

LEGISLATIVE BILL 1001

Approved by the Governor March 25, 1994

Introduced by Dierks, 40; Schellpeper, 18

AN ACT relating to counties; to amend section 23-362, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to payments to certain counties containing land held by the United States for the benefit of Indians; and to repeal the original section.

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

Section 1. That section 23-362, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-362. In order to equitably distribute the added burden of law enforcement imposed upon certain counties of this state by reason of the passage of Public Law 280 of the Eighty-third Congress dealing with state jurisdiction and the resulting withdrawal of federal law enforcement in such counties, there shall each fiscal year be paid out of the state treasury, on the warrant of the Director of Administrative Services as directed by the chairperson of the Nebraska Commission on Law Enforcement and Criminal Justice, not to exceed ~~seventy-six~~ one hundred one thousand dollars for the benefit of Indians in any county which has land held in trust by the United States Government for the benefit of Indians to be used for purposes of law enforcement and jail operations. Such funds shall be divided as equally as possible between the areas of law enforcement and jail operations. An audit shall be conducted biennially by the Auditor of Public Accounts or his or her designee of the funds distributed pursuant to this section. A detailed report shall be submitted on December 31 of each year, including discussion of the operation and expenditures of the office of the county sheriff and, every other year, a copy of the audit, to the Executive Board of the Legislative Council and the Governor. Such payment shall be made to any county of this state meeting the following conditions:

(1) Such county shall have on file in the office of the Nebraska Commission on Law Enforcement and Criminal Justice a certificate of the county assessor that there are within such county over twenty-five hundred acres of land held in trust by the United States or subject to restriction against alienation imposed by the United States; and

(2) The county board of each such county may participate in alcohol-related programs with nonprofit corporations.

Sec. 2. That original section 23-362, Reissue Revised Statutes of Nebraska, 1943, is repealed.