

AMENDMENTS TO LB344

Introduced by Natural Resources.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 2-3226, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 2-3226 (1) Each district shall have the power and authority to
6 issue revenue bonds for the purpose of financing construction of
7 facilities authorized by law. Issuance of revenue bonds must be approved
8 by two-thirds of the members of the board of directors of the district.
9 The district shall pledge sufficient revenue from any revenue-producing
10 facility constructed with the aid of revenue bonds for the payment of
11 principal and interest on such bonds and shall establish rates for such
12 facilities at a sufficient level to provide for the operation of such
13 facilities and for the bond payments.

14 (2)(a) As provided in subdivision (b) of this subsection, each
15 district shall have the power and authority to issue general obligation
16 bonds for the purpose of financing part of the cost of non-revenue-
17 producing water projects authorized by law. Issuance of such bonds shall
18 be approved by two-thirds of the members of the board of directors of the
19 district, and such bonds shall be retired using the district's ad valorem
20 tax revenue and other funds available to the district not pledged for
21 another purpose.

22 (b) If an application described in subsection (3) of this section is
23 not selected for funding from the Water Sustainability Fund, or is not
24 approved for the full amount requested in the application, the district
25 may issue bonds as authorized by subdivision (a) of this subsection in an
26 aggregate amount not to exceed sixty percent of the project cost. If such
27 application is selected for funding from the Water Sustainability Fund,

1 the district may issue bonds in an aggregate amount not to exceed forty
2 percent of the project cost. Any bonds issued under this subsection must
3 be issued within four years from the date an application is either
4 selected for full or partial funding or not selected for funding through
5 the Water Sustainability Fund.

6 (3) A district shall be eligible to utilize the bonds for a project
7 authorized under subsection (2) of this section if:

8 (a) The district has submitted an application for funding from the
9 Water Sustainability Fund pursuant to section 2-1507;

10 (b) Such application is determined to be eligible for funding from
11 the Water Sustainability Fund as determined by the Director of Natural
12 Resources pursuant to subsection (3) of section 2-1509; and

13 (c) The district receives a commitment for or approval of matching
14 or cost share funds from other state, local, or federal agencies,
15 including the Nebraska Environmental Trust, or other sources for the
16 project prior to issuance of any bonds pursuant to subsection (2) of this
17 section.

18 (4) A district may issue bonds pursuant to section 2-3226.10 or as
19 authorized by subsection (2) of this section but in no case shall the
20 annual tax levied to pay debt service on such bonds exceed the district's
21 tax levy limitation.

22 Sec. 2. Section 2-3226.14, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 2-3226.14 The authority to issue bonds for qualified projects
25 granted in section 2-3226.10 terminates on December 31, ~~2019~~ 2025, except
26 that (1) any bonds already issued and outstanding for qualified projects
27 as of such date are permitted to remain outstanding and the district
28 shall retain all powers of taxation provided for in section 2-3226.10 to
29 provide for the payment of principal and interest on such bonds and (2)
30 refunding bonds may continue to be issued and outstanding as of December
31 31, ~~2019~~ 2025, including extension of principal maturities if determined

1 appropriate.

2 Sec. 3. Original sections 2-3226 and 2-3226.14, Reissue Revised

3 Statutes of Nebraska, are repealed.