

AMENDMENTS TO LB1130

Introduced by Groene, 42.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 35-1204, Revised Statutes Supplement, 2019, is
4 amended to read:

5 35-1204 (1) A mutual finance organization may be created by
6 agreement among its members pursuant to the Interlocal Cooperation Act or
7 the Joint Public Agency Act. The agreement shall:

8 (a) Have a duration of ~~at least~~ three years;

9 (b) Require that each member ~~all members~~ of the mutual finance
10 organization levy the same agreed-upon property tax rate within their
11 boundaries for one out of the ~~every~~ three tax years covered by the
12 agreement. The members need not levy such agreed-upon property tax rate
13 during the same year;~~and~~

14 (c) Require that all members of the mutual finance organization levy
15 no more than such agreed-upon property tax rate for the remaining tax
16 years covered by the agreement; and -

17 (d) Contain a statement of the agreed-upon maximum property tax
18 rate.

19 (2) The property tax rates described in subsection (1) of this
20 section shall be levied for the purpose of jointly funding the operations
21 of all members of the mutual finance organization. All such property tax
22 rates shall exclude levies for bonded indebtedness and lease-purchase
23 contracts in existence on July 1, 1998.

24 (3) The changes made to this section by this legislative bill do not
25 affect eligibility for funding pursuant to the Mutual Finance Assistance
26 Act that is to be paid on or before May 1, 2021.

27 Sec. 2. Section 35-1207, Revised Statutes Supplement, 2019, is

1 amended to read:

2 35-1207 (1) Any rural or suburban fire protection district or mutual
3 finance organization seeking funds pursuant to the Mutual Finance
4 Assistance Act shall submit an application and any forms required by the
5 State Treasurer. Such application and forms shall be submitted to the
6 State Treasurer by September 20 ~~July 1~~. The State Treasurer shall develop
7 the application which requires calculations showing assumed population
8 eligibility under section 35-1205 and the distribution amount under
9 section 35-1206. If the applicant is a mutual finance organization, it
10 shall attach to its first application a copy of the agreement pursuant to
11 section 35-1204 and attach to any subsequent application a copy of an
12 amended agreement or an affidavit stating that the previously submitted
13 agreement is still accurate and effective. Any mutual finance
14 organization making application pursuant to this section shall include
15 with the application additional financial information regarding the
16 manner in which any funds received by the mutual finance organization
17 based upon the prior year's application pursuant to the act have been
18 expended or distributed by that mutual finance organization. The State
19 Treasurer shall provide electronic copies of such reports on mutual
20 finance organization expenditures and distributions to the Clerk of the
21 Legislature by December 1 of each year in which any reports are filed.

22 (2) The State Treasurer shall review all applications for
23 eligibility for funds under the act and approve any application which is
24 accurate and demonstrates that the applicant is eligible for funds. On or
25 before November 4 ~~August 15~~, the State Treasurer shall notify the
26 applicant of approval or denial of the application and certify the amount
27 of funds for which an approved applicant is eligible. The decision of the
28 State Treasurer may be appealed as provided in the Administrative
29 Procedure Act.

30 (3)(a) ~~(3)~~ Except as provided in subsection (5) ~~(4)~~ of this section,
31 funds shall be disbursed by the State Treasurer in two payments which are

1 as nearly equal as possible. Such payments shall be made as follows: ~~to~~
2 ~~be paid~~

3 (i) For applications received by the State Treasurer by July 1,
4 2020, such payments shall be made on or before November 1, 2020, and May
5 1, 2021; ~~and~~

6 (ii) For applications received by the State Treasurer after July 1,
7 2020, and by September 20, 2021, such payments shall be made on or before
8 January 20, 2022, and May 20, 2022; and

9 (iii) For applications received by the State Treasurer by September
10 20 of any year thereafter, such payments shall be made on or before the
11 next following January 20 and May 20.

12 (b) If the Mutual Finance Assistance Fund is insufficient to make
13 all payments to all applicants in the amounts provided in section
14 35-1206, the State Treasurer shall prorate payments to approved
15 applicants.

16 (4) Funds remaining in the Mutual Finance Assistance Fund on June 20
17 shall be transferred to the General Fund before July 1.

18 (5) ~~(4)~~ No funds shall be disbursed to an eligible mutual finance
19 organization until it has provided to the State Treasurer the financial
20 information regarding the manner in which it has expended or distributed
21 prior disbursements made pursuant to the Mutual Finance Assistance Act as
22 provided in subsection (1) of this section.

23 Sec. 3. Original sections 35-1204 and 35-1207, Revised Statutes
24 Supplement, 2019, are repealed.