

## LEGISLATIVE BILL 1131

Passed over the Governor's veto March 15, 1972

Introduced by Fred W. Carstens, 30th District

AN ACT to amend section 39-1390, Revised Statutes Supplement, 1969, relating to the State Recreation Road Fund; to change provisions concerning use of the fund; to repeal the original section; and to declare an emergency. Be it enacted by the people of the State of Nebraska,

Section 1. That section 39-1390, Revised Statutes Supplement, 1969, be amended to read as follows:

39-1390. The money in the State Recreation Road Fund shall be transferred by the State Treasurer, on the first day of each month, to the Department of Roads and shall be expended by the Director-State Engineer with the approval of the Governor; ~~and after consultation by the Director-State Engineer with the secretary of the Game and Parks Commission; and such other state officers as may be designated by the Governor;~~ for construction and maintenance of dustless-surface roads to be designated as state recreation roads as provided in this section. ~~All~~ Except as to roads under contract as of the effective date of this act, only those roads, including excluding state highways, giving direct and immediate access to or located within state parks, state recreation areas, or other ~~public-scenic,~~ recreational, or historical areas, shall be eligible for designation as state recreation roads, ~~when approved as such by the Director-State Engineer and the secretary of the Game and Parks Commission with the consent of the Governor and after~~ Such eligibility shall be determined by the Game and Parks Commission and certified to the Director-State Engineer, who shall after receiving such certification be authorized to commence construction on such recreation roads as funds are available. ~~After construction of such roads they~~ shall be shown on the map provided by section 39-1311. Preference in construction shall be based on existing or potential traffic use by other than local residents. Unless the State Highway Commission otherwise recommends, such roads upon completion of construction shall be incorporated into the state highway system. If such a road is not incorporated into the state highway system, the Department of Roads and the county within which such road is located shall enter into a maintenance agreement establishing the responsibility for maintenance of the road, the maintenance standards to be met and the

responsibility for maintenance costs. Any money in the State Recreation Road Fund available for investment shall be invested by the state investment officer pursuant to the provisions of sections 72-1237 to 72-1259.

Sec. 2. That original section 39-1390, Revised Statutes Supplement, 1969, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.