

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1030

Introduced by Bostelman, 23; Aguilar, 35; Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Conrad, 46; DeKay, 40; Dorn, 30; Dover, 19; Dungan, 26; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McKinney, 11; Meyer, 41; Murman, 38; Sanders, 45; Slama, 1; von Gillern, 4; Walz, 15; Wayne, 13.

Read first time January 05, 2024

Committee:

- 1 A BILL FOR AN ACT relating to highways and roads; to amend sections
- 2 39-2805 and 66-4,100, Revised Statutes Supplement, 2023; to create a
- 3 working group; to change the County Bridge Match Program; to provide
- 4 for transfers of funds; to repeal the original sections; and to
- 5 declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 39-2805, Revised Statutes Supplement, 2023, is
2 amended to read:

3 39-2805 (1) The County Bridge Match Program is created. The
4 department shall administer the program using funds from the
5 Transportation Infrastructure Bank Fund. ~~Forty million dollars shall be~~
6 ~~expended for this program.~~ The purpose of the program is to promote
7 innovative solutions and provide additional funding to accelerate the
8 repair and replacement of deficient bridges on the county road system.
9 ~~The department shall develop the program, including participation~~
10 ~~criteria and matching fund requirements for counties, in consultation~~
11 ~~with a statewide association representing county officials.~~ Participation
12 by counties in the program shall be voluntary.

13 (2) The County Bridge Match Working Group is hereby created. The
14 Governor shall appoint two representatives to serve on the working group
15 from a list of county highway superintendents, county surveyors, or
16 county engineers submitted by a statewide association representing county
17 officials. The Director-State Engineer shall select three representatives
18 of the department to serve on the working group. The working group shall
19 develop the program, including participation criteria and matching fund
20 requirements for counties, and shall score the applications and award the
21 funds. A meeting of the working group does not constitute a meeting as
22 defined in section 84-1409.

23 (3) (2) The County Bridge Match Program terminates on June 30, 2029.
24 Sec. 2. Section 66-4,100, Revised Statutes Supplement, 2023, is
25 amended to read:

26 66-4,100 The Highway Cash Fund and the Roads Operations Cash Fund
27 are hereby created. If bonds are issued pursuant to subsection (2) of
28 section 39-2223, the balance of the share of the Highway Trust Fund
29 allocated to the Department of Transportation and deposited into the
30 Highway Restoration and Improvement Bond Fund as provided in subsection
31 (8) of section 39-2215 and the balance of the money deposited in the

1 Highway Restoration and Improvement Bond Fund as provided in section
2 39-2215.01 shall be transferred by the State Treasurer, on or before the
3 last day of each month, to the Highway Cash Fund. If no bonds are issued
4 pursuant to subsection (2) of section 39-2223, the share of the Highway
5 Trust Fund allocated to the Department of Transportation shall be
6 transferred by the State Treasurer on or before the last day of each
7 month to the Highway Cash Fund.

8 The Legislature may direct the State Treasurer to transfer funds
9 from the Highway Cash Fund to the Roads Operations Cash Fund. Both funds
10 shall be expended by the department (1) for acquiring real estate, road
11 materials, equipment, and supplies to be used in the construction,
12 reconstruction, improvement, and maintenance of state highways, (2) for
13 the construction, reconstruction, improvement, and maintenance of state
14 highways, including grading, drainage, structures, surfacing, roadside
15 development, landscaping, and other incidentals necessary for proper
16 completion and protection of state highways as the department shall,
17 after investigation, find and determine shall be for the best interests
18 of the highway system of the state, either independent of or in
19 conjunction with federal-aid money for highway purposes, (3) for the
20 share of the department of the cost of maintenance of state aid bridges,
21 (4) for planning studies in conjunction with federal highway funds for
22 the purpose of analyzing traffic problems and financial conditions and
23 problems relating to state, county, township, municipal, federal, and all
24 other roads in the state and for incidental costs in connection with the
25 federal-aid grade crossing program for roads not on state highways, (5)
26 for tests and research by the department or proportionate costs of
27 membership, tests, and research of highway organizations when
28 participated in by the highway departments of other states, (6) for the
29 payment of expenses and costs of the Board of Examiners for County
30 Highway and City Street Superintendents as set forth in section 39-2310,
31 (7) for support of the public transportation assistance program

1 established under section 13-1209 and the intercity bus system assistance
2 program established under section 13-1213, (8) for purchasing from
3 political or governmental subdivisions or public corporations, pursuant
4 to section 39-1307, any federal-aid transportation funds available to
5 such entities, (9) for costs related to the administration of the
6 Division of Aeronautics of the Department of Transportation as specified
7 in section 3-107,~~and~~ (10) for furnishing the Nebraska Broadband Office
8 with necessary office space, furniture, equipment, and supplies as well
9 as providing administrative and budgetary support, including salaries for
10 professional, technical, and clerical assistants, as provided in section
11 81-702, and (11) for the County Bridge Match Program.

12 The State Treasurer shall transfer four million dollars from the
13 Roads Operations Cash Fund to the Transportation Infrastructure Bank Fund
14 on or before June 30, 2024, on such dates and in such amounts as directed
15 by the budget administrator of the budget division of the Department of
16 Administrative Services. The money shall be used for the County Bridge
17 Match Program. The State Treasurer shall transfer four million dollars
18 from the Roads Operations Cash Fund to the Transportation Infrastructure
19 Bank Fund on or before June 30, 2025, on such dates and in such amounts
20 as directed by the budget administrator of the budget division of the
21 Department of Administrative Services. The money shall be used for the
22 County Bridge Match Program.

23 Any money in the Highway Cash Fund and the Roads Operations Cash
24 Fund not needed for current operations of the department shall, as
25 directed by the Director-State Engineer to the State Treasurer, be
26 invested by the state investment officer pursuant to the Nebraska Capital
27 Expansion Act and the Nebraska State Funds Investment Act, subject to
28 approval by the board of each investment. All income received as a result
29 of such investment shall be placed in the Highway Cash Fund.

30 Sec. 3. Original sections 39-2805 and 66-4,100, Revised Statutes
31 Supplement, 2023, are repealed.

1 Sec. 4. Since an emergency exists, this act takes effect when
2 passed and approved according to law.