

LEGISLATIVE BILL 384

Approved by the Governor March 30, 1993

Introduced by Wehrbein, 2

AN ACT relating to highways; to amend section 39-2519, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to matching funds by cities of the first class for allocation of funds for street purposes; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 39-2519, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-2519. (1) Each city of the metropolitan; ~~or primary;~~ ~~or first~~ class shall be entitled to the first one-third of its annual allocation with no requirement of matching, but shall be required to match the second one-third, on the basis of one dollar for each dollar it receives, with funds provided locally for street purposes, and shall be required to match the final one-third, on the basis of one dollar for each two dollars it receives, with funds so provided. ~~Each~~ ~~and each~~ city of the ~~first or~~ second class or village shall be entitled to one-half of its annual allocation with no requirement of matching, but shall be required to match the second one-half on the basis of one dollar for each two dollars it receives, with any available funds. ~~Commencing in 1976, any~~ Any municipality which; during the preceding fiscal year; failed to provide the matching funds required by this subsection shall, except as provided in subsection (2) or (3) of this section, forfeit so much of its allocation as it fails to match. Any amount so forfeited shall be reallocated and distributed to the municipalities which have met the full matching provisions of this subsection. Such reallocation shall be made in the manner provided in sections 39-2517 and 39-2518.

(2) Any municipality may accumulate and invest any portion or all of the money it receives for a period not to exceed four years so as to provide funds for one or more specific street improvement projects. ~~Any~~ ~~PROVIDED, that any~~ municipality so accumulating funds ~~must~~ shall certify to the State Treasurer that the required matching funds are being accumulated and invested each year of the accumulation.

(3) Any municipality may, for any year, certify to the State Treasurer that it relinquishes, to the county in which it is situated in whole or in part, all or a part of the state funds allocated to it for that year. ~~The~~ ~~and the~~ amount so relinquished shall be available for distribution to such county subject to the same matching as would have been required of the municipality had it not relinquished such funds and without regard to the provisions of sections 39-2501 to 39-2510. Any amount so distributed to the county shall be used exclusively for road purposes within

the trade area of the relinquishing municipality as may be agreed upon by the county and municipal governing bodies.

(4) Any municipality may certify to the State Treasurer that it relinquishes, to the county in which it is situated in whole or in part, all or a part of the state funds allocated to it for not to exceed three years. ~~The and the~~ amount so relinquished shall be available for distribution to such county subject to the same matching as would have been required of the municipality had it not relinquished such funds and without regard to the provisions of sections 39-2501 to 39-2510. Any relinquishment under this subsection shall be made pursuant to an agreement between the relinquishing municipality and the county, to which other political subdivisions may also be parties, which provides for the accumulation and investment by the county of the amount relinquished for not to exceed three years so as to provide funds for one or more specific road improvement projects.

(5) For ~~the~~ purposes of this section, provided locally shall include, but not be limited to, money provided for street purposes through the following, ~~except~~ ~~PROVIDED~~, that there shall not be duplication in the following in the determination of the total:

(a) Local motor vehicle or wheel taxes;

(b) Property taxes levied by action of the local governing body for construction, improvement, maintenance, and repair of streets and bridges, ~~for~~ curbs, ~~for~~ snow removal, ~~for~~ street cleaning, ~~for~~ grading of dirt and gravel streets and roads, ~~for~~ traffic signs and signals, ~~for~~ construction of storm sewers directly related to streets, offstreet public parking owned by the municipality, and ~~property taxes levied for~~ the payment of the principal and interest on general obligation bonds for any of the foregoing;

(c) Special assessments levied for street paving or improvement districts and offstreet public parking owned by the municipality;

(d) Local costs in the acquisition of street right-of-way; including incidental expenses directly related to such acquisition; and

(e) Any other funds provided solely for street purposes.

Sec. 2. That original section 39-2519, Reissue Revised Statutes of Nebraska, 1943, is repealed.