

LEGISLATIVE BILL 824

Approved by the Governor March 21, 1974

Introduced by Fowler, 27

AN ACT relating to local government; to authorize any unit of local government to receive and use revenue-sharing and other funds as prescribed; to provide for interpretation; to provide powers; and to declare an emergency.
Be it enacted by the people of the State of Nebraska,

Section 1. It shall be lawful for any unit of local government of the State of Nebraska to receive funds from the United States government pursuant to Title I of the federal State and Local Assistance Act of 1972, Public Law 92-512, 92nd Congress, Second Session, 31 U.S.C.A. sections 1221 and following, or any successor act thereto, and to use such funds and other available resources for priority expenditures in the manner prescribed therein. For purposes of this section, priority expenditures shall mean only:

(1) Ordinary and necessary maintenance and operating expenses for (a) public safety, including law enforcement, fire protection, and building code enforcement, (b) environmental protection, including sewage disposal, sanitation, and pollution abatement, (c) public transportation, including transit systems and streets and roads, (d) health, (e) recreation, (f) libraries, (g) social services for the poor or aged, and (h) financial administration; and

(2) Ordinary and necessary capital expenditures authorized by law.

Sec. 2. It is the intent of the Legislature that in construing section 1 of this act the courts will be guided by the interpretations given by the Office of Revenue Sharing, U.S. Department of Treasury and by the federal courts to section 103 of the State and Local Fiscal Assistance Act of 1972, 31 U.S.C.A. section 1222, as from time to time amended.

Sec. 3. The provisions of this act are supplementary to existing laws relating to any unit of local government and confer upon such units of local government powers not previously granted by state law to permit those governmental subdivisions to use such funds and other available resources for the purposes of this act, and any unit of local government shall have the

power to join with any other governmental subdivision, or with any agency or nonprofit corporation, whether federal, state, or local, or with any number or combinations thereof, by contract or otherwise, in joint ownership, operation of any function, or exercise of any power pursuant to the provisions of this act, or in agreements containing the provision that one or more operate or perform for the other or others.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.