

## LEGISLATIVE BILL 6

Approved by the Governor February 8, 1985

Introduced by Beutler, 28, Chairperson, Executive Board

AN ACT relating to the Political Subdivision Budget Limit Act of 1979; to amend sections 16-1041, 79-1371, 79-1373, and 79-1374, Reissue Revised Statutes of Nebraska, 1943, and sections 81-1633 and 81-1634, Revised Statutes Supplement, 1984; to repeal provisions which terminated December 31, 1984; to repeal related provisions; to harmonize provisions; and to repeal the original sections, and also sections 77-3412 to 77-3423, 77-3424 to 77-3432.04, and 77-3433 to 77-3435, Reissue Revised Statutes of Nebraska, 1943, and sections 77-3423.01, 77-3432.05 to 77-3432.12, and 77-3436, Revised Statutes Supplement, 1984.

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

Section 1. That section 16-1041, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-1041. Nothing in sections 16-1020 to 16-1042 and 77-3432-10 shall in any manner affect the right of any person now receiving or entitled to receive, now or in the future, pension or other benefits provided for in sections 35-201 to 35-216, as they exist immediately prior to January 1, 1984, to receive such pension or other benefits in all respects the same as if such sections remained in full force and effect.

Sec. 2. That section 79-1371, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1371. All ratepayers of public power districts, public power and irrigation districts, municipalities, electric cooperatives, electric membership corporations, or other entities which construct electric generating facilities, benefit from such construction, and due to the influx of large numbers of workers and their families during certain periods of such construction, residents in areas surrounding such electric generating facility sites may sustain additional tax burdens for the education of the workers' children. It is hereby determined and declared to be the public policy of this state, in order to promote the general health, welfare, and quality of education, that any public power district, public power and irrigation district, municipality, electric cooperative, electric membership corporation, or other entity engaged in such construction may use its funds for the purpose of paying money to

certain school districts as provided in sections 79-1371 to 79-1374 and ~~77-3433~~ in order to alleviate the impact resulting from such construction, and any such use of funds is hereby determined to be for a public purpose.

Sec. 3. That section 79-1373, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1373. For each school year commencing with the 1977-78 school year, which has begun or has been completed prior to February 19, 1981, a public power district, public power and irrigation district, municipality, electric cooperative, electric membership corporation, or other entity subject to sections 79-1371 to 79-1374 and ~~77-3433~~ may pay to any impacted school district, upon written request with certified supporting information from such school district within one hundred eighty days from February 19, 1981, an amount which shall not exceed the amount calculated in accordance with the formula set forth in section 79-1372 as applied to the applicable school year.

Sec. 4. That section 79-1374, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1374. Prior to any payment to an impacted school district as provided in sections 79-1371 to 79-1374, and ~~77-3433~~, the governing body of the public power district, public power and irrigation district, municipality, electric cooperative, electric membership corporation, or other entity constructing and owning such electric generating facility shall find and determine that such payment will promote the general health, welfare, and quality of education and will be in the best interests of the entity in its proprietary capacity and its relations with its employees, contractors, and the public generally.

Sec. 5. That section 81-1633, Revised Statutes Supplement, 1984, be amended to read as follows:

81-1633. (1) Each school district receiving a grant pursuant to section 81-1632 shall, on an annual basis, submit a report to the State Energy Office detailing any changes in energy consumption for each school in which an energy efficiency project or program was funded pursuant to sections ~~77-3434~~, 81-1632, and 81-1633. The report shall also include a detailed breakdown of project expenditures for the previous twelve months.

(2) The Legislature's Performance Review and Audit Committee shall annually review and assess the need for continuation of the School Weatherization Fund.

(3) The State Energy Office may adopt and promulgate rules and regulations necessary to ensure the effectiveness of sections 81-1632 and 81-1633 and may retain an amount from each grant, not to exceed three per cent of the total grant, to cover the actual cost of administering the grant.

Sec. 6. That section 81-1634, Revised Statutes Supplement, 1984, be amended to read as follows:

81-1634. Sections ~~77-3434~~, 81-1632, and 81-1633 shall terminate on June 30, 1986.

Sec. 7. That original sections 16-1041, 79-1371, 79-1373, and 79-1374, Reissue Revised Statutes of Nebraska, 1943, and sections 81-1633 and 81-1634, Revised Statutes Supplement, 1984, and also sections 77-3412 to 77-3423, 77-3424 to 77-3432.04, and 77-3433 to 77-3435, Reissue Revised Statutes of Nebraska, 1943, and sections 77-3423.01, 77-3432.05 to 77-3432.12, and 77-3436, Revised Statutes Supplement, 1984, are repealed.