

LEGISLATIVE BILL 220

Approved by the Governor April 3, 1981

Introduced by R. Maresh, 32

AN ACT to amend section 17-953, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to make an exception from election requirements for certain projects; to repeal the original section; and to declare an emergency.

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

Section 1. That section 17-953, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-953. Cities of the second class and villages are hereby authorized and empowered to (1) purchase, (2) accept by gift or devise, (3) purchase real estate upon which to erect, and (4) erect a building or buildings for an auditorium, fire station, municipal building, or community house for housing municipal enterprises and social and recreation purposes, and other public buildings, including the construction of buildings authorized to be constructed by Chapter 72, article 14, and including construction of buildings to be leased in whole or in part by the city or village to any other political or governmental subdivision of the State of Nebraska authorized by law to lease such buildings, and maintain, manage, and operate the same for the benefit of the inhabitants of said cities or villages. Except as provided in section 2 of this act, before ~~---Provided;~~ before any such purchase can be made or building erected, the question shall be submitted to the electors of such city or village at a general municipal election or at an election duly called for that purpose, or as set forth in section 17-954, and be adopted by a majority of the electors voting on such question.

Sec. 2. If the funds to be used to finance the purchase or construction of a building under section 17-953 are available other than through a bond issue, notice of the proposed purchase or construction shall be published in a newspaper of general circulation in the city or village and no election shall be required to approve such purchase or construction unless a remonstrance against such purchase or construction, signed by electors of the city or village equal in number to fifteen per cent of the electors of such city or village voting at the last regular municipal election

held therein, is filed with the governing body of such city or village within thirty days of the publication of such notice. If a remonstrance with the necessary number of qualified signatures is timely filed, the question shall be submitted to the voters of such city or village at a general municipal election or a special election duly called for that purpose. If such purchase or construction is not approved, the property involved shall not then, nor within one year thereafter, be purchased or constructed.

Sec. 3. That original section 17-953, Reissue Revised Statutes of Nebraska, 1943, is 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.