

LEGISLATIVE BILL 103

Approved by the Governor February 14, 1975

Introduced by Duis, 39

AN ACT to amend section 79-459, Reissue Revised Statutes of Nebraska, 1943, and section 11-119, Revised Statutes Supplement, 1974, relating to bonds; to change bonding provisions for school district treasurers as prescribed; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 11-119, Revised Statutes Supplement, 1974, be amended to read as follows:

11-119. The following named officers shall execute a bond with penalties of the following amounts:

- (1) The Governor, fifty thousand dollars;
- (2) The Lieutenant Governor, fifty thousand dollars;
- (3) The Auditor of Public Accounts, fifty thousand dollars;
- (4) The Secretary of State, fifty thousand dollars;
- (5) The Attorney General, fifty thousand dollars;
- (6) The State Treasurer, not less than six hundred thousand dollars, and not more than double the amount of money that may come into his hands, to be fixed by the Governor;
- (7) The Commissioner of Education, fifty thousand dollars;
- (8) The secretary of the Game and Parks Commission, fifty thousand dollars;
- (9) The head of each executive state department, fifty thousand dollars, except the Director of Administrative Services which shall be one million dollars;

(10) Each county attorney, in a sum not less than one thousand dollars, to be fixed by the county board;

(11) Each clerk of the district court, not less than five thousand dollars, nor more than one hundred thousand dollars, to be determined by the county board;

(12) Each county clerk, not less than one thousand dollars, nor more than one hundred thousand dollars, to be determined by the county board; Provided, that when a county clerk also has the duties of other county offices the minimum bond shall be two thousand dollars;

(13) Each county treasurer, not less than ten thousand dollars, and not more than the amount of money that may come into his hands, to be determined by the county board;

(14) Each county judge, five thousand dollars;

(15) Each sheriff, in counties of not more than twenty thousand inhabitants, five thousand dollars; over twenty thousand inhabitants, ten thousand dollars;

(16) Each county superintendent of public instruction or district superintendent of public instruction, one thousand dollars;

(17) Each county surveyor, five hundred dollars;

(18) Each county commissioner or supervisor, in counties of not more than twenty thousand inhabitants, one thousand dollars; over twenty thousand and not more than thirty thousand inhabitants, two thousand dollars; over thirty thousand and not more than fifty thousand inhabitants, three thousand dollars; over fifty thousand inhabitants, five thousand dollars;

(19) Each register of deeds in counties having a population of more than sixteen thousand five hundred inhabitants, not less than two thousand dollars nor more than one hundred thousand dollars to be determined by the county board;

(20) Each constable, three hundred dollars;

(21) Each township clerk, two hundred fifty dollars;

(22) Each township treasurer, two thousand dollars;

(23) Each county assessor, not more than five thousand dollars and not less than two thousand dollars;

(24) Each school district treasurer, not less than five hundred dollars, nor ~~less~~ more than double the amount of money that may come into his hands, the amount to be fixed by the president and secretary of the district;

(25) Each road overseer, two hundred fifty dollars; and

(26) Each member of a county weed district board, and the manager thereof, such amount as may be determined by the county board of commissioners or supervisors of each county, with the same amount to apply to each member of any particular board.

Sec. 2. That section 79-459, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-459. The treasurer of each district shall, within ten days after the election, execute to the county and file with the secretary a bond of not less than five hundred dollars in any instance nor ~~less~~ more than double the amount of money, as nearly as can be ascertained, to come into his hands as treasurer at any one time, with 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 his office. The bond when approved shall be filed by the secretary in the office of the county treasurer of the county wherein the school district is situated. If the treasurer shall fail to execute such bond, his office shall be declared vacant by the district board, 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 his filing the bond herein provided.

Sec. 3. That original section 79-459, Reissue Revised Statutes of Nebraska, 1943, and section 11-119, Revised Statutes Supplement, 1974, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.