

LEGISLATIVE BILL 452

Approved by the Governor March 31, 1993

Introduced by Withem, 14

AN ACT relating to educational service units; to amend sections 77-3439 and 79-2210, Revised Statutes Supplement, 1992; to provide duties relating to access to telecomputing services; to provide for increasing a levy; to harmonize provisions; and to repeal the original sections.

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

Section 1. That section 77-3439, Revised Statutes Supplement, 1992, be amended to read as follows:

77-3439. (1) A governing body may increase the anticipated aggregate receipts from property taxes by up to five percent more than the amount permitted by section 77-3438 upon an affirmative vote of at least seventy-five percent of the governing body. Such vote shall be taken at a public meeting of the governing body following a special public hearing called for the purpose of receiving testimony on such proposed increase.

(2) In addition to the increase permitted by subsection (1) of this section, (a) a Community College Board of Governors may increase the anticipated aggregate receipts from property taxes by the amount necessary to pay for accessibility barrier elimination project costs and for abatement of environmental hazards as such terms are defined in section 79-4,207 and (b) the board of an educational service unit may increase the anticipated aggregate receipts from property taxes for purposes of section 2 of this act. Such increase shall be upon an affirmative vote of a majority of the board of governors. Such vote shall be taken at a public meeting of the board of governors following (a) (i) a hearing called pursuant to subsection (1) of this section at which there is an opportunity for testimony on the increase proposed under this subsection or (b) (ii) a special public hearing called for the purpose of receiving testimony on the increase proposed under this subsection.

(3) The governing body, ~~or board of governors, or board of an educational service unit~~ shall give at least seven calendar days' notice of a public hearing called under subsection (1) or (2) of this section and shall publish such notice at least once in a newspaper of general circulation in the political subdivision.

Sec. 2. Each educational service unit shall provide, in cooperation with the State Department of Education, access for all school districts within the geographical area served by the unit to telecomputing resources through the installation of necessary equipment at each educational service unit location and provide support for training users to meet their specific telecomputing needs. The purchase of and planning for

equipment and software for the educational service units shall be coordinated by the department and shall be compatible with a statewide plan for telecomputing agreed upon by the Department of Administrative Services and the State Department of Education. Educational service units may enter into agreements pursuant to the Interlocal Cooperation Act to carry out this section.

Sec. 3. That section 79-2210, Revised Statutes Supplement, 1992, be amended to read as follows:

79-2210. After the adoption of its budget statement, the board for each educational service unit may levy a tax, in the amount which it requires under its adopted budget statement to be received from taxation, of not to exceed three and five-tenths cents on each one hundred dollars on the taxable valuation of the taxable property within its geographical unit, except that the tax may exceed three and five-tenths cents on each one hundred dollars of such valuation by up to five-tenths cent on each one hundred dollars of such valuation in order to carry out the purposes of section 2 of this act. The amount of such levy shall be certified by the secretary of the educational service unit board to the county board of equalization of each county in which any part of the geographical area of the educational service unit is located on or before September 1 for 1992 and on or before August 25 for all other years. 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. 4. That original sections 77-3439 and 79-2210, Revised Statutes Supplement, 1992, are repealed.