

## LEGISLATIVE BILL 1050

Approved by the Governor March 12, 1990

Introduced by Weihing, 48; Elmer, 38; Baack, 47;  
Bernard-Stevens, 42

AN ACT relating to technical community colleges; to amend section 79-2650, Revised Statutes Supplement, 1988; to change a provision relating to exceeding the tax levy limit; to state intent; and to repeal the original section.

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

Section 1. That section 79-2650, Revised Statutes Supplement, 1988, be amended to read as follows:

79-2650. (1) On or before September 1 of each year, the board may certify to the county board of equalization of each county within the area a tax levy of not to exceed nine cents on each one hundred dollars on the actual valuation of all property within the area, uniform throughout such area, for the purpose of supporting operating expenditures of the technical community college area.

(2) In addition to the levy provided in subsection (1) of this section, the board may also certify to the county board of equalization of each county within the area a tax levy of not to exceed one and eight-tenths cents on each one hundred dollars on the actual valuation of all property within the area, uniform throughout such area, for the purpose of establishing a capital improvement fund and bond sinking fund as provided in section 79-2648.

(3) Except as provided by subsection (4) of this section, the levy provided in subsection (1) of this section shall not exceed nine cents on each one hundred dollars on the actual valuation of all property within the area without prior approval by a majority vote of the qualified electors of the area voting in an election called for such purpose pursuant to section 79-2650.03.

(4) The tax levy limit provided in subsection (1) of this section may be exceeded by a ~~two-thirds~~ seventy-five percent vote of the area board of any area, ~~with a total population of less than one hundred and fifty thousand.~~ The tax levy increase permitted under

this subsection shall not exceed and shall be the lesser of an additional two and one-half cents on each one hundred dollars of the actual valuation of all property within the area or an amount sufficient to fund the local tax receipt portion of the total budget increase permitted under any budget increase limitation which is imposed by law and which is applicable to such area. The changes made to this subsection by this legislative bill are expressly intended to apply to all litigation concerning any vote taken pursuant to this subsection prior to the effective date of this act, including all litigation pending on such date.

(5) The levy provided by subsection (2) of this section may be exceeded by that amount necessary to retire the general obligation bonds assumed by the area or issued pursuant to section 79-2648 according to the terms of such bonds.

(6) Such tax shall be levied and assessed in the same manner as other property taxes and entered on the books of the county treasurer. The proceeds of such tax, as collected, shall be remitted to the treasurer of the board not less frequently than once each month.

Sec. 2. That original section 79-2650, Revised Statutes Supplement, 1988, is repealed.