

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1324**

Introduced by Raikes, 25; Bohlke, 33; Price, 26; Redfield, 12;  
Schrock, 38; Thompson, 14

Read first time January 19, 2000

Committee: Revenue

A BILL

1 FOR AN ACT relating to the Tax Equity and Educational Opportunities  
2 Support Act; to amend section 79-1029, Revised Statutes  
3 Supplement, 1999; to change provisions relating to  
4 elections to exceed basic allowable growth percentage;  
5 and to repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 79-1029, Revised Statutes Supplement,  
2 1999, is amended to read:

3           79-1029. (1) A Class II, III, IV, V, or VI district may  
4 exceed the basic allowable growth rate prescribed in section  
5 79-1025 upon an affirmative vote of at least seventy-five percent  
6 of the board. The total growth shall not exceed the applicable  
7 allowable growth percentage certified for the local system under  
8 section 79-1026 plus one percent. The vote shall be taken at a  
9 public meeting of the board following a special public hearing  
10 called for the purpose of receiving testimony on such proposed  
11 increase. The board shall give at least five calendar days' notice  
12 of such public hearing and shall publish such notice at least once  
13 in a newspaper of general circulation in the local system.

14           (2) A Class II, III, IV, V, or VI district may exceed the  
15 applicable allowable growth percentage prescribed in section  
16 79-1026 (a) by an amount approved by a majority of legal voters  
17 voting on the issue at a primary, general, or special election  
18 called for such purpose upon the recommendation of the board or  
19 upon the receipt by the county clerk or election commissioner of a  
20 petition requesting an election signed by at least five percent of  
21 the legal voters of the district or (b) by an amount not to exceed  
22 a maximum levy and for the number of years approved by a majority  
23 of registered voters voting at an election held under section  
24 77-3444, if the recommendation of the board or the petition of the  
25 legal voters and the ballot question for the election held under  
26 section 77-3444 state that such election is also being held to  
27 exceed the applicable allowable growth percentage prescribed in  
28 section 79-1026. The annual percentage increase in the district's

1 general fund budget of expenditures, beginning with the second year  
2 of effect of the vote to exceed and concluding with the final year  
3 of effect of such vote to exceed, shall in no case exceed the  
4 district's applicable allowable growth percentage prescribed in  
5 section 79-1026 for each such year plus a percentage specified by  
6 the district for each such year. Such limitation on the growth of  
7 the district's general fund budget of expenditures shall be  
8 explicitly stated in the ballot provided for in section 77-3444.

9           (3) For purposes of any election conducted under  
10 subsection (2) of this section, the ~~+~~ ~~The~~ recommendation of the  
11 board or the petition of the legal voters shall include the amount  
12 and percentage by which the board would increase its general fund  
13 budget of expenditures for the ensuing school year over and above  
14 the current year's general fund budget of expenditures unless the  
15 election is held in accordance with subdivision (2)(b) of this  
16 subsection. The county clerk or election commissioner shall call  
17 for a ~~special~~ an election on the issue ~~within fifteen~~ at least  
18 thirty days after the receipt of such board recommendation or legal  
19 voter petition. The election shall be held pursuant to the  
20 Election Act or section 77-3444, and all costs shall be paid by the  
21 district. The issue may be approved at the same time, on the same  
22 question, and using the same timelines and procedures as a vote to  
23 exceed the levy limits provided in section 77-3444.

24           Sec. 2. Original section 79-1029, Revised Statutes  
25 Supplement, 1999, is repealed.