

LEGISLATIVE BILL 920

Approved by the Governor April 7, 1990,
with line-item vetoes. Figures have
been changed to reflect vetoes not
overridden.

Introduced by Warner, 25

AN ACT relating to revenue; to create the Public Safety Cash Fund and the Personal Property Tax Reimbursement Fund; to provide for the funding, distribution, and investment of the funds; to require the State Treasurer to transfer certain funds as prescribed; and to appropriate funds.

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

Section 1. There is hereby created the Public Safety Cash Fund. All forfeitures and proceeds received by the Nebraska State Patrol under the federal Equitable Sharing Provisions or any other federal agreement from any agency of the federal government on or after the effective date of this act shall be deposited in the fund. This section and section 2 of this act shall not apply to funds otherwise subject to sections 28-431 and 28-1439.02. The fund shall be used only in accordance with the applicable requirements of the federal government. The fund shall be administered by the Superintendent of Law Enforcement and Public Safety. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 2. The State Treasurer shall transfer sixty-nine thousand dollars received under the federal Equitable Sharing Provisions from federal funds of the Nebraska State Patrol to the Public Safety Cash Fund no later than August 1, 1990.

Sec. 3. There is hereby created the Personal Property Tax Reimbursement Fund to be administered by the State Treasurer. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 4. (1) Beginning July 15, 1990, the State Treasurer shall make distributions from the Personal Property Tax Reimbursement Fund to each county treasurer as reimbursement of the amount of the 1988 personal property tax refunded or required to be

refunded by the county treasurer as a result of the judgments and mandates of the Nebraska Supreme Court in the pipeline equalization lawsuits for tax year 1988. The reimbursement to each county treasurer shall be in the amount determined by the Tax Commissioner as the actual tax dollar loss as a result of the recertification ordered by the State Board of Equalization and Assessment.

(2) The county treasurer shall credit the funds received from the Personal Property Tax Reimbursement Fund to the funds in his or her possession belonging to any political subdivision to the extent that the subdivision is liable for repayment of 1988 personal property taxes by the centrally assessed pipeline companies.

(3) If the Personal Property Tax Reimbursement Fund is insufficient to cover all reimbursements in full, such funds shall be distributed to such county treasurers for distribution as follows:

(a) To school districts, counties, cities, technical community colleges, and natural resources districts, as reimbursement for the refunds granted to pipeline companies for tax year 1988, an amount equal to the amount of such refund that exceeds one percent of the tax dollars received from property tax sources for tax year 1988, excluding bonded indebtedness, as determined by the Tax Commissioner;

(b) To all political subdivisions other than those set out in subdivision (a) of this subsection, as reimbursement for the refunds granted to the pipeline companies for tax year 1988, an amount equal to the amount of such refund as determined by the Tax Commissioner. If the amount appropriated is not sufficient to cover the reimbursement provided for in this subdivision, the amount shall be prorated as determined by the Tax Commissioner; and

(c) The amount remaining after the distributions are made pursuant to subdivisions (a) and (b) of this subsection shall be distributed to school districts, counties, cities, technical community colleges, and natural resources districts in an amount equal to the refunds granted to pipeline companies for tax year 1988, except that the amount shall not exceed one percent of the tax dollars received from property tax sources for tax year 1988 as determined by the Tax Commissioner. If the amount appropriated is not sufficient to cover the reimbursement provided for in this subdivision, the amount shall be prorated as determined by the Tax Commissioner.

Sec. 5. There is hereby appropriated \$2,600,000 from the General Fund for FY1990-91, to the Department of Revenue, for Program 919, to aid in carrying out the provisions of sections 3 and 4 of this act.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 6. There is hereby appropriated -0- from the General Fund for FY1990-91, to the Department of Revenue, for Program 919, to aid in carrying out the provisions of sections 3 and 4 of this act.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 7. There is hereby appropriated -0- from the General Fund for FY1990-91, to the Department of Revenue, for Program 919, to aid in carrying out the provisions of sections 3 and 4 of this act.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.