

## LEGISLATIVE BILL 140

Approved by the Governor February 20, 1981

Introduced by Fowler, 27

AN ACT to amend sections 47-302 and 47-305, Reissue Revised Statutes of Nebraska, 1943, relating to jails; to remove certain limitations on bond issues; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 47-302, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

47-302. (1) The county board of such county, and the mayor and council or legislative authorities of such incorporated city located within the county, are hereby authorized and empowered to unite in the construction and maintenance of a jail, and to acquire land by purchase, condemnation, or otherwise for farm or other purposes for the employment of such prisoners. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724.

(2) Whenever such county and city may agree upon the location and specifications of the jail and land, they may each proceed to issue bonds, ~~not to exceed one hundred thousand dollars~~, levy taxes, and do all other necessary acts to erect a jail building and to purchase land and erect buildings thereon, all to be owned jointly by both county and city aforesaid. Any such city shall have power to borrow money and pledge the credit and property thereof on its negotiable bonds or otherwise, ~~in an amount not to exceed one hundred thousand dollars~~ for the purpose of paying for its portion of the cost of any such land, jail, or both, ~~;~~ ~~Provided, except that~~ neither the county nor the city shall make any contracts or spend any funds toward carrying out the purposes specified, until authority for action by both shall have been obtained.

(3) When required by law, the question involved in the appropriations for the jail and the purchase of the land shall be submitted to a vote of the people of the county or city.

Sec. 2. That section 47-305, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

47-305. The city council or legislative authority of such incorporated city is hereby authorized and empowered to erect and maintain a jail, and to acquire land by purchase, condemnation, or otherwise for farm or other purposes for the employment of prisoners. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724. Such city shall have power to borrow money and pledge the credit and property thereof on its negotiable bonds or otherwise, ~~in--an--amount--not--exceeding--one--hundred thousand-dollars~~ for the purpose of paying for the cost of any such land, jail, or both.

Sec. 3. That original sections 47-302 and 47-305, Reissue Revised Statutes of Nebraska, 1943, are repealed.

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.