

LEGISLATIVE BILL 1213

Approved by the Governor March 21, 1972

Introduced by E. Thome Johnson, 15th District

AN ACT to amend sections 16-622 and 16-691.01, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to change delinquency dates on prescribed assessments; to provide for investment of surplus funds in certificates of deposits as prescribed; 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 16-622, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-622. The cost of making such improvements of the streets and alleys within any street improvement district shall be assessed upon the lots and lands in such districts specially benefited thereby in proportion to such benefits. The amounts thereof shall be determined by the mayor and council under the provisions of section 16-615. The assessment of the special tax, for the cost of such improvements, except as provided in this section, shall be levied at one time and shall become delinquent as follows: ~~one-tenth~~ One-twentieth of the total cost shall become delinquent in fifty days after such levy; ~~one-tenth~~ one-twentieth in one year; ~~one-tenth~~ one-twentieth in two years; ~~one-tenth~~ one-twentieth in three years; ~~one-tenth~~ one-twentieth in four years; ~~one-tenth~~ one-twentieth in five years; ~~one-tenth~~ one-twentieth in six years; ~~one-tenth~~ one-twentieth in seven years; ~~one-tenth~~ one-twentieth in eight years; ~~and one-tenth~~ one-twentieth in nine years; ~~one-twentieth~~ one-twentieth in ten years; ~~one-twentieth~~ one-twentieth in eleven years; ~~one-twentieth~~ one-twentieth in twelve years; ~~one-twentieth~~ one-twentieth in thirteen years; ~~one-twentieth~~ one-twentieth in fourteen years; ~~one-twentieth~~ one-twentieth in fifteen years; ~~one-twentieth~~ one-twentieth in sixteen years; ~~one-twentieth~~ one-twentieth in seventeen years; ~~one-twentieth~~ one-twentieth in eighteen years; ~~and one-twentieth~~ one-twentieth in nineteen years. Each of said installments, including graveling and the construction and replacement of pedestrian walks, plazas, malls, landscaping, lighting systems and permanent facilities used in connection therewith as hereinafter provided, except the first, shall draw interest at a rate not exceeding six per cent per annum from the time of levy until the same shall become delinquent. After the

same shall become delinquent, interest at a rate not exceeding nine per cent per annum shall be paid thereon. Should there be three or more of said installments delinquent and unpaid on the same property the mayor and city council may by resolution declare all future installments on such delinquent property to be due on a future fixed date. The resolution shall set forth the description of the property and the names of its record title owners and shall provide that all future installments shall become delinquent upon the date fixed. A copy of such resolution shall be published one time each week for not less than twenty days in a legal newspaper of general circulation published in the city and after the fixed date such future installments shall be deemed to be delinquent and the city may proceed to enforce and collect the total amount due and all future installments. As to assessments for graveling alone and without guttering or curbing, one-third of the total amount assessed against each lot or parcel of land shall become delinquent in fifty days after the date of the levy of the same, one-third in one year, and one-third in two years. ~~As to assessments for the construction and replacement of pedestrian walks, plazas, malls, landscaping, lighting systems and permanent facilities used in connection therewith, one-twentieth of the total amount assessed against each lot or parcel of land shall become delinquent in fifty days after the date of levy of the same, one-twentieth in one year, one-twentieth in two years, one-twentieth in three years, one-twentieth in four years, one-twentieth in five years, one-twentieth in six years, one-twentieth in seven years, one-twentieth in eight years, one-twentieth in nine years, one-twentieth in ten years, one-twentieth in eleven years, one-twentieth in twelve years, one-twentieth in thirteen years, one-twentieth in fourteen years, one-twentieth in fifteen years, one-twentieth in sixteen years, one-twentieth in seventeen years, one-twentieth in eighteen years and one-twentieth in nineteen years.~~

Sec. 2. That section 16-691.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-691.01. Any surplus funds remaining in the hands of the city treasurer, to the credit of said various funds, may be invested by the board of public works, with the approval of the mayor and council, in accordance with the provisions of sections 16-712, and 16-713, and 16-715, in interest-bearing securities of the State of Nebraska or any political subdivision thereof, certificates of deposit of banks which are members of the Federal Deposit Insurance Corporation, or in interest-bearing securities of the United States upon an

order for that purpose drawn by the board of public works upon the city treasurer. Such securities may be purchased, sold or hypothecated by the board of public works with the approval of the mayor and city council, at their fair market value, and the interest earned by such securities shall be credited to the account of the utility from which the funds paid for the securities were originally drawn; Provided, in cities which have not conferred upon any board of public works the active direction and supervision of such system of waterworks, power plant, sewerage, and heating or lighting plant, the powers and duties hereby conferred upon the board of public works as to the purchase, sale, and hypothecation of said securities shall be exercised by the city treasurer of such city. Securities so purchased shall be held by the city treasurer, who shall provide adequate bond for their safekeeping. When sold, the treasurer shall deliver the same to the purchaser and collect the sale price.

Sec. 3. That original sections 16-622 and 16-691.01, 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.