

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 204**

Introduced by Briese, 41.

Read first time January 11, 2019

Committee:

- 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.