

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 132

Introduced by Ebke, 32; Coash, 27.

Read first time January 09, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Joint Public Agency Act; to amend
- 2 section 13-2530, Reissue Revised Statutes of Nebraska; to change the
- 3 power of and procedures for joint public agencies to issue bonds as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2530, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 13-2530 (1) Any joint public agency may issue such types of bonds as
4 its board may determine subject only to any agreement with the holders of
5 outstanding bonds, including bonds as to which the principal and interest
6 are payable exclusively from all or a portion of the revenue from one or
7 more projects, from one or more revenue-producing contracts, including
8 securities acquired from any person, bonds issued by any qualified public
9 agency under the Public Facilities Construction and Finance Act, or
10 leases made by the joint public agency with any person, including any of
11 the public agencies which are parties to the agreement creating the joint
12 public agency, or from its revenue generally or which may be additionally
13 secured by a pledge of any grant, subsidy, or contribution from any
14 person or a pledge of any income or revenue, funds, or money of the joint
15 public agency from any source whatsoever or a mortgage or security
16 interest in any real or personal property, commodity, product, or service
17 or interest therein.

18 (2) Any bonds issued by such joint public agency shall be issued on
19 behalf of the joint public agency solely for the specific purpose or
20 purposes for which the joint public agency has been created. Such
21 specific purposes may include, but shall not be limited to, joint
22 projects authorized by the Public Facilities Construction and Finance
23 Act; solid waste collection, management, and disposal; waste recycling;
24 sanitary sewage treatment and disposal; public safety communications;
25 correctional facilities; water treatment plants and distribution systems;
26 drainage systems; flood control projects; fire protection services;
27 ground water quality management and control; river-flow enhancement;
28 education and postsecondary education; hospital and other health care
29 services; bridges, roads, and streets; and law enforcement.

30 (3) If a joint public agency has powers of taxation under section
31 13-2507, the joint public agency shall issue bonds by following the bond

1 issuance procedures required by law for the participating public agency
2 from which the joint public agency derives the powers of taxation.
3 Whenever the bond issuance procedures required by law for the
4 participating public agency conflict with any provision of the Joint
5 Public Agency Act, the bond issuance procedures required by law for the
6 participating public agency shall prevail.

7 (4 3) As an alternative to issuing bonds for financing public safety
8 communication projects, any joint public agency may enter into a
9 financing agreement with the Nebraska Investment Finance Authority for
10 such purpose.

11 (5 4) Any joint public agency formed for purposes of providing or
12 assisting with the provision of public safety communications may enter
13 into an agreement with any other joint public agency relating to (a) the
14 operation, maintenance, or management of the property or facilities of
15 such joint public agency or (b) the operation, maintenance, or management
16 of the property or facilities of such other joint public agency.

17 Sec. 2. Original section 13-2530, Reissue Revised Statutes of
18 Nebraska, is repealed.