

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 478

Introduced by Baker, 30.

Read first time January 20, 2015

Committee: Education

- 1 A BILL FOR AN ACT relating to educational service units; to amend section
- 2 79-1223, Reissue Revised Statutes of Nebraska; to provide for
- 3 bonding; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1223, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-1223 (1) In order to carry out the purposes provided in section
4 79-1204, educational service units may construct, purchase, lease, or
5 lease-purchase real estate, equipment, supplies, services, buildings,
6 facilities, and personal property for their own use. Educational service
7 units may, either individually or collectively, purchase, lease, lease-
8 purchase, or act as purchase agent for administrative and instructional
9 supplies, instructional equipment, instructional services, and personal
10 property for resale only to educational entities. When an educational
11 service unit advertises for bids for administrative or instructional
12 supplies, instructional equipment, instructional services, and personal
13 property, acceptance of any bid submitted to the educational service unit
14 shall obligate the educational service unit to award the contract in
15 accordance with the plans and specifications and in the quantities set
16 forth in the bid documents.

17 (2) In addition to any other borrowing powers provided for by law,
18 an educational service unit shall have the power to issue its negotiable
19 bonds in connection with any project or transaction under subsection (1)
20 of this section, such bonds to be issued from time to time, to bear
21 interest at a rate or rates and to become due at such time or times, not
22 to exceed a period of thirty years, as may be fixed by the educational
23 service unit. Such bonds may be issued after the educational service unit
24 has conducted a public hearing on the issuance of bonds. Notice of such
25 public hearing shall be given by publication in a newspaper of general
26 circulation within the territory of the educational service unit by at
27 least one publication occurring not less than ten days prior to the time
28 of hearing. After the public hearing, the governing body of the
29 educational service unit may proceed to adopt a bond measure authorizing
30 bonds.

31 (3) In order to carry out subsections (1) and (2) of this section or

1 any purposes provided in section 79-1204, educational service units may
2 establish a special fund for purposes of paying off such bonds or for
3 acquiring, constructing, purchasing, leasing, or lease-purchasing new or
4 existing buildings, facilities, real estate, and other capital
5 improvements, including the erection, alteration, equipping, and
6 furnishing of same. The fund shall be established from the proceeds of an
7 annual levy, to be determined by the educational service unit governing
8 body, of not to exceed one cent on each one hundred dollars upon the
9 taxable value of all taxable property in the educational service unit
10 which shall be in addition to any other taxes authorized to be levied for
11 educational service unit purposes. Such tax shall be levied and collected
12 as are other taxes for educational service unit purposes. The levy
13 pursuant to this section shall be in addition to any other
14 constitutional, statutory, or educational service unit levy or spending
15 limitation.

16 Sec. 2. Original section 79-1223, Reissue Revised Statutes of
17 Nebraska, is repealed.