

LEGISLATIVE BILL 381

Approved by the Governor April 26, 1995

Introduced by Lynch, 13; Schmitt, 41; Crosby, 29

AN ACT relating to the materiel division of the Department of Administrative Services; to amend section 81-161.04, Reissue Revised Statutes of Nebraska; to change provisions relating to proceeds from the sale of surplus property; to create a fund; to repeal the original section; and to declare an emergency.

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

Section 1. Section 81-161.04, Reissue Revised Statutes of Nebraska, is amended to read:

81-161.04. (1) Whenever any using agency ~~shall have~~ has any personal property for which it no longer has any need or use, it shall notify the materiel division of the Department of Administrative Services in writing, setting forth a description of the property and the approximate length of time that ~~such~~ the property has been in the possession of the using agency. The materiel division of the Department of Administrative Services shall appraise ~~such~~ the property and send a bulletin to all other using agencies of the state, setting forth that ~~he or she~~ the materiel division has ~~such~~ the property for sale and that ~~it~~ the property can be bought at the appraised price. ~~Such~~ No property ~~shall not~~ will be sold until first offered to the using agencies as provided by this section, unless ~~such~~ the property is unusable. If the materiel division of the Department of Administrative Services ~~shall fail~~ fails to receive an offer from any using agency, it may sell or dispose of ~~such~~ the property by ~~such~~ any method ~~as is to the best advantage of which is most advantageous~~ to the State of Nebraska, with ~~priorities given to other political subdivisions of state government,~~ including auction, sealed bid, private or public sale, or trade-in for other property, ~~with priorities given to the other political subdivisions of state government.~~ All sales shall be made in the name of the state ~~State of Nebraska.~~

(2) ~~Except as otherwise provided in this subsection, and the proceeds of such~~ the sales shall be deposited with the State Treasurer and credited to the General Fund unless the using agency ~~shall certify~~ certifies to the materiel division of the Department of Administrative Services that the property was purchased in part or in total from either cash accounts or federal funds, or from a percentage of such accounts or funds, in which ~~event case~~ the proceeds of the sale to that extent shall be credited to the cash or federal account in the percentage used in originally purchasing the property. ~~The~~ ~~PROVIDED~~, that the cost of selling ~~such~~ surplus property shall be deducted from the proceeds of the ~~surplus property being sold.~~ ~~The~~ ~~AND~~ ~~PROVIDED FURTHER~~, that the proceeds received from the sale of passenger-carrying motor vehicles originally purchased with money from the General Fund, ~~other than passenger-carrying motor vehicles used by the Nebraska State Patrol, less the selling costs, shall be deposited in the state treasury and credited by the State Treasurer~~ ~~credited~~ by the State Treasurer ~~credited~~ to the Transportation Services Bureau Revolving Fund. ~~The proceeds received from the sale of passenger-carrying motor vehicles used by the Nebraska State Patrol, less selling costs, shall be deposited in the state treasury and credited by the State Treasurer to the Nebraska State Patrol Vehicle Replacement Cash Fund.~~ ~~The~~ the proceeds received from the sale of micrographic equipment, other than that of the University of Nebraska and state colleges, ~~less the selling costs, shall be deposited in the state treasury and credited~~ by the State Treasurer ~~credited~~ to the Records Management Micrographics Services Revolving Fund. ~~The~~ ~~and~~ the proceeds received from the sale of aircraft, ~~less the selling costs, shall be deposited in the state treasury and credited~~ by the State Treasurer ~~credited~~ to the Department of Aeronautics Cash Fund.

Sec. 2. ~~The Nebraska State Patrol Vehicle Replacement Cash Fund is created.~~ The Superintendent of Law Enforcement and Public Safety of the Nebraska State Patrol shall administer the fund. ~~The fund shall be used to purchase motor vehicles for the Nebraska State Patrol. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.~~

Sec. 3. Original section 81-161.04, Reissue Revised Statutes of Nebraska, is repealed.

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

LEGISLATIVE BILL 381A

Approved by the Governor April 26, 1995

Introduced by Lynch, 13

AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 381, Ninety-fourth Legislature, First Session, 1995; and to declare an emergency.
Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby appropriated (1) \$200,000 from the Nebraska State Patrol Vehicle Replacement Cash Fund for FY1995-96 and (2) \$200,000 from the Nebraska State Patrol Vehicle Replacement Cash Fund for FY1996-97 to the Nebraska State Patrol, for Program 100, to aid in carrying out the provisions of Legislative Bill 381, Ninety-fourth Legislature, First Session, 1995.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.