

LEGISLATIVE BILL 1261

Approved by the Governor March 21, 1972

Introduced by Irving F. Wiltse, 1st District

AN ACT to amend sections 18-1401 and 18-1615, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages, all; to increase the maximum that may be expended; to increase powers in acquiring real estate as prescribed; and to repeal the original sections.
 Be it enacted by the people of the State of Nebraska,

Section 1. That section 18-1401, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

18-1401. The city commissioners or council of any city, the board of trustees of any village, and the county board of any county in the state shall have the power to appropriate or expend annually from the general funds or from revenue received from any proprietary functions of their respective political subdivision an amount not to exceed ~~one-tenth of~~ one per cent of the assessed valuation of the city, village, or county for the purpose of encouraging immigration, new industries, and investment and to conduct and carry on a publicity campaign, including a publicity campaign conducted for the purpose of acquiring from any source a municipal electrical distribution system, exploiting and advertising the various agricultural, horticultural, manufacturing, commercial, and other resources, including utility services, of the city, village, or county, purchasing real estate suitable for industrial development, acquiring options on real estate suitable for industrial development, and renewing or extending such options, paying for such real estate or options with funds provided for in this section, with the amounts paid for any such option to be taken as part payment of the purchase price of any such option if the option be exercised. Such sum may be expended directly by the city, village, or county or may be paid to the chamber of commerce or other commercial organization or a similar county organization or multicounty organization or local development corporation to be expended for the purposes herein enumerated under the direction of the board of directors of said organization; Provided, that the total amount levied including the appropriation or expenditure made under this section, shall not exceed the amount limited by law.

Sec. 2. That section 18-1615, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

18-1615. In addition to any other powers which it may now have, each municipality and each county shall have without any other authority the following powers:

(1) To acquire, whether by construction, purchase, devise, gift, or lease, or any one or more of such methods, one or more projects, which shall be located within this state, and may be located within, without, partially within, or partially without the municipality or county;

(2) To lease to others any or all of its projects for such rentals and upon such terms and conditions as the governing body may deem advisable and as shall not conflict with the provisions of sections 18-1614 to 18-1623;

(3) To issue revenue bonds for the purpose of defraying the cost of acquiring or improving any project or projects, including the cost of any real estate previously purchased and used for such project or projects, or the cost of any option in connection with acquiring such property, and to secure the payment of such bonds as provided in sections 18-1614 to 18-1623, which revenue bonds may be issued in two or more series or issues where deemed advisable, and each such series or issue may contain different maturity dates, interest rates, priorities on revenue available for payment of such bonds and priorities on securities available for guaranteeing payment thereof, and such other differing terms and conditions as are deemed necessary and are not in conflict with the provisions of sections 18-1614 to 18-1623; and

(4) To sell and convey any real or personal property acquired as provided by subdivision (1) of this section, and make such order respecting the same as may be deemed conducive to the best interest of the municipality or county; Provided, that such sale or conveyance shall be subject to the terms of any lease but shall be free and clear of any other encumbrance.

No municipality or county shall have the power to (a) operate any project, referred to in this section, as a business or in any manner except as the lessor thereof, (b) lease any project acquired under powers conferred by this section for use principally for commercial feeding of livestock, (c) issue bonds under this section principally for the purpose of financing the construction

or acquisition of commercial feeding facilities for livestock, or (d) acquire any project or any part thereof by condemnation.

Sec. 3. That original sections 18-1401 and 18-1615, Reissue Revised Statutes of Nebraska, 1943, are repealed.