

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 374**

Introduced by Haar, 21.

Read first time January 15, 2015

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to road funding; to amend section 39-1390,
- 2 Revised Statutes Cumulative Supplement, 2014; to require transfers
- 3 from the State Recreation Road Fund as prescribed; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 39-1390, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3 39-1390 The State Recreation Road Fund is created. The money in the  
4 fund shall be transferred by the State Treasurer, on the first day of  
5 each month, to the Department of Roads and shall be expended by the  
6 Director-State Engineer with the approval of the Governor for  
7 construction and maintenance of dustless-surface roads to be designated  
8 as state recreation roads as provided in this section, except that the  
9 State Treasurer shall transfer the amount greater than fifteen million  
10 dollars ~~transfers may be made from the fund to the Game and Parks State~~  
11 ~~Park Improvement and Maintenance Fund at the direction of the Legislature~~  
12 ~~through July 31, 2014.~~ Except as to roads under contract as of March 15,  
13 1972, those roads, excluding state highways, giving direct and immediate  
14 access to or located within state parks, state recreation areas, or other  
15 recreational or historical areas, shall be eligible for designation as  
16 state recreation roads. Such eligibility shall be determined by the Game  
17 and Parks Commission and certified to the Director-State Engineer, who  
18 shall, after receiving such certification, be authorized to commence  
19 construction on such recreation roads as funds are available. In  
20 addition, those roads, excluding state highways, giving direct and  
21 immediate access to a state veteran cemetery are state recreation roads.  
22 After construction of such roads they shall be shown on the map provided  
23 by section 39-1311. Preference in construction shall be based on existing  
24 or potential traffic use by other than local residents. Unless the State  
25 Highway Commission otherwise recommends, such roads upon completion of  
26 construction shall be incorporated into the state highway system. If such  
27 a road is not incorporated into the state highway system, the Department  
28 of Roads and the county within which such road is located shall enter  
29 into a maintenance agreement establishing the responsibility for  
30 maintenance of the road, the maintenance standards to be met, and the  
31 responsibility for maintenance costs. Any money in the State Recreation

1 Road Fund available for investment shall be invested by the state  
2 investment officer pursuant to the Nebraska Capital Expansion Act and the  
3 Nebraska State Funds Investment Act.

4 Sec. 2. Original section 39-1390, Revised Statutes Cumulative  
5 Supplement, 2014, is repealed.