

LEGISLATIVE BILL 380

Approved by the Governor March 28, 2005

Introduced by Redfield, 12; Bourne, 8; Byars, 30; Howard, 9; Kopplin, 3;
McDonald, 41; D. Pederson, 42; Price, 26; Raikes, 25;
Schrock, 38; Stuhr, 24

AN ACT relating to schools; to amend sections 79-586 and 79-589 to 79-592, Reissue Revised Statutes of Nebraska; to provide an alternative to bond for school district treasurers; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 79-586, Reissue Revised Statutes of Nebraska, is amended to read:

79-586. The treasurer of each Class I, II, III, IV, or VI school district shall, within ten days after his or her election, execute to the county and file with the secretary a bond or evidence of equivalent insurance coverage of not less than five hundred dollars in any instance and not more than double the amount of money, as nearly as can be ascertained, to come into his or her hands as treasurer at any one time, with which bond shall be signed by either a personal surety or a surety company or companies of recognized responsibility as surety or sureties, to be approved by the president and secretary, conditioned for the faithful discharge of the duties of the office. The bond when approved or evidence of equivalent insurance coverage shall be filed by the secretary in the office of the county treasurer of the county in which the school district is situated. If the treasurer fails to execute such bond or provide evidence of such insurance coverage, the office shall be declared vacant by the school board or board of education and the board shall immediately appoint a treasurer who shall be subject to the same conditions and possess the same powers as if elected to that office. The treasurer shall have no power or authority to withdraw or disburse the money of the district prior to filing the bond or evidence of equivalent insurance coverage provided for in this section.

Sec. 2. Section 79-589, Reissue Revised Statutes of Nebraska, is amended to read:

79-589. In a Class III school district which lies outside of the corporate limits of any city or village or of which more than one-half is geographically within a city of the metropolitan class, the board of education shall elect one of its members, other than the secretary, as treasurer of the school district and the provisions of section 79-590 shall not apply to the selection of a treasurer of such a district. The treasurer shall prepare and submit in writing a monthly report of the state of the finances of the district and pay school money only upon warrants signed by the president of the board or, in the president's absence, by the vice president, and countersigned by the secretary. The treasurer shall give a bond or evidence of equivalent insurance coverage payable to the school district in such sum as may be fixed by the board. Such bond shall be signed by one or more surety companies of recognized responsibility. The cost of such bond or insurance coverage shall be paid by the school district.

Sec. 3. Section 79-590, Reissue Revised Statutes of Nebraska, is amended to read:

79-590. The board of education of a Class III school district may employ a treasurer for such district who shall be paid a salary, to be fixed by the board, of not to exceed one thousand two hundred dollars per annum. If the board does not employ such a treasurer, the city treasurer or deputy city treasurer of the city which is within such district shall be ex officio treasurer of the school district. He or she shall attend all meetings of the board when required so to do, prepare and submit in writing a monthly report of the state of the district's finances, and pay school money only upon warrants signed by the president of the board or, in the president's absence, by the vice president, and countersigned by the secretary. If the city treasurer or his or her deputy acts as ex officio treasurer of the school district, he or she shall be paid for such services by the school district a sum to be fixed by the board. The treasurer of such district, or the city treasurer or deputy city treasurer acting as ex officio treasurer, shall give a bond or evidence of equivalent insurance coverage payable to the county in such sum as may be fixed by the board of education. Such bond shall be signed by one or more surety companies of recognized responsibility. The cost of such bond or insurance coverage shall be paid by the school district.

Sec. 4. Section 79-591, Reissue Revised Statutes of Nebraska, is amended to read:

79-591. The treasurer of a Class IV school district shall (1) attend all meetings of the board of education when required to do so by the board of education, (2) prepare and submit in writing a monthly report of the state of the finances of the district, (3) pay out school money only upon warrants signed by the president or vice president and countersigned by the associate superintendent of business affairs, and (4) give a bond or evidence of equivalent insurance coverage payable to the school district in a sum fixed by the board of education.

Sec. 5. Section 79-592, Reissue Revised Statutes of Nebraska, is amended to read:

79-592. The treasurer of a Class V school district shall receive all taxes of the school district from the county treasurer. The treasurer of the school district shall attend all meetings of the board of education of the Class V district when required to do so, shall prepare and submit in writing a monthly report of the state of the district's finances, and shall pay school money only upon a warrant signed by the president, or in the president's absence by the vice president, and countersigned by the secretary. The treasurer shall also perform such other duties as designated by the board of education. Before entering into the discharge of his or her duties and during the entire time he or she so serves, the treasurer shall give bond, or evidence of equivalent insurance coverage payable to the board, in such amount as may be required by the board, but in no event less than two hundred thousand dollars, conditioned for the faithful discharge of his or her duties as treasurer of the school district, for the safekeeping and proper disbursement of all funds and money of the school district received by the treasurer. Such bond shall be signed by one or more surety companies of recognized responsibility, to be approved by the board. The cost of the bond or insurance shall be paid by the school district. Such bond or insurance coverage may be enlarged at any time the board may deem an enlargement or additional bond or insurance coverage to be necessary.

Sec. 6. Original sections 79-586 and 79-589 to 79-592, Reissue Revised Statutes of Nebraska, are repealed.