaha. Until July 1, 1968, the university board shall be the governing board as provided by law for the financing and government of the municipal University of Omaha, and at the same time such university board shall serve as liaison with the state board in preparation for the transfer of financing and administration of the municipal University of Omaha to the state board on July 1, 1968.

Sec. 6. Prior to July 1, 1968, the university board shall be responsible for the necessary buildings, capital additions, and operating expenses. The university board shall have authority in the year 1967 to certify the tax levy authorized by section 14-1317, Revised Statutes Supplement, 1965, the same being a maximum levy of two mills on the dollar upon the assessed valuation of all taxable property in such city except intangible property, as authorized by vote of the qualified electors of such city, and the proceeds of such levy so certified by the university board to the city council of the city of Omaha and by such council certified to the board of equalization of Douglas County and levied by such county board shall be used together with all prior levies for the purposes authorized by such section.

Sec. 7. The state board shall accept the transfers and conveyances of title of all campus property of the municipal University of Omaha. All instruments of conveyance of real estate shall be recorded in the office of the register of deeds of the county in which the real estate is located, and thereafter shall be filed in the office of the Secretary of State by the state board.

Sec. 8. On July 1, 1968, the university board and the officers of the municipal University of Omaha shall pay into the University of Nebraska at Omaha Cash Fund created by section 11 of this act all unexpended money and funds belonging to such university and on hand on such date except endowment property. Any tax money held by the county treasurer of Douglas County as ex officio treasurer of such university after that date from prior tax levies including the levy provided in section 6 of this act shall be paid into the University of Nebraska at Omaha Cash Fund.

Sec. 9. The chief administrative officer of the University of Nebraska at Omaha shall be appointed by the state board and shall hold his office at the pleasure of such board and shall receive such compensation as such board may prescribe.

Sec. 10. On or before March 15, 1968, the university board shall submit to the state board all recommendations for the employment of faculty, officers, employees, and other personnel to become effective on or after July 1, 1968. On or

before April 15, 1968, the state board shall advise the university board of its approval or modification of such list; PROVIDED, that all rights and privileges of existing faculty members shall be fully protected. All officers, employees, faculty, and other persons presently in the employ of the municipal University of Omaha and who remain in the employ of the University of Omaha shall not be subject or eligible to membership in the state board retirement system authorized and provided by section 85-106, Reissue Revised Statutes of Nebraska, 1943. The insurance and retirement plans authorized by sections 14-1321 to 14-1326, Reissue Revised Statutes of Nebraska, 1943, as amended and in effect on the effective date of this act shall be maintained by the state board for present and future employees of the University of Nebraska at Omaha.

Sec. 11. There is hereby created a University of Nebraska at Omaha Cash Fund which shall consist of all fees and other money collected from students at the University of Nebraska at Omaha by authority of the state board for university purposes, receipts from all university activities at the University of Nebraska at Omaha collected in connection with the operation of such university, and the money and funds referred to in section 8 of this act. A record shall be kept separating such money and funds into appropriate and convenient accounts. All money and funds accruing to the cash fund when appropriated by the Legislature shall be used for the maintenance and operation of the University of Nebraska at Omaha and shall at all times be subject to the orders of the state board accordingly; PROVIDED, that (1) no warrant shall be issued against such fund unless there is money sufficient to pay the same, and (2) there may be retained at the University of Nebraska at Omaha a sum not to exceed one hundred thousand dollars out of such money to make settlement and equitable adjustments to students entitled thereto, to carry on university activities contributing to the fund, and to provide for contingencies. On January 1, 1969, or as soon thereafter as possible, the University of Nebraska at Omaha Cash Fund shall be in the custody of the State Treasurer; PROVIDED, that in making such transfer on or after January 1, 1969 the state board may retain an amount out of such fund to provide for remaining unpaid liabilities and expenses of the municipal University of Omaha.

There is also hereby created a University of Nebraska at Omaha Trust Fund which shall consist of all property, real, or personal, now or hereafter acquired by or for the municipal University of Omaha by donation or bequest to it, which property shall be held and applied in the manner and according with the provisions of the will, deed, or instrument making such donation or bequest. All future donations or bequests to or for the University of Nebraska at Omaha shall be a part of such trust fund. On July 1, 1968, the university board shall convey and transfer all of the endowment property to such trust fund. Such trust fund shall be held and managed in such manner as the state board shall determine; PROVIDED, that such holdings and management shall be in strict accordance with all terms of the donations or bequest, but in the absence of any investment instructions the funds may be invested by or at the direction of the state board in such investments as are authorized for trustees, guardians, executors or administrators under the laws of Nebraska.

Sec. 12. After the effective date of this act, the state board and the university board may enter into such agreements as may be necessary and appropriate to carry out the provisions of this act, for the conveyance and transfer of the properties provided under the provisions of this act, and to provide for an orderly transition and assumption by the state board of the activities and operations of such University at Omaha.

Sec. 13. Chapter 85, articles 1, 4, and 5, Reissue Revised Statutes of Nebraska, 1943, relating to the state board and the University of Nebraska, shall be applicable to the University of Nebraska at Omaha except as modified or limited by provisions of this act, and Chapter 14, article 13, Reissue Revised Statutes of Nebraska, 1943, as amended, shall remain in full force and effect except as in this act modified.

Sec. 14. If any word, clause, sentence, paragraph, or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, ineffective, or unconstitutional either by itself or in its application to a particular person or activity, such judgment shall not affect, impair, or invalidate the remainder of this act but shall be confined in its operation to the word, clause, sentence, paragraph, or part thereof, directly involved in the controversy in which judgment has been rendered, and the remaining provisions of this act shall remain in full force and effect.

The polling places where said special election shall be held shall be the usual polling places in the City of Omaha with the following changes:

2nd Ward, 1st Precinct	Progress Industries, 2915 No. 16th St.
3rd " "	Majestic Apartment (Basement Apt. #20) 2108 No. 16th St.
3rd Ward, 6th Precinct	Glad Tidings Assembly, 507 No. 19th St.
8th " "	Housing for the Elderly-Burt Tower, 700 N. 20 th St.
7th Ward, 16th Precinct	McKinley Park Penetocostal Church of God, 28th & Drexel Sts.
18th " "	Jim Earp Auto Sales, 4908 "L" St.
8th Ward, 8th Precinct	Park Towers North, 1501 Park Ave.
23rd " "	First Federal Sav. & Loan Assn., 2101 So. 42nd St
9th Ward, 11th Precinct	Nettleton Business College, 2958 Pacific St.
12th Precinct	Nettleton Business College, 2958 Pacific St.
	(Humanities Bldg.,
10th Ward, 4th Precinct	Duchesne College 37th & California St.)
10th " "	Talent Tree Galleries (So. End Instruc- tion Rm), 5021 Underwood Ave.
13th Ward, 21st Precinct	Calvary Lutheran Church, 2941 No. 80th St.
14th Ward, 29th Precinct	Beautiful Savior Lutheran Church, 90th & 'Q' St.

14th Ward, 22nd Precinct,		Mary Our Queen School (Lobby-East Ent), 119th & Valley
23rd	"	Mary Our Queen School (Lobby-West Ent), 119th & Valley
24th	"	Westwood Heights Reformed Church, 12315 Westwood Lane
25th	"	Oak Valley School, 3109 Pedersen Drive
26th	"	King of Kings Lutheran Church, 124th & Center Sts.
27th	"	Beveridge Jr. High (No.Aud.Ent), 1616 So. 120th St.
28th	"	Prairie Lane Christian Reformed Church, 3125 So. 119th St.

Said election will be open at 8:00 A.M., and will continue open until 8:00 P.M of the same day. Absentee and disabled voters ballots may be received at the Election Commissioner's Office, as provided by law.

BOARD OF REGENTS
Municipal University of Omaha

By _____
Robert M. Spire, President

ATTEST:

Margaret R. Fisher, Secretary

Monte M. Taylor
Election Commissioner
Douglas County, Nebraska

Dated October 23, 1967.