

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 204

Introduced by Briese, 41.

Read first time January 11, 2019

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend
- 2 section 13-808, Reissue Revised Statutes of Nebraska; to require
- 3 approval by the voters for the issuance of bonds; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-808, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 13-808 (1)(a) ~~(1)~~ Any joint entity may issue such types of bonds as
4 its governing body may determine subject only to any agreement with the
5 holders of outstanding bonds, including bonds as to which the principal
6 and interest are payable exclusively from all or a portion of the revenue
7 from one or more projects, from one or more revenue-producing contracts,
8 including securities acquired from any person, bonds issued by any
9 qualified public agency under the Public Facilities Construction and
10 Finance Act, or leases made by the joint entity with any person,
11 including any of those public agencies which are parties to the agreement
12 creating the joint entity, or from its revenue generally or which may be
13 additionally secured by a pledge of any grant, subsidy, or contribution
14 from any person or a pledge of any income or revenue, funds, or money of
15 the joint entity 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 (b)(i) No bonds shall be issued by any joint entity on or after the
19 effective date of this act until the question has been submitted to the
20 qualified electors of each public agency which is part of the joint
21 entity and which is a political subdivision within this state at an
22 election called for that purpose as provided in this section and, within
23 each such public agency, a majority of the qualified electors voting on
24 the question within the public agency voted in favor of issuing the same.

25 (ii) Each such public agency shall give notice of the election at
26 least fifty days prior to the election. The question of issuing bonds may
27 be submitted at the statewide primary or general election. The election
28 shall be conducted in accordance with the Election Act.

29 (iii) The question of bond issues, when defeated, shall not be
30 resubmitted in substance for a period of six months from and after the
31 date of such election.

1 (c) Before the issuance of bonds pursuant to the Interlocal
2 Cooperation Act, the public agencies participating in the bond measure
3 shall make a written statement of all proceedings relative to the vote
4 upon the issuance of such bonds and the notice of the election, the
5 manner and time of giving notice, the question submitted, and the result
6 of the canvass of the vote on the proposition pursuant to which it is
7 proposed to issue such bonds, together with a full statement of the
8 taxable valuation and the total bonded indebtedness of the public
9 agencies participating in the bond measure. Such statement shall be
10 certified to under oath.

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

24 (3) As an alternative to issuing bonds for financing public safety
25 communication projects, any joint entity may enter into a financing
26 agreement with the Nebraska Investment Finance Authority for such
27 purpose.

28 (4) Any joint entity formed for purposes of providing or assisting
29 with the provision of public safety communications may enter into an
30 agreement with any other joint entity relating to (a) the operation,
31 maintenance, or management of the property or facilities of such joint

1 entity or (b) the operation, maintenance, or management of the property
2 or facilities of such other joint entity.

3 Sec. 2. Original section 13-808, Reissue Revised Statutes of
4 Nebraska, is repealed.