

AM2464
LB 1138
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AMENDMENTS TO LB 1138

1 1. Strike original sections 6 and 21 and insert the
2 following new sections:

3 "Sec. 2. Section 13-519, Revised Statutes Supplement,
4 1998, is amended to read:

5 13-519. (1) For fiscal years beginning on or after July
6 1, 1996, and before July 1, 1997, no governmental unit shall adopt
7 a budget containing a total of budgeted restricted funds more than
8 the last prior year's total of budgeted restricted funds plus
9 population growth plus two percent expressed in dollars. For
10 cities of the first and second class and villages, restricted funds
11 shall be reduced to take into account the fourteen-month fiscal
12 year for 1995-96. For fiscal years beginning on or after July 1,
13 1997, and before July 1, 1998, no governmental unit shall adopt a
14 budget containing a total of budgeted restricted funds more than
15 the last prior year's total of budgeted restricted funds plus
16 population growth expressed in dollars. For all fiscal years
17 beginning on or after July 1, 1998, no governmental unit shall
18 adopt a budget containing a total of budgeted restricted funds more
19 than the last prior year's total of budgeted restricted funds plus
20 allowable growth plus the basic allowable growth percentage of the
21 base limitation established under section 77-3446. For all fiscal
22 years beginning on or after July 1, 1998, and before July 1, 1999,
23 the last prior year's total of restricted funds shall be the last
24 prior year's total of restricted funds not excluding restricted

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1 funds budgeted for acquisition or replacement of tangible personal
2 property with a useful life of five years or more in the last prior
3 year or the year before the last prior year, whichever excluded the
4 most, plus restricted funds budgeted to pay for lease-purchase
5 contracts approved on or after July 1, 1997, and before July 1,
6 1998, to the extent the lease payments are not budgeted restricted
7 funds for fiscal year 1997-98. For fiscal year 2000-01, for all
8 natural resources districts, the prior year's total of restricted
9 funds shall be the last prior year's total of restricted funds plus
10 any amount budgeted to be received from the Natural Resources
11 Enhancement Fund for that year. If a governmental unit transfers
12 the financial responsibility of providing a service financed in
13 whole or in part with restricted funds to another governmental unit
14 or the state, the amount of restricted funds associated with
15 providing the service shall be subtracted from the last prior
16 year's total of budgeted restricted funds for the previous provider
17 and may be added to the last prior year's total of restricted funds
18 for the new provider. For governmental units that have
19 consolidated, the calculations made under this section for
20 consolidating units shall be made based on the combined total of
21 restricted funds, population, or full-time equivalent students of
22 each governmental unit.

23 (2) In addition to the increase allowed in subsection (1)
24 of this section, for fiscal years beginning on or after July 1,
25 1998, and before July 1, 1999, a governmental unit may increase its
26 budget of restricted funds no more than four percent to create or
27 increase an existing qualified sinking fund or funds upon the

1 affirmative vote of at least seventy-five percent of the governing
2 body. Any unused authority granted in this subsection may not be
3 carried forward under section 13-521.

4 (3) A governmental unit may exceed the limit provided in
5 subsection (1) of this section for a fiscal year by up to an
6 additional one percent upon the affirmative vote of at least
7 seventy-five percent of the governing body.

8 (4) A governmental unit may exceed the applicable
9 allowable growth percentage otherwise prescribed in this section by
10 an amount approved by a majority of legal voters voting on the
11 issue at a special election called for such purpose upon the
12 recommendation of the governing body or upon the receipt by the
13 county clerk or election commissioner of a petition requesting an
14 election signed by at least five percent of the legal voters of the
15 governmental unit. The recommendation of the governing body or the
16 petition of the legal voters shall include the amount and
17 percentage by which the governing body would increase its budgeted
18 restricted funds for the ensuing year over and above the current
19 year's budgeted restricted funds. The county clerk or election
20 commissioner shall call for a special election on the issue within
21 fifteen days after the receipt of such governing body
22 recommendation or legal voter petition. The election shall be held
23 pursuant to the Election Act, and all costs shall be paid by the
24 governing body. The issue may be approved on the same question as
25 a vote to exceed the levy limits provided in section 77-3444.

26 (5) In lieu of the election procedures in subsection (4)
27 of this section, any governmental unit may exceed the allowable

1 growth percentage otherwise prescribed in this section by an amount
2 approved by a majority of legal voters voting at a meeting of the
3 residents of the governmental unit, called after notice is
4 published in a newspaper of general circulation in the governmental
5 unit at least twenty days prior to the meeting. At least ten
6 percent of the registered voters residing in the governmental unit
7 shall constitute a quorum for purposes of taking action to exceed
8 the allowable growth percentage. If a majority of the registered
9 voters present at the meeting vote in favor of exceeding the
10 allowable growth percentage, a copy of the record of that action
11 shall be forwarded to the Auditor of Public Accounts along with the
12 budget documents. The issue to exceed the allowable growth
13 percentage may be approved at the same meeting as a vote to exceed
14 the limits or final levy allocation provided in section 77-3444.

15 Sec. 16. The Department of Revenue shall adopt and
16 promulgate rules and regulations to carry out sections 7 to 14 of
17 this act.".

18 2. On page 4, line 4, after "act" insert "and funds
19 distributed from the Natural Resources Enhancement Fund".

20 3. On page 8, line 27, strike "four million six" and
21 insert "two million three".

22 4. On page 17, lines 6 through 22; and page 18, lines 8
23 through 13, reinstate the stricken matter and strike the new
24 matter.

25 5. On page 20, strike beginning with "Sections" in line
26 14 through line 15 and insert "This act becomes".

27 6. Renumber the remaining sections accordingly.