

LEGISLATIVE BILL 970

Approved by the Governor March 21, 1988

Introduced by Wehrbein, 2; Baack, 47

AN ACT relating to schools and school districts; to amend sections 79-432 and 79-546, Reissue Revised Statutes of Nebraska, 1943; to eliminate certain restrictions on the school tax levy; to require Class I school districts to be audited as prescribed; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-432, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-432. The aggregate school tax levied for general school purposes in Class I, II, III, and VI school districts shall be without restriction. in school districts of the first class, except for taxes levied to pay principal and interest on bonds issued by the school district as to which taxes there shall be no limitation; no levy shall be made in excess of forty-two cents on each one hundred dollars upon the actual value of all the taxable property in such district, except intangible property, unless the proposition to make such increased levy has been approved by fifty-five percent of the electors present and voting thereon at an election or special meeting called for such purpose or at an annual meeting when notice thereof shall have been given for at least fifteen days previous to such meeting or election by copies thereof posted in three public places within the district to the qualified voters thereof. if fifty-five percent of the votes cast at such election or meeting shall be for the proposed increased levy, the board may make the levy in such amount as may be named in the election notice.

Sec. 2. That section 79-546, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-546. In each Class II, III, IV, V, and VI school district, and upon petition of ten qualified electors or five percent of the qualified electors, whichever number is less, of a district that does not offer a high school program, the board of education shall cause to be examined annually by a public

accountant or by a certified public accountant all financial records which are maintained directly or indirectly in the administration and management of public school funds, except that the financial records of a Class I school district shall be examined by a public accountant or certified public accountant every three years. Rules and regulations governing the scope, extent, pattern, and report of the examination shall be adopted and ~~prescribed~~ promulgated by the State Board of Education with the advice and counsel of the Auditor of Public Accounts. A copy of the report shall be filed with the Commissioner of Education and with the Auditor of Public Accounts on or before November 15, except that a copy of a report regarding the examination of a Class I school district shall only be filed with the Commissioner of Education. No distributable state or federal funds shall be allocated for a given fiscal year to any school district which has failed, after due notice, to comply with this ~~provision~~ section by January 15.

Sec. 3. That original sections 79-432 and 79-546, Reissue Revised Statutes of Nebraska, 1943, are repealed.