

AM7091  
LB 516  
NPN-04-04

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E & R AMENDMENTS TO LB 516

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

3           "Section 1.   Section 68-1603, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           68-1603.   For purposes of the Homeless Shelter Assistance  
6 Trust Fund Act, department shall mean the Department of ~~Economic~~  
7 ~~Development~~ Health and Human Services.

8           Sec. 2.     Section 68-1604, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10          68-1604.   The Homeless Shelter Assistance Trust Fund is  
11 hereby created.    The fund shall include the proceeds raised from  
12 the documentary stamp tax and remitted for such fund pursuant to  
13 section 76-903.    All money raised for the Homeless Shelter  
14 Assistance Trust Fund Act shall be Money remitted to such fund and  
15 earmarked shall be used by the department (1) for grants to  
16 eligible shelter providers as set out in section 68-1605 for the  
17 purpose of assisting in the alleviation of homelessness, to provide  
18 temporary and permanent shelters for homeless persons, to encourage  
19 the development of projects which link housing assistance to  
20 programs promoting the concept of self-sufficiency, and to address  
21 the needs of the migrant farmworker and (2) to aid in defraying the  
22 expenses of administering the Homeless Shelter Assistance Trust  
23 Fund Act, which shall not exceed fifty thousand dollars in any  
24 fiscal year.

1 Any money in the fund available for investment shall be  
2 invested by the state investment officer pursuant to the Nebraska  
3 Capital Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 3. Section 68-1605, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6 68-1605. (1) The department shall use the funds in the  
7 Homeless Shelter Assistance Trust Fund to finance grants for  
8 projects or programs that provide for persons or families with  
9 special housing needs.

10 (2) Projects and programs to which funds shall be  
11 provided include eligible community, neighborhood-based,  
12 housing-assistance organizations, institutions, associations, and  
13 societies or corporations that:

14 (a) Are exempt from taxation under section 501(c)(3) of  
15 the Internal Revenue Code;

16 (b) Do not discriminate on the basis of age, religion,  
17 sex, race, color, or national origin;

18 (c) Provide ~~twenty-four-hour~~ residential housing for at  
19 least eight hours of every twenty-four-hour period; and

20 (d) ~~Conduct an annual certified external audit, and~~

21 ~~(e) Operate a drug-free premises.~~

22 (3) ~~The housing advisory committee established pursuant~~  
23 ~~to section 81-1281 shall~~ department shall establish an advisory  
24 committee consisting of individuals and groups involved with  
25 housing issues, in particular those pertaining to persons or  
26 families with special housing needs, to advise and assist the  
27 department in establishing criteria, priorities, and guidelines for

1 eligibility requirements, application requirements and dates,  
2 public notification, and monitoring and shall assist the department  
3 in adopting and promulgating rules and regulations for providing  
4 grants from the fund.

5 (4) An application submitted by an organization  
6 representing a number of eligible applicants may be considered even  
7 though the representing organization may itself not qualify under  
8 this section.

9 (5) In making grants pursuant to the Homeless Shelter  
10 Assistance Trust Fund Act, the department shall consider, but not  
11 be limited to, the following factors:

12 (a) The number of night-lodging units provided by the  
13 applicant as measured by the number of persons housed per night;

14 (b) ~~The number of meals provided by the applicant~~  
15 Participation by the applicant in community planning processes and  
16 activities aimed at preventing and alleviating homelessness;

17 (c) Other verifiable units of service provided by the  
18 applicant; and

19 (d) The geographic distribution of funds.

20 Sec. 4. Section 68-1607, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22 68-1607. All applications for grants shall be  
23 accompanied by a certified independent audit for the immediately  
24 preceding fiscal year, and recipients Recipients of grant money  
25 shall, upon request, submit to the department records for  
26 verification of the information included on applications submitted  
27 for grants from the Homeless Shelter Assistance Trust Fund.

1                   Sec. 5.   Section 76-903, Revised Statutes Supplement,  
2   2000, is amended to read:

3                   76-903.   The Tax Commissioner shall design such stamps in  
4   such denominations as in his or her judgment will be the most  
5   advantageous to all persons concerned.   When any deed subject to  
6   the tax imposed by section 76-901 is offered for recordation, the  
7   register of deeds shall ascertain and compute the amount of the tax  
8   due thereon and shall collect such amount as a prerequisite to  
9   acceptance of the deed for recordation.   If a dispute ~~shall arise~~  
10   arises concerning the taxability of the transfer, the register of  
11   deeds shall not record the deed until the disputed tax is paid.   If  
12   a disputed tax has been paid, the taxpayer may file for a refund  
13   pursuant to section 76-908.   The taxpayer may also seek a  
14   declaratory ruling pursuant to rules and regulations adopted and  
15   promulgated by the Department of Revenue.   From each one dollar and  
16   seventy-five cents of tax collected pursuant to section 76-901, the  
17   register of deeds shall retain fifty cents to be placed in the  
18   county general fund and shall remit the balance to the State  
19   Treasurer who shall credit ~~(1) prior to January 17, 1998, one dollar~~  
20   ~~of such amount to the state General Fund and twenty-five cents of~~  
21   ~~such amount to the Homeless Shelter Assistance Trust Fund,~~ ~~(2) on~~  
22   ~~and after January 17, 1998, and prior to January 17, 2003, one dollar~~  
23   of such amount to the Affordable Housing Trust Fund and twenty-five  
24   cents of such amount to the Homeless Shelter Assistance Trust Fund.  
25   ~~, and (3) on and after January 17, 2003, one dollar of such amount~~  
26   ~~to the state General Fund and twenty-five cents of such amount to~~  
27   ~~the Homeless Shelter Assistance Trust Fund.~~

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1                   Sec. 6. Original sections 68-1603, 68-1604, 68-1605, and  
2 68-1607, Reissue Revised Statutes of Nebraska, and section 76-903,  
3 Revised Statutes Supplement, 2000, are repealed.".

4                   2. On page 1, strike beginning with "real" in line 1  
5 through line 5 and insert "housing; to amend sections 68-1603,  
6 68-1604, 68-1605, and 68-1607, Reissue Revised Statutes of  
7 Nebraska, and section 76-903, Revised Statutes Supplement, 2000; to  
8 change provisions relating to the Homeless Shelter Assistance Trust  
9 Fund Act; to establish an advisory committee; to change funding  
10 provisions relating to the Affordable Housing Trust Fund; to  
11 harmonize provisions; and to repeal the original sections.".