

LEGISLATIVE BILL 540

Approved by the Governor January 31, 1972

Introduced by J. W. Burbach, 19th District; Maurice A. Kremer, 34th District; Rudolf C. Kokes, 41st District; Irving F. Wiltse, 1st District; Herb Nore, 22nd District; Thomas C. Kennedy, 21st District; George Syas, 13th District; E. Thome Johnson, 15th District

AN ACT to amend section 2-3225, Reissue Revised Statutes of Nebraska, 1943, and section 2-3226, Revised Statutes Supplement, 1971, relating to natural resources districts; to reduce the mill levy except by vote of the people as prescribed; to eliminate provisions for general obligation bonds; to restrict powers; to eliminate reference to public power and irrigation districts; and to repeal the original sections.

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

Section 1. That section 2-3225, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3225. (1) Each district shall have the power and authority to levy a tax of not to exceed two--mills one mill annually on all of the taxable property, except intangible property, within such district unless a higher levy shall be authorized by a majority vote of those voting on the issue at a regular election on a referendum question submitted by resolution of the board of directors and certified to the Secretary of State on or before August 25 of the election year. The proceeds of such tax shall be used, together with any other funds which the district may receive from any source, for the operation of the district, but no funds may be used for constructing or purchasing a headquarters or administration building, and--the--retirement--of--any general-obligation-bonds--which--may--be--issued--by--the district. When adopted by the board, the levy shall be certified by the secretary to the county clerk of each county which in whole or in part is included within the district. Such levy shall be handled by the counties in the same manner as other levies, and proceeds shall be remitted to the district treasurer. Such levy shall not be considered a part of the general county levy and shall not be considered in connection with any limitation on levies of such counties. Public--power--and--irrigation districts--may--levy--a--tax--not--to--exceed--two--mills;--the

~~proceeds of which shall be used exclusively in the districts' natural resources division as organized through this act for the operation of a natural resources division and the retirement of any general obligation bonds which may be issued for a natural resources division of a public power and irrigation district.~~

(2) Whenever a natural resources district has within its boundaries any area of a reclamation or ground water conservation district, the natural resources district shall pay to the other district or districts that pro rata share of the ad valorem taxes collected by the natural resources district within these reclamation or ground water conservation districts for those common programs carried out during the same fiscal year by both the natural resources district and the other districts named in this subsection. The annual audit of the accounts of the natural resources district will be used as the basis to determine that portion of the natural resources district's budget collected within the other districts that shall be paid to them. Common programs as defined by this subsection shall be drainage, recreation, water supply and irrigation for a reclamation district and ground water regulation for a ground water conservation district.

Sec. 2. That section 2-3226, Revised Statutes Supplement, 1971, be amended to read as follows:

2-3226. Each district shall have the power and authority to issue ~~general obligation and~~ revenue bonds for the purpose of financing construction of facilities authorized by this act. Issuance of revenue bonds must be approved by two-thirds of the members of the board of directors of the district. ~~General obligation bonds of the district shall not be issued unless at least a majority of the eligible voters of the district voting at a special election held to vote on the question shall have approved such issuance. The amount of general obligation bonds outstanding shall never exceed five per cent of the assessed valuation of all taxable property in the district. The principal and interest on general obligation bonds shall be paid from the general levy of the district.~~ The district shall pledge sufficient revenue from any revenue producing facility constructed with the aid of revenue bonds for the payment of principal and interest on such bonds, and shall establish rates for such facilities at a sufficient level to provide for the operation of such facilities and for the bond payments.

Sec. 3. That original section 2-3225, Reissue Revised Statutes of Nebraska, 1943, and section 2-3226,

Revised Statutes Supplement, 1971, are repealed.