

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 163

Introduced by Bourne, 8; Thompson, 14

Read first time January 7, 2005

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to the Mutual Finance Assistance Act; to amend
2 section 35-1205, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to the Mutual Finance
4 Assistance Fund; to provide an operative date; to repeal
5 the original section; and to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 35-1205, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 35-1205. (1) Any rural or suburban fire protection
4 district which contains within its boundaries (a) an assumed
5 population of ~~thirty~~ ten thousand or more or (b) at least eighty
6 percent of the assumed population of any one county which is
7 contained in whole or in part within the district residing outside
8 the city limits of any city of the first, primary, or metropolitan
9 class in such county shall receive a distribution from the Mutual
10 Finance Assistance Fund pursuant to section 35-1206.

11 (2) Any mutual finance organization which (a) has entered
12 into an agreement pursuant to section 35-1204 and (b) contains
13 within the boundaries of its members (i) an assumed population of
14 ~~thirty~~ ten thousand or more or (ii) at least eighty percent of the
15 assumed county population of any one county which is contained in
16 whole or in part within the mutual finance organization residing
17 outside the city limits of any city of the first, primary, or
18 metropolitan class in such county shall receive a distribution from
19 the fund pursuant to section 35-1206.

20 (3) For purposes of this section:

21 (a) The assumed population residing within the boundaries
22 of a rural or suburban fire protection district or mutual finance
23 organization equals (i) the estimated county population as
24 determined based on the most recent estimates of the United States
25 Bureau of the Census for counties, minus (ii) the estimated
26 population of all cities and villages in the county as certified
27 pursuant to section 77-3,119, multiplied by (iii) a fraction, the
28 numerator of which is the valuation within the rural or suburban

1 fire protection district or mutual finance organization which is
2 not within a city or village and the denominator of which is the
3 valuation in the county which is not contained within a city of the
4 first, primary, or metropolitan class, and added to (iv) the most
5 recent estimated population of all cities of the second class and
6 villages in the fire protection district or mutual finance
7 organization as certified pursuant to section 77-3,119;

8 (b) The assumed county population residing outside the
9 city limits of any city of the first, primary, or metropolitan
10 class equals (i) the most recent estimated county population as
11 determined based on the most recent estimates of the United States
12 Bureau of the Census for counties minus (ii) the most recent
13 estimated population of all cities of the first, primary, or
14 metropolitan class in the county as certified pursuant to section
15 77-3,119;

16 (c) If a city or village is located in more than one
17 county, the population of the city or village which resides in the
18 county is presumed to be in proportion to the valuation of such
19 city or village which is located in the county; and

20 (d) If the district or mutual finance organization is
21 located in more than one county and the district or mutual finance
22 organization meets the threshold in subsection (1) or (2) of this
23 section in only one county, the district or mutual finance
24 organization shall qualify for assistance under this section.

25 Sec. 2. This act becomes operative on July 1, 2005.

26 Sec. 3. Original section 35-1205, Reissue Revised
27 Statutes of Nebraska, is repealed.

28 Sec. 4. Since an emergency exists, this act takes effect

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1 when passed and approved according to law.