

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 163

Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Blood, 3;
Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

Read first time January 08, 2021

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to political subdivisions; to amend sections
2 18-131, 18-305, 18-306, 18-307, 18-308, 18-309, 18-310, 18-311,
3 18-401, 18-402, 18-403, 18-404, 18-405, 18-407, 18-408, 18-409,
4 18-410, 18-411, 18-412, 18-412.02, 18-412.07, 18-412.08, 18-412.09,
5 18-412.10, 18-413, 18-501, 18-502, 18-503, 18-504, 18-505, 18-506,
6 18-506.01, 18-507, 18-508, 18-509, 18-510, 18-511, 18-512, 18-602,
7 18-603, 18-604, 18-610, 18-611, 18-612, 18-614, 18-617, 18-618,
8 18-619, 18-620, 18-621, 18-622, 18-623, 18-624, 18-625, 18-626,
9 18-627, 18-633, 18-634, 18-635, 18-636, 18-1001, 18-1002, 18-1003,
10 18-1004, 18-1005, 18-1006, 18-1101, 18-1102, 18-1201, 18-1202,
11 18-1203, 18-1204, 18-1205, 18-1206, 18-1207, 18-1215, 18-1216,
12 18-1501, 18-1502, 18-1503, 18-1504, 18-1508, 18-1509, 18-1701,
13 18-1702, 18-1705, 18-1706, 18-1707, 18-1708, 18-1709, 18-1712,
14 18-1713, 18-1714, 18-1716, 18-1718, 18-1721, 18-1722.01, 18-1723,
15 18-1724, 18-1729, 18-1741.03, 18-1743, 18-1748, 18-1750, 18-1752,
16 18-1754, 18-1755, 18-1757, 18-1801, 18-1802, 18-1803, 18-1804,
17 18-1905, 18-1907, 18-1909, 18-1910, 18-1912, 18-1913, 18-1915,
18 18-1919, 18-2003, 18-2004, 18-2005, 18-2123, 18-2124, 18-2131,
19 18-2135, 18-2136, 18-2201, 18-2202, 18-2203, 18-2204, 18-2206,
20 18-2301, 18-2302, 18-2303, 18-2304, 18-2305, 18-2306, 18-2307,
21 18-2308, 18-2309, 18-2310, 18-2311, 18-2312, 18-2313, 18-2314,
22 18-2315, 18-2402, 18-2443, 18-2476, 18-2501, 18-2502, 18-2504,

1 18-2505, 18-2506, 18-2518, 18-2520, 18-2521, 18-2522, 18-2523,
2 18-2524, 18-2525, 18-2526, 18-2527, 18-2528, 18-2529, 18-2530,
3 18-2532, 18-2533, 18-2534, 18-2535, 18-2536, 18-2537, 18-2538,
4 18-2708, 18-2722, 18-2737, 18-2803, 18-2806, 18-2807, 71-3305, and
5 77-3,119, Reissue Revised Statutes of Nebraska, and sections 13-518,
6 16-6,108, 18-132, 18-201, 18-406, 18-601, 18-613, 18-1719, 18-1720,
7 18-1751, 18-1902, 18-2133, 18-2409, 18-2507, 18-2705, 18-2709,
8 18-2717, 18-3001, and 77-2602, Revised Statutes Cumulative
9 Supplement, 2020; to change provisions relating to cities, villages,
10 and metropolitan utilities districts; to change a federal reference;
11 to change and eliminate provisions relating to publication of notice
12 and requirements for application; to name an act; to define and
13 redefine terms relating to initiatives and referendums; to eliminate
14 obsolete provisions regarding cigarette tax revenue; to repeal the
15 Municipal Infrastructure Redevelopment Fund Act; to transfer funds
16 and terminate a fund; to harmonize provisions; to repeal the
17 original sections; and to outright repeal sections 18-2601, 18-2602,
18 18-2603, 18-2604, 18-2605, 18-2606, 18-2607, 18-2608, and 18-2609,
19 Reissue Revised Statutes of Nebraska.

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

1 Section 1. Section 13-518, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 13-518 For purposes of sections 13-518 to 13-522:

4 (1) Allowable growth means (a) for governmental units other than
5 community colleges, the percentage increase in taxable valuation in
6 excess of the base limitation established under section 77-3446, if any,
7 due to improvements to real property as a result of new construction,
8 additions to existing buildings, any improvements to real property which
9 increase the value of such property, and any increase in valuation due to
10 annexation and any personal property valuation over the prior year and
11 (b) for community colleges, the percentage increase in excess of the base
12 limitation, if any, in full-time equivalent students from the second year
13 to the first year preceding the year for which the budget is being
14 determined;

15 (2) Capital improvements means (a) acquisition of real property or
16 (b) acquisition, construction, or extension of any improvements on real
17 property;

18 (3) Governing body has the same meaning as in section 13-503;

19 (4) Governmental unit means every political subdivision which has
20 authority to levy a property tax or authority to request levy authority
21 under section 77-3443 except sanitary and improvement districts which
22 have been in existence for five years or less and school districts;

23 (5) Qualified sinking fund means a fund or funds maintained
24 separately from the general fund to pay for acquisition or replacement of
25 tangible personal property with a useful life of five years or more which
26 is to be undertaken in the future but is to be paid for in part or in
27 total in advance using periodic payments into the fund. The term includes
28 sinking funds under subdivision (13) of section 35-508 for firefighting
29 and rescue equipment or apparatus;

30 (6) Restricted funds means (a) property tax, excluding any amounts
31 refunded to taxpayers, (b) payments in lieu of property taxes, (c) local

1 option sales taxes, (d) motor vehicle taxes, (e) state aid, (f) transfers
2 of surpluses from any user fee, permit fee, or regulatory fee if the fee
3 surplus is transferred to fund a service or function not directly related
4 to the fee and the costs of the activity funded from the fee, (g) any
5 funds excluded from restricted funds for the prior year because they were
6 budgeted for capital improvements but which were not spent and are not
7 expected to be spent for capital improvements, (h) the tax provided in
8 sections 77-27,223 to 77-27,227 beginning in the second fiscal year in
9 which the county will receive a full year of receipts, and (i) any excess
10 tax collections returned to the county under section 77-1776. Funds
11 received pursuant to the nameplate capacity tax levied under section
12 77-6203 for the first five years after a renewable energy generation
13 facility has been commissioned are nonrestricted funds; and

14 (7) State aid means:

15 (a) For all governmental units, state aid paid pursuant to sections
16 60-3,202 and 77-3523 and reimbursement provided pursuant to section
17 77-1239;

18 (b) For municipalities, state aid to municipalities paid pursuant to
19 sections ~~18-2605~~, 39-2501 to 39-2520, 60-3,190, and 77-27,139.04 and
20 insurance premium tax paid to municipalities;

21 (c) For counties, state aid to counties paid pursuant to sections
22 60-3,184 to 60-3,190, insurance premium tax paid to counties, and
23 reimbursements to counties from funds appropriated pursuant to section
24 29-3933;

25 (d) For community colleges, state aid to community colleges paid
26 pursuant to the Community College Aid Act;

27 (e) For educational service units, state aid appropriated under
28 sections 79-1241.01 and 79-1241.03; and

29 (f) For local public health departments as defined in section
30 71-1626, state aid as distributed under section 71-1628.08.

31 Sec. 2. Section 16-6,108, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 16-6,108 The powers granted by sections 16-6,106 to 16-6,109 may be
3 exercised in whole or in part and from time to time as the city council
4 may in its discretion determine but before general obligation bonds are
5 issued for the purposes of sections 16-6,106 to 16-6,109, the city
6 council shall hold a public hearing after three weeks' notice published
7 in a legal newspaper in or of general circulation in such city, and the
8 referendum provisions of the Municipal Initiative and Referendum Act
9 ~~sections 18-2501 to 18-2536~~ shall apply to any ordinance or resolution
10 authorizing issuance of such bonds. The program for implementation of the
11 plan may be adopted and carried out in parts, sections, or stages.

12 Sec. 3. Section 18-131, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-131 Ordinances passed by cities of all classes and villages must
15 be posted, published in a legal newspaper in or of general circulation in
16 the respective cities or villages, or published in book or pamphlet form,
17 as required by their respective charters or general laws.

18 Sec. 4. Section 18-132, Revised Statutes Cumulative Supplement,
19 2020, is amended to read:

20 18-132 (1) The city council of any city or ~~village~~ board of trustees
21 of any village may adopt by ordinance the conditions, provisions,
22 limitations, and terms of a plumbing code, an electrical code, a fire
23 prevention code, a building or construction code, and any other standard
24 code which contains rules and regulations printed as a code in book, ~~or~~
25 pamphlet, or electronic form, by reference to such code, or portions
26 thereof, alone, without setting forth in the ordinance the conditions,
27 provisions, limitations, and terms of such code. When any such code, or
28 portion thereof, has been incorporated by reference into such ordinance,
29 as provided in this section, it shall have the same force and effect as
30 though it had been written in its entirety in such ordinance without
31 further or additional publication thereof.

1 (2) Not less than one copy of such standard code, or portion
2 thereof, shall be kept for use and examination by the public in the
3 office of the city clerk or village clerk prior to the adoption thereof
4 and as long as such standard code is in effect in such city or village.

5 (3) Any building or construction code implemented under this section
6 shall be adopted and enforced as provided in section 71-6406.

7 (4) If there is no ordinance adopting a plumbing code in effect in a
8 city or village, the 2009 Uniform Plumbing Code accredited by the
9 American National Standards Institute shall serve as the plumbing code
10 for all the area within the jurisdiction of the city or village. Nothing
11 in this section shall be interpreted as creating an obligation for the
12 city or village to inspect plumbing work done within its jurisdiction to
13 determine compliance with the plumbing code.

14 Sec. 5. Section 18-201, Revised Statutes Cumulative Supplement,
15 2020, is amended to read:

16 18-201 (1) The mayor and city ~~the~~ council of any city or board of
17 trustees of any village, in addition to other powers granted by law, may
18 by ordinance or resolution provide for direct borrowing from a financial
19 institution for the purposes outlined in this section. Loans made under
20 this section shall not be restricted to a single year and may be repaid
21 in installment payments for a term not to exceed seven years.

22 (2) The mayor and city ~~the~~ council of any city or board of trustees
23 of any village may borrow directly from a financial institution for the
24 (a) purchase of real or personal property, (b) construction of
25 improvements, (c) repair or reconstruction of real or personal property,
26 improvements, or infrastructure damaged as a result of a calamity, (d)
27 provision of public services temporarily disrupted or suspended as a
28 result of a calamity, or (e) refinancing of existing indebtedness upon a
29 certification in the ordinance or resolution authorizing the direct
30 borrowing that:

31 (i) Financing the (A) purchase of real or personal property, (B)

1 construction of improvements, (C) repair or reconstruction of real or
2 personal property, improvements, or infrastructure damaged as a result of
3 a calamity, (D) provision of public services temporarily disrupted or
4 suspended as a result of a calamity, or (E) refinancing of existing
5 indebtedness through traditional bond financing would be impractical;

6 (ii) Financing the (A) purchase of real or personal property, (B)
7 construction of improvements, (C) repair or reconstruction of real or
8 personal property, improvements, or infrastructure damaged as a result of
9 a calamity, (D) provision of public services temporarily disrupted or
10 suspended as a result of a calamity, or (E) refinancing of existing
11 indebtedness through traditional bond financing could not be completed
12 within the time restraints facing the city or village; or

13 (iii) Financing the (A) purchase of real or personal property, (B)
14 construction of improvements, (C) repair or reconstruction of real or
15 personal property, improvements, or infrastructure damaged as a result of
16 a calamity, (D) provision of public services temporarily disrupted or
17 suspended as a result of a calamity, or (E) refinancing of existing
18 indebtedness through direct borrowing would generate taxpayer savings
19 over traditional bond financing.

20 (3) Prior to approving direct borrowing under this section, the city
21 council or board of trustees shall include in any public notice required
22 for meetings a clear notation that an ordinance or resolution authorizing
23 direct borrowing from a financial institution will appear on the agenda.

24 (4)(a) The total amount of indebtedness attributable to any year
25 from direct borrowing under this section shall not exceed:

26 (i) For any a city of the metropolitan class, city of the primary
27 class, or city of the first class, ten percent of the municipal budget of
28 the city; and

29 (ii) For any city of the second class or village, twenty percent of
30 the municipal budget of the city or village.

31 (b) For purposes of this subsection, (i) the amount of any loan

1 which shall be attributable to any year for purposes of the limitation on
2 the total amount of indebtedness from direct borrowing is the total
3 amount of the outstanding loan balance divided by the number of years
4 over which the loan is to be repaid and (ii) the amount of indebtedness
5 from any direct borrowing shall only be measured as of the date the
6 ordinance or resolution providing for such direct borrowing is adopted.

7 (5) Prior to approving direct borrowing under this section, a
8 municipality shall consider, to the extent possible, proposals from
9 multiple financial institutions.

10 (6) For purposes of this section:

11 (a) Calamity means a disastrous event, including, but not limited
12 to, a fire, an earthquake, a flood, a tornado, or other natural event
13 which damages real or personal property, improvements, or infrastructure
14 of a city or village or which results in the temporary disruption or
15 suspension of public services provided by a city or village; and

16 (b) Financial institution means a state-chartered or federally
17 chartered bank, savings bank, building and loan association, or savings
18 and loan association.

19 Sec. 6. Section 18-305, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 18-305 It shall be unlawful for any telephone company to furnish to
22 any elected or appointed officer of any city or village in this state,
23 ~~whether such officer be elective or appointive,~~ a telephone free of
24 charge, or for a price less than is charged other customers for similar
25 service, or for any such officer to accept such telephone or telephone
26 service free of charge, or at a ~~less price~~ less than shall be charged to
27 other customers for similar service. Any violation of this section by a
28 telephone company shall be a Class III misdemeanor, and the officer or
29 agent of any such telephone company acting or assisting in such violation
30 shall be guilty of a Class III misdemeanor. Any violation of this section
31 by any officer of any such city or village shall be a Class III

1 misdemeanor, ~~;~~ and the officer ~~he or she~~ shall upon conviction forfeit
2 the office held by him or her at the time of committing such offense.

3 Sec. 7. Section 18-306, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-306 It shall be unlawful for any person, partnership, limited
6 liability company, or corporation engaged in furnishing in any city or
7 village in this state artificial light, such as electric light, gas
8 light, or light from oil, to furnish light to any elected or appointed
9 ~~officer, either elective or appointive,~~ in any city or village in which
10 such person, partnership, limited liability company, or corporation is
11 engaged in furnishing such lights, free or for a less price less than is
12 charged other customers in such city or village for similar services. Any
13 violation of this section shall be a Class III misdemeanor. Each day any
14 service is furnished or accepted in violation of this section shall be
15 considered as a separate offense and punished accordingly.

16 Sec. 8. Section 18-307, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-307 If any elected or appointed officer, ~~either elective or~~
19 ~~appointive~~ in any city or village in this state, accepts free of charge
20 or for a price less than is charged other customers for similar services
21 in such city or village electric ~~, any light or lights from any lighting~~
22 ~~company or services from any electric utility such lighting company or~~
23 from any person, partnership, or limited liability company which provides
24 electric service in such city or village ~~so engaged,~~ such officer shall
25 be guilty of a Class III misdemeanor and shall also forfeit the office
26 held by him or her at the date of such offense.

27 Sec. 9. Section 18-308, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 18-308 Any water company engaged in furnishing water in any city or
30 village in this state and any person, corporation, partnership, or
31 limited liability company engaged in such services who furnishes to any

1 ~~elected or appointed officer, either elective or appointive,~~ in such city
2 or village, water free of charge or for a price less than is at the time
3 charged for similar service to other customers in such city or village
4 shall be guilty of a Class III misdemeanor. If any officer in any such
5 city or village accepts free of charge or for a price less than is
6 charged to other customers in such city or village any of the services
7 mentioned in this section, such officer shall be guilty of a Class III
8 misdemeanor and shall also forfeit the office held by him or her at the
9 date of such violation. Each day such service or services are furnished
10 or accepted in violation of this section shall constitute a separate and
11 distinct offense and shall be punished accordingly.

12 Sec. 10. Section 18-309, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-309 No person shall be excused from attending and testifying or
15 producing books and papers, in any prosecution under sections 18-305 to
16 18-309, for the reason that the required testimony, documentary or
17 otherwise, ~~required of him,~~ may tend to incriminate such person ~~him~~ or
18 subject such person ~~him~~ to a penalty or forfeiture. No ; but no person
19 shall be prosecuted or subjected to any penalty or forfeiture for or on
20 account of any transaction, matter, or thing concerning which such person
21 ~~he~~ may testify or produce evidence, documentary or otherwise, in any
22 prosecution under such the provisions of said sections, except that ;
23 ~~Provided,~~ no person so testifying shall be exempt from prosecution for
24 perjury committed in so testifying.

25 Sec. 11. Section 18-310, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-310 The Legislature finds and declares that it is ~~It is hereby~~
28 ~~declared to be~~ detrimental to good government and the best interests of
29 the state to permit payment to any person, firm, or corporation of fees
30 or compensation in any form, other than regular salaries of duly elected
31 or appointed officers of a city or village, for services rendered to a

1 city or village contingent or dependent upon the outcome of any municipal
2 election.

3 Sec. 12. Section 18-311, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-311 It shall be unlawful for the mayor and city council of any
6 city, or the chairperson ~~chairman~~ and board of trustees of any village,
7 to contract with, retain, or employ any person, firm, or corporation upon
8 the basis that the amount of the fees or compensation to be paid shall be
9 contingent or depend, in whole or in part, upon the outcome of any
10 municipal election.

11 Sec. 13. Section 18-401, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 18-401 In all cities, villages, or metropolitan utilities districts
14 owning or operating a waterworks system, sanitary sewerage system, storm
15 sewer system, gas plant, or other public utility plant and in which
16 water, gas, or other public utility is supplied by municipal authority
17 for domestic, mechanical, public, or other purposes, or sewage and storm
18 water disposal, or other services furnished, the authorities having
19 general charge, supervision, and control of all matters pertaining to the
20 water, gas, or other public utility supplied by any city, village, or
21 metropolitan utilities district, or the furnishing of any public service
22 such as sewage and storm water disposal, shall have the power and
23 authority, ~~whenever they deem it proper and necessary so to do,~~ to create
24 a water main ~~water-main~~ district, gas main district, sanitary sewer
25 district, storm water disposal district, or other public utility
26 district, as the case may be, either within or without the corporate
27 limits of the city, village, or metropolitan utilities district ~~political~~
28 ~~subdivision~~ involved, and to order and cause to be made extensions or
29 enlargements of water mains, sanitary sewers, storm water disposal mains,
30 gas mains, or other public utility service through such public utility
31 district, except that nothing contained in this section shall be

1 construed as authorizing the creation of any such public utility district
2 outside of the corporate limits of a city of the primary class.

3 Sec. 14. Section 18-402, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-402 Any water main district, gas main district, sanitary sewer
6 district, storm water disposal district, Such water or gas main districts
7 or other public utility district as provided in section 18-401 service
8 districts shall be created by ordinance, if such public utility district
9 is created the power be exercised, by a city or village, or by resolution
10 of the board of directors of a metropolitan utilities district if such
11 public utility district is created by a metropolitan utilities district
12 the body having authority and control over the operation of said
13 respective public utilities.

14 Sec. 15. Section 18-403, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 18-403 Upon the passage of an ordinance or resolution under section
17 18-402 , as the case may be, creating a water main district, gas main
18 district, sanitary sewer district, storm water disposal district, or
19 other public utility service district or ordering the extension or
20 enlargement of a water main, gas main, or other public utility service
21 through such district, it shall be the duty of the city council or
22 village board of trustees council which passed the ordinance or of the
23 board of directors of the metropolitan utilities district other public
24 utility authority which passed the such resolution creating such district
25 to cause a notice to be published in a legal newspaper in or of general
26 circulation in such city or village the official paper of the city or
27 village, as the case may be, or in the principal city within the
28 metropolitan utilities district, addressed generally to the owners of the
29 real estate within such the water main, gas main, or other public utility
30 district, notifying them of the creation of the district and of the
31 ordering of the extension or enlargement of the water main, gas main, or

1 other public utility service within such district and further notifying
2 the owners of the real estate that they have thirty days from and after
3 such publication to file with such city council, village board of
4 trustees, or board of directors ~~or other public authority, as the case~~
5 ~~may be,~~ their written protest against the creation of the district and of
6 the extension or enlargement of the water main, gas main, or other public
7 utility service so ordered.

8 Sec. 16. Section 18-404, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 18-404 If within ~~the~~ thirty days there is filed, as provided in
11 section 18-403, a written protest signed by the record owners of a
12 majority of the foot frontage of taxable property in a water main
13 district, gas main district, sanitary sewer district, storm water
14 disposal district, or other public utility ~~such~~ district, then the filing
15 of such protest shall operate as a repeal or rescission of the ~~such~~
16 ordinance or resolution creating such district, but if no such protest is
17 filed within ~~the~~ thirty days, then the city power of the council, village
18 board of trustees, or board of directors ~~or other authority in the~~
19 ~~premises shall be deemed complete, and it shall be its duty to proceed to~~
20 contract for and on ~~in~~ behalf of such city, village, or metropolitan
21 utilities district for the extension or enlargement of the main or
22 utility service so ordered or to make such extension or enlargement ~~with~~
23 ~~its own forces.~~

24 Sec. 17. Section 18-405, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-405 Upon the completion of an extension or enlargement of any
27 water or gas main or other utility service in a water main district, gas
28 main district, sanitary sewer district, storm water disposal district, or
29 other public utility district created pursuant to section 18-401 ~~any such~~
30 ~~district~~, the actual cost of such extension or enlargement thereof shall
31 be duly certified to the city council, village board of trustees, or

1 ~~board of directors of a such city, village, or~~ metropolitan utilities
2 district when done by contract, but when done by utilizing the equipment
3 and employees of any such city, village, or metropolitan utilities
4 district, the average cost, based upon the average cost per foot to such
5 city, village, or metropolitan utilities district in the previous
6 calendar year, of installing water or gas distribution mains, as the case
7 may be, shall be thus certified. ~~Such city Thereupon it shall be the duty~~
8 ~~of such council, village board of trustees, or board of directors shall~~
9 ~~to~~ assess, to the extent of special benefits, the cost, not exceeding the
10 actual cost or average cost, as the case may be, of installing such water
11 main, ~~or gas main,~~ or other utility service, upon all real estate in such
12 ~~the~~ district, in proportion to the frontage of the real estate upon the
13 main or utility service. The cost of any such extension or enlargement in
14 excess of the actual or average cost of installing the water main, ~~or gas~~
15 main, or other utility service, ~~as the case may be, heretofore~~ authorized
16 to be assessed and levied against the real estate in such ~~the~~ district
17 shall be paid out of the water fund, ~~or gas fund,~~ or other utility fund,
18 ~~as the case may be,~~ of such city, village, or metropolitan utilities
19 district, if there is such a fund, and if such city or village has no
20 water fund, ~~or gas fund,~~ or other utility fund, then the costs ~~same~~ shall
21 be paid out of the general fund. No real estate in any city, village, or
22 metropolitan utilities district shall be subject to more than one special
23 tax assessment for the same extension or enlargement of water mains, ~~or~~
24 gas mains, or other utility service.

25 Sec. 18. Section 18-406, Revised Statutes Cumulative Supplement,
26 2020, is amended to read:

27 18-406 The special assessment provided in section 18-405 shall be
28 paid in ten installments. The first installment, or one-tenth of the
29 assessment, shall become due and delinquent fifty days after the date of
30 levy, and one-tenth of such assessment shall become due and delinquent
31 each year thereafter, counting from the date of levy, for nine years. The

1 special assessment shall bear interest at a rate not to exceed the rate
2 of interest specified in section 45-104.01, as such rate may from time to
3 time be adjusted by the Legislature, prior to delinquency, and at the
4 rate specified in section 45-104.01, as such rate may from time to time
5 be adjusted by the Legislature, after delinquency. Prior to the levy of
6 the special assessment as provided in section 18-405, such assessment
7 shall be equalized in the same manner as provided by law for the
8 equalization of special assessments levied in the city or village that
9 levied such special assessment, or in such cities, such villages, and the
10 city of the metropolitan class within the such metropolitan utilities
11 district that levied such special assessment.

12 Sec. 19. Section 18-407, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-407 If a petition is filed, signed by the owners of a majority of
15 the front footage of real estate within a the proposed water or gas main
16 district, gas main district, sanitary sewer district, storm water
17 disposal district, or other public utility service district, which
18 petition shall contain the consent of the owners of such the said real
19 estate for the installation of gas mains or water mains of sizes
20 designated by the city said council, village board of trustees, or board
21 of directors of a metropolitan utilities district and inserted in such
22 said petition, or of other utility service, then such said water or gas
23 main district, gas main district, sanitary sewer district, storm water
24 disposal district, or other public utility service district, shall be
25 created, ÷ and the entire cost of laying such said water main, or gas
26 main, or other utility service, shall be assessed and collected as
27 provided in sections 18-405 to 18-410. The city council, village board of
28 trustees, or board of directors governing body shall have the discretion
29 to deny the formation of the proposed district when the area to be
30 improved has not previously been improved with a water system, sewer
31 system, and grading of streets. If the city council, village board of

1 ~~trustees, or board of directors governing body~~ should deny a requested
2 district formation, it shall state the grounds for such denial in a
3 written letter to interested parties.

4 Sec. 20. Section 18-408, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-408 After the levy of a such special assessment tax and the
7 extension of such assessment tax ~~upon the tax record~~ against the real
8 estate in such water ~~or gas main district, gas main district, sanitary~~
9 sewer district, storm water disposal district, or other public utility
10 ~~service~~ district, the city council, village board of trustees, or board
11 of directors of a metropolitan utilities district ~~or other authority~~
12 having charge, supervision, and control of all matters pertaining to the
13 water or gas supply or other utility service of such city, village, or
14 metropolitan utilities district shall have the power to issue or cause to
15 be issued against the fund so created special warrants payable out of the
16 funds, which warrants shall be delivered to the contractor in payment of
17 the money due him or her under his or her contract for the extension or
18 enlargement of the water or gas main or other utility service, as the
19 case may be, to cover the cost for which the special assessments taxes
20 were levied.

21 Sec. 21. Section 18-409, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 18-409 The city council, village board of trustees, or board of
24 directors of a metropolitan utilities district ~~or other authority~~ in the
25 city, village, or metropolitan utilities district in this state having
26 general charge, supervision, and control of all matters pertaining to the
27 water or gas supply or other utility service of such city, village, or
28 metropolitan utilities district may by resolution elect and determine to
29 proceed under ~~the provisions of~~ sections 18-401 to 18-411 in the matter
30 of ordering and making and causing to be made extensions or enlargements
31 of water or gas mains or other utilities service in such cities,

1 villages, or metropolitan utilities districts but are not required to do
2 so.

3 Sec. 22. Section 18-410, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-410 Any metropolitan utilities district is hereby given power to
6 extend water mains, gas mains, and other utility service under its
7 operation and management beyond the corporate limits of the city of the
8 metropolitan class so as to include adjacent territory, sanitary and
9 improvement districts, unincorporated areas, cities ~~towns~~, or villages,
10 even though in an adjoining county or counties, and may create such water
11 main districts, gas main districts, sanitary sewer districts, storm water
12 disposal districts, and other public utility service districts within
13 such adjacent sanitary and improvement districts, unincorporated areas,
14 cities, ~~towns~~, and villages, even though located in an adjoining county
15 or counties. When such water main districts ~~mains~~, gas main districts,
16 sanitary sewer districts, storm water disposal districts ~~mains~~, or other
17 public utility service districts are created in an adjoining county or
18 counties, the special assessment tax levy in such districts shall be
19 certified to the county treasurer of such adjoining county or counties,
20 as the case may be, and shall there be entered of record against the
21 proper real estate ~~so taxed~~. It shall be the duty of the county treasurer
22 of the adjoining county or counties, as the case may be, to collect the
23 assessments taxes and as collected to report and transmit such
24 assessments taxes to the metropolitan utilities district.

25 Sec. 23. Section 18-411, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-411 Sections 18-401 to 18-410 shall not be construed as a
28 restriction upon the powers of cities, other than a city of not in the
29 metropolitan class, which have adopted or may hereafter adopt a home rule
30 charter under the ~~state~~ Constitution of Nebraska nor as a limitation upon
31 any provision in such charter or any amendments to such charter thereof.

1 Sec. 24. Section 18-412, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-412 Supplemental to any existing law on the subject, and in lieu
4 of the issuance of general obligation bonds, or the levy of taxes upon
5 property, as provided by law~~provided~~, any city or village within the
6 State of Nebraska may construct, purchase, or otherwise acquire,
7 maintain, extend, or enlarge, an electric light and power plant,
8 distribution system, and transmission lines, and real and personal
9 property needed or useful in connection therewith, and pay the cost
10 thereof by pledging and hypothecating the revenue and earnings of any
11 electric light and power plant, distribution system, and transmission
12 lines, owned or to be owned by such city or village. In the exercise of
13 the authority granted in this section, any such city or village may issue
14 and sell revenue bonds or debentures and enter into such contracts in
15 connection therewith as may be proper and necessary. Such revenue bonds
16 or debentures shall be a lien only upon the revenue and earnings of the
17 electric light and power plant, distribution system, and transmission
18 lines owned or to be owned by such city or village. No revenue bonds
19 shall be issued until thirty days' notice of the proposition relating
20 thereto shall have been given by the governing body of such city or
21 village by publication once each week for three successive weeks in a
22 some legal newspaper in or published~~and~~ of general circulation in such
23 city or village, or if no such newspaper is published~~therein~~, then by
24 posting in five or more public places in such city or village ~~therein~~.
25 If, within thirty days after the last publication of such notice or
26 posting thereof, a referendum petition signed by qualified electors of
27 such city or village equal in number to at least twenty percent of the
28 vote cast at the last general municipal election held in such city or
29 village ~~therein~~ shall be filed with the city municipal clerk or village
30 clerk, such bonds shall not be issued until the issuance thereof has been
31 approved by a vote of the electors of such city or village ~~municipality~~

1 at any general or special municipal election. If a majority of the voters
2 voting on the issue vote against issuing such bonds, the bonds shall not
3 be issued. If no such petitions are filed, the bonds shall be issued at
4 the expiration of such thirty-day period. No publication of notice shall
5 be required when revenue bonds are issued solely for the maintenance,
6 extension, or enlargement of any electric generating plant, distribution
7 system, or transmission lines owned by such city or village. The
8 provisions of this section shall not restrict or limit the power or
9 authority in the issuance of any such revenue bonds, as authorized by any
10 home rule charter duly adopted by the electors or any city pursuant to
11 the Constitution of ~~the State of~~ Nebraska.

12 Sec. 25. Section 18-412.02, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-412.02 If requested to do so at any time hereafter by a city or
15 village, any public power district or public power and irrigation
16 district, formed after May 4, 1945, and providing electrical service at
17 retail to a city of the metropolitan class, owning a distribution system
18 in such city or village and also owning generating plants and
19 transmission lines or both, shall inform the city or village of the
20 minimum price at which the district is permitted to sell that portion of
21 its distribution system within the corporate limits of such city or
22 village to such city or village under the agreements of the district
23 entered into with the holders of obligations issued by such district. For
24 ~~the~~ purposes of this section, the term obligations shall include all
25 bonds, notes, and other evidences of indebtedness to the payment of which
26 the revenue from that portion of the distribution system such city or
27 village desires to acquire has been pledged. There shall be allowed as a
28 credit upon such minimum price a sum that bears the same proportion
29 thereto as the amount of such obligations that have been paid or redeemed
30 and funded reserves established therefor by the district out of the net
31 revenue from its operation while such city or village was within such

1 district bears to the total amount of such obligations issued by the
2 district since the date of its formation, excluding the amount of such
3 obligations that have been refinanced and including the amount of the
4 refinancing obligations. Such city or village shall reimburse the
5 district for any costs necessarily paid by the district to independent
6 engineers to obtain the minimum price under such agreements with the
7 holders of the obligations of the district. At the request of the city or
8 village, the district shall sell and convey that portion of the
9 distribution system which is within its corporate limits to the city or
10 village upon payment of such minimum price, and the city or village shall
11 contract to continue to purchase all of its power and energy requirements
12 from the district at least until such time as all obligations of the
13 district outstanding on the date of such sale and conveyance shall have
14 been fully paid and retired or reserves sufficient for the redemption
15 thereof shall have been accumulated, but such transaction shall not be
16 consummated nor become effective until thirty days' notice of the
17 transaction shall have been given by the city council or village board of
18 trustees governing body by publication once each week for three
19 successive weeks in some legal newspaper in or published and of general
20 circulation in such city or village, or if no such newspaper is published
21 ~~therein~~, then by posting in five or more public places in such city or
22 village therein. If, within ninety days after the last publication of
23 such notice or posting thereof, referendum petitions signed by qualified
24 electors of such city or village equal in number to at least twenty
25 percent of the vote cast at the last general municipal election held in
26 such city or village therein shall be filed with the city municipal clerk
27 or village clerk, such transaction shall not become effective until it
28 has been approved by a vote of the electors of such city or village
29 ~~municipality~~ at any general or special municipal election. If a majority
30 of the voters voting on the issue vote against such transaction, the
31 transaction shall not become effective. If no such petitions are filed,

1 the transaction shall become effective at the expiration of such ninety-
2 day period. The public power district or public power and irrigation
3 district shall charge fair, reasonable, and nondiscriminatory rates so
4 adjusted as, in a fair and equitable manner, to confer upon and
5 distribute among its customers the benefits of a successful and efficient
6 operation and conduct of the business of the district.

7 Sec. 26. Section 18-412.07, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-412.07 The Legislature finds and declares that it is ~~It is~~
10 ~~hereby declared to be~~ in the public interest of the State of Nebraska
11 that cities and villages of this state be empowered to participate
12 jointly or in cooperation with public power districts and public power
13 and irrigation districts and other public agencies in the establishment
14 and operation of facilities for the generation or transmission of
15 electric power and energy located within or outside this state in order
16 to achieve economies and efficiencies in meeting the future electric
17 energy needs of the people of the State of Nebraska. In furtherance of
18 such need and in addition to but not in substitution for any other powers
19 granted cities and villages of this state, each city and village which
20 owns or operates electrical facilities shall have and may exercise its
21 power and authority to plan, finance, acquire, construct, own, operate,
22 maintain, improve, and decommission electric generation or transmission
23 facilities located within or outside this state jointly and in
24 cooperation with one or more such public power districts, public power
25 and irrigation districts, other cities or villages of this state which
26 own or operate electrical facilities, municipal corporations, or other
27 governmental entities of other states which operate electrical
28 facilities. The powers granted under this section may be exercised with
29 respect to any electric generation or transmission facility jointly with
30 the powers granted under any other provision of sections 18-412.07 to
31 18-412.09 and 70-628.02 to 70-628.04.

1 Sec. 27. Section 18-412.08, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-412.08 The Legislature finds and declares that it is ~~It is~~
4 ~~hereby declared to be~~ in the public interest of the State of Nebraska
5 that cities and villages of this state be empowered to participate
6 jointly and in cooperation with one or more electric cooperatives or
7 electric membership corporations organized under the laws of this state
8 or any other state in the establishment and operation of facilities for
9 the generation or transmission of electric power and energy in order to
10 achieve economies and efficiencies in meeting the future electric energy
11 needs of the people of the State of Nebraska. In furtherance of such end
12 and in addition to, but not in substitution for, any other powers granted
13 such cities and villages of this state, each city or village which owns
14 or operates electrical facilities shall have and may exercise such power
15 and authority to plan, finance, acquire, construct, own, operate,
16 maintain, improve, and decommission electric generation or transmission
17 facilities located in this state jointly and in cooperation with one or
18 more electric cooperatives or electric membership corporations organized
19 under the laws of this state or any other state, and each city or village
20 shall have and may exercise such power and authority with respect to
21 electric generation or transmission facilities located outside this state
22 jointly or in cooperation with one or more electric cooperatives or
23 electric membership corporations organized under the laws of this state
24 or any other state. The powers granted under this section may be
25 exercised with respect to any electric generation or transmission
26 facility jointly with the powers granted under any other provisions of
27 sections 18-412.07 to 18-412.09 and 70-628.02 to 70-628.04.

28 Sec. 28. Section 18-412.09, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 18-412.09 Any city or village participating jointly and in
31 cooperation with others in an electric generation or transmission

1 facility may own an undivided interest in such facility and be entitled
2 to the share of the output or capacity of such facility therefrom
3 attributable to such undivided interest. Such city or village may enter
4 into an agreement or agreements with respect to each such electric
5 generation or transmission facility with the other participants in such
6 facility ~~therein~~, and any such agreement shall contain such terms,
7 conditions, and provisions consistent with the provisions of sections
8 18-412.07 to 18-412.10 as the governing body of such city or village
9 shall deem to be in the interests of such city or village. The agreement
10 may include, but not be limited to, provision for the construction,
11 operation, maintenance, and decommissioning of such electric generation
12 or transmission facility by any one of the participants, which shall be
13 designated in or pursuant to such agreement as agent, on behalf of itself
14 and the other participants or by such other means as may be determined by
15 the participants and provision for a uniform method of determining and
16 allocating among participants costs of construction, operation,
17 maintenance, renewals, replacements, decommissioning, and improvements
18 with respect to such facility. In carrying out its functions and
19 activities as such agent with respect to construction, operation,
20 maintenance, and decommissioning of such a facility, including without
21 limitation the letting of contracts therefor, such agent shall be
22 governed by the laws and regulations applicable to such agent as a
23 separate legal entity and not by any laws or regulations which may be
24 applicable to any of the other participants. Notwithstanding the
25 provisions of any other law to the contrary, pursuant to the terms of any
26 such agreement in which or pursuant to which a public power district, ~~or~~
27 a public power and irrigation district, ~~or~~ a city or village of this
28 state shall be designated as the agent thereunder for the construction,
29 operation, maintenance, and decommissioning of such a facility, each of
30 the participants may delegate its powers and duties with respect to the
31 construction, operation, maintenance, and decommissioning of such

1 facility to such agent, and all actions taken by such agent in accordance
2 with the provisions of such agreement shall be binding upon each of such
3 participants without further action or approval by their respective
4 boards of directors or governing bodies. Such agent shall be required to
5 exercise all such powers and perform its duties and functions under such
6 agreement in a manner consistent with prudent utility practice. As used
7 in this section, prudent utility practice shall mean any of the
8 practices, methods, and acts at a particular time which, in the exercise
9 of reasonable judgment in the light of the facts, including, but not
10 limited to, the practices, methods, and acts engaged in or approved by a
11 significant portion of the electrical utility industry prior thereto,
12 known at the time the decision was made, would have been expected to
13 accomplish the desired result at the lowest reasonable cost consistent
14 with reliability, safety, and expedition. Unless specifically contracted
15 otherwise by written agreement, no city or village shall become liable
16 for and pay for any costs, expenses, or liabilities attributable to the
17 undivided interest of any other participant in such electric generation
18 or transmission facility, and unless specifically contracted otherwise by
19 written agreement, no funds of such city or village may be used for any
20 such purpose.

21 Sec. 29. Section 18-412.10, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 18-412.10 If a city or village proposes to, and during such time as
24 such ~~the~~ city and village shall, plan, finance, acquire, construct, own,
25 operate, maintain, improve, and decommission jointly and in cooperation
26 with others as contemplated by sections 18-412.07 to 18-412.10 facilities
27 for the generation or transmission of electric power and energy located
28 or to be located outside this state, such city or village may comply with
29 all laws of the United States and of the state in which the facilities
30 are or are to be located applicable to such facilities or applicable to
31 any of such ~~the foregoing~~ activities or applicable to the performance of

1 any of such activities across state boundaries or in such state,
2 including, ~~without limiting the generality of the foregoing,~~ submitting
3 itself to any governmental body, board, commission, or agency having
4 jurisdiction over such facilities or over any of such activities or over
5 the performance of such activities and applying for and carrying out of
6 all licenses, certificates, or other approvals required by such laws in
7 order to enable the city or village to carry out the provisions of
8 sections 18-412.07 to 18-412.10.

9 Sec. 30. Section 18-413, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-413 Any city or village in this state erecting, constructing, or
12 maintaining a system of waterworks, or part of a system of waterworks,
13 outside ~~without~~ its corporate limits, is hereby granted the right-of-way
14 along any of the public roads of the state, along any of the streets and
15 alleys of any ~~village or city or village~~ village within the state, and over and
16 through any of the lands which are the property of the state, for the
17 laying, constructing, and maintaining of water mains, conduits, and
18 aqueducts for the purpose of transporting or conveying water from such
19 system of waterworks, or part of such system of waterworks, to such city
20 or village erecting the same. Such city or village is hereby granted such
21 right-of-way for the further purpose of erecting and maintaining all
22 necessary poles, ~~and~~ wires, or conduits, for the purpose of transporting,
23 transmitting, or conveying electric current from such city or village to
24 such system of waterworks, or part of such system of waterworks, for
25 power and light purposes. In ; ~~Provided, however, that such city in~~
26 constructing such water mains, conduits, and aqueducts for transporting
27 water, and such poles, wires, and conduits for transmitting electric
28 current along the streets or alleys of any other city or village, such
29 city or village ~~as aforesaid,~~ shall construct and locate the same in
30 accordance with existing ordinances of such other ~~village or city or~~ or
31 village pertaining thereto, and shall be liable for any damage caused

1 thereby. Such ; ~~provided further, that~~ poles and wires shall be
2 constructed so as not to interfere with the use of the public roadway,
3 and such ~~said~~ wires shall be placed at a height not less than twenty feet
4 above all road crossings.

5 Sec. 31. Section 18-501, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-501 (1) Any city or village in this state is hereby authorized to
8 own, construct, equip, and operate, either within or without the
9 corporate limits of such city or village municipality, a sewerage system,
10 including any storm sewer system or combination storm and sanitary sewer
11 system, and plant or plants for the treatment, purification, and disposal
12 in a sanitary manner of the liquid and solid wastes, and sewage, ~~and~~
13 ~~right soil~~ of such city or village municipality or to extend or improve
14 any existing storm sewer system, ~~or~~ sanitary sewer system, or combination
15 storm and sanitary sewer system.

16 (2) Any city or village shall have authority to acquire by gift,
17 grant, purchase, or condemnation necessary lands for the construction of
18 a sewerage system therefor, either within or without the corporate limits
19 of such city or village municipality.

20 (3) For the purpose of owning, operating, constructing, maintaining,
21 and equipping a such sewage disposal plant and sewerage system, including
22 any storm sewer system or combination storm and sanitary sewer system,
23 referred to in subsections (1), (2), and (4) of this section, or
24 improving or extending such existing system, any city or village is
25 authorized and empowered to make a special levy of not to exceed three
26 and five-tenths cents on each one hundred dollars upon the taxable value
27 of all the taxable property within any such city or village municipality.
28 The proceeds of the tax may be used for any of the purposes enumerated in
29 this section and for no other purpose.

30 (4) In the event the present or proposed sewage disposal system of
31 any city or village does not comply with the provisions of any other law

1 relating to sewer systems, sewage disposal, or water pollution, such city
2 or village shall levy each year a tax of seven cents on each one hundred
3 dollars of taxable valuation for such purpose until sufficient funds are
4 available for the financing of a system in compliance with law. In the
5 event any city or village is otherwise raising funds for such purpose,
6 equivalent to such a levy, such city or village ~~it~~ shall not be required,
7 in addition thereto, to make such levy.

8 Sec. 32. Section 18-502, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 18-502 For the purpose of owning, operating, constructing, and
11 equipping ~~a such~~ sewage disposal plant or sewerage system or improving or
12 extending such existing system as provided in section 18-501, a city or
13 village municipality may issue revenue bonds therefor. Such revenue
14 bonds, as provided in this section, shall not impose any general
15 liability upon the city or village municipality but shall be secured only
16 by the revenue ~~as hereinafter provided~~ of such utility as provided in
17 section 18-504. Such revenue bonds shall be sold for not less than par
18 and bear interest at a rate set by the governing body ~~city council~~. The
19 amount of such revenue bonds, either issued or outstanding, shall not be
20 included in computing the maximum amount of bonds which such city or
21 village ~~the said municipality~~ may be authorized to issue under its
22 charter or any statute of this state.

23 Sec. 33. Section 18-503, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-503 The governing body of a city or village which owns,
26 constructs, equips, or operates a sewage disposal plant or sewerage
27 system pursuant to section 18-501 ~~such municipality~~ may make all
28 necessary rules and regulations governing the use, operation, and control
29 of such system ~~thereof~~. The governing body may establish just and
30 equitable rates or charges to be paid to it for the use of such disposal
31 plant and sewerage system by each person, firm, or corporation whose

1 premises are served by such system ~~thereby~~. If the service charge so
2 established is not paid when due, such sum may be recovered by the city
3 or village municipality in a civil action, or it may be certified to the
4 tax assessor and assessed against the premises served, and collected or
5 returned in the same manner as other municipal taxes are certified,
6 assessed, collected, and returned.

7 Sec. 34. Section 18-504, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-504 (1) Revenue bonds which are issued, as provided in section
10 18-502, shall not be a general obligation of the city or village
11 municipality, but shall be paid only out of the revenue received from the
12 service charges as provided in section 18-503.

13 (2) If a service rate is charged, as a part of the revenue, as
14 provided in subsection (1) of this section, to be paid as ~~herein~~ provided
15 in this section, such portion of such rate ~~thereof~~ as may be deemed
16 sufficient shall be set aside as a sinking fund for the payment of the
17 interest on such revenue ~~said~~ bonds, and the principal of such revenue
18 bonds ~~thereof~~ at maturity.

19 (3) It shall be the duty of the governing body of the city or
20 village municipality to charge rates for the service of the sewerage
21 system, as referred to in subsection (1) of this section, which shall be
22 sufficient, at all times, to pay the cost of operation and maintenance of
23 such system ~~thereof~~ and to pay the principal of and interest upon all
24 revenue bonds issued, under the provisions of section 18-502, and to
25 carry out any covenants that may be provided in the ordinance authorizing
26 the issuance of any such bonds.

27 (4) The holders of any of the revenue bonds or any of the coupons of
28 any revenue bonds, issued under subsection (1) of this section, in any
29 civil action, mandamus, or other proceeding may enforce and compel the
30 performance of all duties required by this section and the covenants made
31 by the city or village municipality in the ordinance providing for the

1 issuance of such bonds, including the making and collecting of sufficient
2 rates or charges for the specified purposes and for the proper
3 application of the income therefrom.

4 Sec. 35. Section 18-505, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-505 For the purpose of providing for a ~~such~~ sewage disposal plant
7 and sewerage system, or improving or extending such existing system, any
8 city or village ~~such municipality~~ may also enter into a contract with any
9 corporation organized under or authorized by the laws of this state to
10 engage in such ~~the business herein mentioned~~, to receive and treat in the
11 manner provided in sections 18-501 to 18-510 ~~hereinbefore mentioned~~, the
12 sewage of such system ~~and night soil thereof~~, and to construct, and
13 provide the facilities and services as provided in section 18-501
14 ~~hereinbefore described~~. Such contract may also authorize the corporation
15 to charge the owners of the premises served such a service rate therefor
16 as the governing body of such city or village ~~municipality~~ may determine
17 to be just and reasonable, or the city or village ~~municipality~~ may
18 contract to pay such ~~the said~~ corporation a flat rate for such service,
19 and pay therefor out of its general fund or the proceeds of any tax levy
20 applicable to the purposes of such contract, or assess the owners of the
21 property served a reasonable charge for such service ~~therefor~~ to be
22 collected as ~~hereinbefore~~ provided in section 18-503 and paid into a fund
23 to be used to defray such contract charges.

24 Sec. 36. Section 18-506, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-506 For the purpose of owning, operating, constructing, and
27 equipping any sewage disposal plant and any sanitary or storm sewer
28 system or combination storm and sanitary sewer system, or improving or
29 extending such existing system, or for the purpose stated in sections
30 18-501 to 18-505, any city or village ~~such municipality~~ is also
31 authorized and empowered to issue and sell the general obligation bonds

1 of such city or village ~~municipality~~ upon compliance with the provisions
2 of section 18-506.01. Such bonds shall not be sold or exchanged for less
3 than the par value thereof and shall bear interest which shall be payable
4 annually or semiannually. The governing body of ~~any~~ such city or village
5 ~~municipality~~ shall have the power to determine the denominations of such
6 bonds, and the date, time, and manner of the payment thereof. The amount
7 of such general obligation bonds, either issued or outstanding, shall not
8 be included in the maximum amount of bonds which ~~any~~ such city or village
9 ~~municipality~~ may be authorized to issue and sell under its charter or any
10 statutes of this state.

11 Sec. 37. Section 18-506.01, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 18-506.01 Revenue bonds, authorized by section 18-502, may be issued
14 by ordinance duly passed by the mayor and city council of any city or the
15 board of trustees of any village without any other authority. General
16 obligation bonds, authorized by section 18-506, may be issued only after
17 the question of their issuance shall have been submitted to the electors
18 of such ~~the~~ city or village at a general or special election, of which
19 three weeks' notice thereof has been published in a legal newspaper
20 published in or of general circulation in such city or village, and more
21 than a majority of the electors voting at the election have voted in
22 favor of the issuance of such ~~the~~ bonds.

23 Sec. 38. Section 18-507, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-507 Whenever the governing body of any city or village shall have
26 ordered the installation of a sewerage system and sewage disposal plant
27 or the improvement or extension of an existing system, the fact that such
28 order was issued shall be recited in the official minutes of the
29 governing body. The governing ~~said~~ body shall ~~thereupon~~ require that
30 plans and specifications be prepared of such sewerage system and sewage
31 disposal plant, or such improvement or extension. Upon approval of such

1 plans, the governing body shall ~~thereupon~~ advertise for sealed bids for
2 the construction of such said improvements once a week for three weeks in
3 a legal newspaper ~~paper~~ published in or of general circulation within
4 such city or village ~~said municipality~~, and the contract shall be awarded
5 to the lowest responsible bidder.

6 Sec. 39. Section 18-508, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 18-508 The owner of any sewerage system or sewage disposal plant,
9 provided for in sections 18-501 to 18-507, or the city or village in
10 which such system or plant is located ~~municipality~~, is hereby authorized
11 to extend such system or plant ~~the same~~ beyond the corporate limits of
12 the city or village which it serves, under the same conditions as nearly
13 as may be as within the such ~~such~~ corporate limits of such city or village and
14 to charge to users of its services reasonable and fair rates consistent
15 with those charged or which might be charged within such corporate limits
16 and consistent with the expense of extending and maintaining such system
17 or plant ~~the same~~ for the users thereof outside such corporate limits at
18 a fair return to the owner thereof. The mayor and city council of any
19 city or the board of trustees of any village shall have authority to
20 enter into contracts with users of such sewerage system or sewage
21 disposal plant, except that ~~;~~ ~~Provided,~~ no contract shall call for
22 furnishing of such service for a period in excess of twenty years.

23 Sec. 40. Section 18-509, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-509 (1) The mayor and city council of any city or the board of
26 trustees of any village, in addition to other sources of revenue
27 available to the city or village, may by ordinance set up a rental or use
28 charge, to be collected from users of any system of sewerage, and provide
29 methods for collection of such rental or use charge ~~thereof~~. The charges
30 shall be charged to each property served by the sewerage system, shall be
31 a lien upon the property served, and may be collected either from the

1 owner or the person, firm, or corporation requesting the service.

2 (2) All money raised from the charges, referred to in subsection (1)
3 of this section, shall be used for maintenance or operation of the
4 existing system of sewerage, for payment of principal and interest on
5 bonds issued as is provided for in section 17-925, 18-502, 18-506, or
6 19-1305, or to create a reserve fund for the purpose of future
7 maintenance or construction of a new sewer system for the city or
8 village. Any funds raised from this charge shall be placed in a separate
9 fund and not be used for any other purpose or diverted to any other fund.

10 Sec. 41. Section 18-510, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-510 The terms sewage system, sewerage system, and disposal plant
13 or plants as used in sections 18-501 to 18-511 ~~herein~~ are defined to mean
14 and include any system or works above or below ground which has for its
15 purpose any or all of the following: The removal, discharge, conduction,
16 carrying, treatment, purification, or disposal of the liquid and solid
17 waste ~~and night soil~~ of a city or village municipality. It is intended
18 that sections 18-501 to 18-512 may be employed in connection with sewage
19 projects which do not include the erection or enlargement of a sewage
20 disposal plant.

21 Sec. 42. Section 18-511, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 18-511 Sections 18-501 to 18-512 ~~The provisions of Chapter 18,~~
24 ~~article 5,~~ shall be construed as independent, supplemental, ~~of~~ and in
25 addition to any other ~~provisions of the~~ laws of the State of Nebraska
26 relating with reference to sewage disposal plants and sewerage systems in
27 cities and villages. Such sections ~~The provisions of this article~~ shall
28 not be considered amendatory of or limited by any other provision of the
29 laws of the State of Nebraska.

30 Sec. 43. Section 18-512, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-512 For the purpose of creating a fund out of which anti-
2 pollution-of-water measures may be financed, any city or village in this
3 state is hereby authorized and empowered to make a special levy of not
4 exceeding three and five-tenths cents on each one hundred dollars upon
5 the taxable value of all the taxable property within ~~any such city or~~
6 village municipality, the proceeds of such levy ~~thereof~~ to be used for
7 such measures ~~purpose~~.

8 Sec. 44. Section 18-601, Revised Statutes Cumulative Supplement,
9 2020, is amended to read:

10 18-601 Any city or village shall have power by ordinance to avail
11 itself of federal funds for the construction within the city or village
12 limits of subways, viaducts, and approaches thereto, over or under
13 railroad tracks, and may authorize agreements with the Department of
14 Transportation to construct such ~~viaducts or subways or viaducts~~, which
15 shall be paid for out of funds furnished by the federal government. Such
16 ~~The~~ ordinance shall approve detailed plans and specifications for such
17 construction, including a map showing the exact location that such
18 ~~viaduct or subway or viaduct~~ is to occupy, which shall ~~then and~~
19 ~~thereafter~~ be kept on file with the city clerk or village clerk and be
20 open to public inspection. The ordinance shall make provision for the
21 assumption of liability and payment of consequential damages to property
22 owners resulting from such proposed construction and payment of damages
23 for property taken therefor. The procedure to condemn property shall be
24 exercised in the manner set forth in sections 76-704 to 76-724.

25 Sec. 45. Section 18-602, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-602 Grade crossing projects within the boundaries of a
28 municipality shall be undertaken on a basis that will impose no
29 involuntary contributions on the affected railroads except as provided by
30 23 U.S.C. 130(b) and (c) section 5(b) of Public Law 521 enacted by the
31 ~~78th Congress of the United States~~, and any amendments thereof, and shall

1 not interfere with the use of present railroad tracks without the consent
2 of such railroads.

3 Sec. 46. Section 18-603, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-603 ~~Any such~~ city or village that constructs subways or viaducts
6 as provided in section 18-601 may appropriate an existing street or
7 highway for such subway or viaduct therefor, and may acquire, extend,
8 widen, or enlarge any street or highway for such purpose.

9 Sec. 47. Section 18-604, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-604 When it shall become necessary to appropriate or damage any
12 private property for the construction of a such viaduct or subway as
13 provided in section 18-601, such appropriation shall be made by
14 ordinance. Such ~~Said~~ ordinance ~~to be headed Viaduct Ordinance~~ shall be
15 published once each week for three weeks ~~issues~~ in a legal ~~daily~~ ~~or~~
16 ~~weekly~~ newspaper published in or of general circulation in such city or
17 village ~~and of general circulation therein~~. Such ~~Said~~ publication shall
18 be sufficient notice to the owners, occupants, and parties interested,
19 and all parties having equitable interests therein.

20 Sec. 48. Section 18-610, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 18-610 The original ordinance authorizing construction of subways or
23 viaducts as provided in section 18-601 shall also give notice of an
24 election to authorize issuance of bonds, for such amount as may be
25 necessary to pay for ~~such~~ right-of-way and damages. A majority of those
26 voting shall be sufficient to carry authority to issue bonds, as ~~herein~~
27 provided in sections 18-610 to 18-612 for. A failure to approve the issue
28 of bonds shall cancel all proceedings, except that in that event, the
29 city or village shall pay the cost of survey and preparation of plans and
30 specifications that have been filed, and may levy a tax for that purpose.

31 Sec. 49. Section 18-611, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 18-611 Upon approval of the issuance of bonds pursuant to section
3 18-610, a ~~Such~~ city or village may, without further vote of the electors,
4 issue negotiable bonds in such amount as may be needed to pay for such
5 acquiring, extension, or enlargement of any street or highway, and the
6 amount of damages that may accrue by the appropriation thereof and
7 construction of viaducts ~~such viaduct~~ or subways pursuant to section
8 18-601 ~~subway~~. ~~Such Said~~ bonds shall draw interest and may be sold at not
9 less than par, ~~and~~ shall be payable in annual installments over a period
10 of not to exceed twenty years, and shall be subject to retirement at the
11 option of the city or village at any time after five years. ~~Such Said~~
12 bonds shall be payable out of the general fund, and the city or village
13 shall annually make a levy and an appropriation for the payment of
14 interest and the installment of the principal.

15 Sec. 50. Section 18-612, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 18-612 On the approval of a such bond issue pursuant to section
18 18-610 ~~by the electors~~, the mayor and city council or village board of
19 trustees shall be vested with all the powers provided for them in
20 sections 18-601 to 18-614, without such powers ~~the same~~ having been
21 specifically mentioned in the said ordinance authorizing construction of
22 subways and viaducts pursuant to section 18-601.

23 Sec. 51. Section 18-613, Revised Statutes Cumulative Supplement,
24 2020, is amended to read:

25 18-613 The Department of Transportation shall be authorized to enter
26 into contracts for the construction of viaducts ~~such viaduct~~ or subways
27 ~~subway~~, in accordance with such plans and specifications approved under
28 section 18-601, immediately upon the approval by the voters of the
29 issuance ~~such issuing~~ of bonds under section 18-610.

30 Sec. 52. Section 18-614, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-614 In lieu of, or in addition to, the issuance of bonds under
2 section 18-610, the city council or village board of trustees may issue
3 warrants for the payment of damages, and levy taxes, if necessary, to
4 provide funds for their payment, or may temporarily borrow any funds in
5 the treasury belonging to any other fund, for the purpose of making the
6 payments required under sections 18-601 to 18-615 ~~herein required~~,
7 restoring such funds within a reasonable time.

8 Sec. 53. Section 18-617, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 18-617 Whenever the governing body of any city or village within the
11 state believes the construction of a viaduct over or subway under the
12 track or tracks of any railroad within its corporate limits is necessary
13 for the public safety, convenience, and welfare, such governing body it
14 shall pass a resolution so declaring. ~~The~~ ~~Thereafter~~ such governing body
15 shall publish a notice of the passage of such ~~said~~ resolution six
16 consecutive days in a legal newspaper published in or of general
17 circulation in such ~~said~~ city or village or, if there is ~~be~~ no such daily
18 legal newspaper, then two consecutive weeks in a weekly legal newspaper
19 published in or of general circulation in such city or village ~~therein~~.
20 The notice of the passage of such ~~said~~ resolution, ~~published as~~
21 ~~aforsaid~~, shall include an exact copy of the resolution ~~same~~.

22 Sec. 54. Section 18-618, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 18-618 After the passage and publication of a ~~said~~ resolution as
25 provided in section 18-617, a ~~said~~ city or village shall have authority
26 to enter into contracts and agreements with any railroad company or
27 companies over or under whose railroad a viaduct or subway ~~such structure~~
28 is to be constructed providing for the construction and maintenance of
29 such viaduct or subway and for the apportionment of the costs thereof.
30 Such ; ~~Provided~~, such agreement or contract shall not be effective nor
31 shall any work be commenced until after such matter is submitted to a

1 vote of the electors as ~~hereinafter~~ provided in section 18-623.

2 Sec. 55. Section 18-619, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 18-619 If no agreement can be reached between a said city or village
5 and a the railroad company or companies for ~~such~~ construction or the
6 division of the costs thereof as provided in section 18-618, the city or
7 village shall file a complaint by the city its attorney or village
8 attorney with the city clerk or village clerk on behalf of such city or
9 village. The complaint ~~It~~ shall allege therein (1) the passage of the
10 resolution ~~hereinbefore~~ referred to in section 18-617, (2) the location
11 of the proposed viaduct or subway, (3) any facts which may show or tend
12 to show why the proposed improvement is necessary for the public safety,
13 convenience, and welfare, (4) that the city or village and the railroad
14 company or companies are unable to agree as to the construction or the
15 division of the cost thereof, and (5) asking the ~~city or village~~
16 governing body to make an order relative to such construction and
17 apportioning the cost thereof between the railroad company or companies
18 and the city or village ~~other public authority~~. A copy of such said
19 complaint shall be served upon the railroad company or companies
20 affected. Thereafter, within a reasonable time to be fixed by the
21 governing body, such said railroad company or companies shall file with
22 the city clerk or village clerk plans and specifications for such viaduct
23 or subway requested in such said petition, together with an estimate by
24 such railroad or railroads of the cost of construction and maintenance
25 thereof.

26 Sec. 56. Section 18-620, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 18-620 Upon the filing of a such complaint and after the filing of
29 plans and specifications as provided in section 18-619, the governing
30 body shall fix a time for hearing such said complaint and give notice
31 thereof to the railroad company or companies. At the time so fixed the

1 governing body shall sit as a board of equalization and assessment and at
2 such said hearing shall receive and hear such evidence as may be offered
3 on the question of whether public safety, convenience, and welfare
4 require the construction of such said viaduct or subway, whether or not
5 the cost of such viaduct or subway thereof will exceed the benefits to be
6 derived therefrom, and evidence on the question of the extent to which
7 such said railroad company or companies and the public will be
8 respectively benefited by the construction of such viaduct or subway
9 thereof.

10 Sec. 57. Section 18-621, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-621 Upon the conclusion of the hearing provided for in section
13 18-620, the said governing body, as a board of equalization, shall make
14 an order determining: (1) Whether or not the construction of the said
15 viaduct or subway is necessary for the public safety, convenience, and
16 welfare; (2) whether or not the cost of such viaduct or subway thereof
17 will exceed the benefits to be derived therefrom; and (3) the proportion
18 of the total benefits from the construction of such viaduct or subway
19 thereof to be derived by the public and by the railroad company or
20 companies respectively and shall apportion the cost of construction and
21 maintenance of such viaduct or subway structure in the proportions found
22 and shall apportion to the city or village and the railroad company or
23 companies respectively such proportion of the cost of construction and
24 maintenance of such viaduct or subway structure as the governing body
25 ~~board~~ shall find the public and railroad company or companies are
26 respectively benefited. Such Said order shall include the governing
27 body's estimate of the cost of the proposed viaduct or subway including
28 the cost of approaches and damages caused to any property by construction
29 thereof. A copy of such said order together with the plans,
30 specifications, and estimates made therein shall be signed by the
31 presiding officer and a majority of the members of the governing said

1 body who concur therein, and filed with the city clerk or village clerk
2 and a copy thereof served on the railroad company or companies, parties
3 thereto. If the governing body shall find that construction of such
4 viaduct or subway is not necessary for public safety, convenience, or
5 welfare or that the cost thereof exceeds the benefits to be derived
6 therefrom, it shall dismiss such said petition.

7 Sec. 58. Section 18-622, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-622 If any railroad company is ~~, party to said proceedings,~~ shall
10 be dissatisfied with an said order issued as provided in section 18-621,
11 such company ~~it~~ may appeal such order ~~therefrom~~ to the district court in
12 the county in which such said city or village is situated. Such appeal
13 shall be perfected by the railroad company filing, with the city clerk or
14 village clerk of such said city or village within ten days after such
15 ~~said~~ order is served ~~upon it~~, a written notice of its intention to appeal
16 ~~therefrom~~. Within twenty days after the filing of such notice of appeal,
17 the city clerk or village clerk shall file with the clerk of the district
18 court of such said county a transcript containing the complaint and the
19 order appealed from together with such other documents as may have been
20 filed in such said proceedings. The railroad company appealing shall pay
21 to the city clerk or village clerk the cost of preparing such transcript.
22 Upon such appeal the district court, without jury, shall hear and
23 determine de novo all of the issues determined by the governing body said
24 ~~board~~ except the question of whether or not the construction of such said
25 viaduct or subway is necessary for the public safety, convenience, and
26 welfare. The said court shall hear and determine such an appeal promptly
27 and speedily, and the court's ~~Its~~ decision shall be subject to review
28 by appeal or otherwise as other judgments of the district court are
29 reviewable.

30 Sec. 59. Section 18-623, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-623 The governing body of a any such city or village shall, after
2 agreeing with a such railroad company or companies as provided in section
3 18-618 or after an order, other than one of dismissal, of the governing
4 body, sitting as a board of equalization as provided in sections 18-620
5 to 18-622, at the next general election or at a special election called
6 for the purpose, submit to the electors of the ~~said~~ city or village the
7 question of whether such city or village ~~or city~~ and ~~said~~ railroad
8 company or companies shall construct and maintain a viaduct or subway in
9 accordance with any agreement made or in accordance with the order of the
10 governing body of such city or village, and whether such city or village
11 shall have the power to levy taxes or borrow money and pledge the
12 property and credit of such ~~said~~ city or village upon its negotiable
13 bonds to pay its proportion of all costs connected therewith. The ballot
14 shall contain concise statements, to be prepared by the city attorney or
15 village attorney, of the original ordinance declaring the necessity and,
16 if such viaduct or subway ~~said structure~~ is to be constructed under the
17 provisions of any agreement, a concise statement of the provisions of the
18 agreement or, if it is to be constructed by virtue of an order of the
19 governing body, a concise statement of such ~~said~~ order, and in any
20 instance a statement of the estimated amount of the costs of the
21 construction and maintenance of such viaduct or subway ~~said structure~~,
22 including the cost of acquisition of or damage to property to be borne by
23 such ~~said~~ city or village and the method by which the ~~said~~ share of such
24 costs of such city or village is to be obtained. The city or village may,
25 at its option, proceed with such ~~said~~ election notwithstanding the
26 pendency of any appeal of any railroad company as ~~hereinbefore~~ provided
27 in section 18-622.

28 Sec. 60. Section 18-624, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 18-624 If a majority of those voting on the proposition of the
31 construction of a ~~said~~ viaduct or subway approve such construction ~~the~~

1 ~~same~~ by their vote, the governing body of the ~~any such~~ city or village
2 shall have the power to levy taxes, borrow money, and pledge the property
3 and credit of such ~~said~~ city or village upon its negotiable bonds in an
4 amount not exceeding its proportion of the aggregate cost of the
5 construction and maintenance of such viaduct or subway, and to pay for
6 the acquisition of or damage to property by reason of such construction.

7 Sec. 61. Section 18-625, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-625 If the construction of a viaduct or subway is approved by the
10 electors as ~~hereinbefore~~ provided in section 18-624, the governing body
11 of the ~~such~~ city or village shall (1) by resolution approve the detailed
12 plans and specifications for such construction, including a map showing
13 the exact location of such viaduct or subway, (2) by resolution make
14 provision for the assumption of liability, the payment of consequential
15 damages to property owners resulting from such proposed construction, and
16 the payment of damages for property taken therefor, and (3) award and pay
17 damages as provided in sections 76-704 to 76-724.

18 Sec. 62. Section 18-626, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 18-626 A ~~Such~~ city or village constructing a viaduct or subway as
21 provided in sections 18-617 to 18-636 may appropriate any existing street
22 or highway therefor and may acquire, extend, widen, or enlarge any street
23 or highway for such purpose.

24 Sec. 63. Section 18-627, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-627 When it shall become necessary to appropriate or damage any
27 private property for the construction of a ~~such~~ viaduct or subway as
28 provided in sections 18-617 to 18-636, such appropriation shall be made
29 by resolution. The resolution ~~to be headed Viaduct Resolution~~ shall be
30 published once each week for three weeks in a legal ~~daily or weekly~~
31 newspaper published in or of general circulation in such city or village

1 ~~or in general circulation therein.~~ The publication shall be sufficient
2 notice to the owners, occupants, and parties interested, and all parties
3 having equitable interest therein. The procedure to condemn property
4 shall be exercised in the manner set forth in sections 76-704 to 76-724.

5 Sec. 64. Section 18-633, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-633 When any viaduct or subway construction ~~such~~ project has been
8 agreed to or when the division of costs has been otherwise finally
9 determined and when such proposal has been approved by a vote as provided
10 in sections 18-617 to 18-636 ~~all in the manner heretofore provided,~~ the
11 railroad company or companies affected shall within ten days' notice or
12 demand deposit with the city treasurer or village treasurer ~~of the~~
13 ~~governing body~~ the amount of its proportionate share ~~so determined~~. The
14 district court is hereby given jurisdiction upon the application of the
15 governing body of the city or village municipality ~~municipality~~ to compel such deposit
16 by mandamus together with such penalties as may be found and deemed
17 reasonable by the court.

18 Sec. 65. Section 18-634, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 18-634 After a ~~such~~ city or village has made provisions for
21 financing its proportionate share of the costs and has complied with the
22 provisions of sections 18-617 to 18-636, and the provisions of section
23 18-633 have been complied with, such city or village ~~it~~ shall proceed to
24 construct, in accordance with plans and specifications previously
25 approved, the ~~such~~ viaduct or subway, or such city or village is hereby
26 authorized to contract for such construction in accordance with such
27 plans and specifications. Any such contract shall be let as provided by
28 law.

29 Sec. 66. Section 18-635, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 18-635 Nothing in sections 18-617 to 18-636 shall modify, change, or

1 abrogate any obligation of any railroad company or companies to maintain,
2 reconstruct, or keep in repair any viaduct or subway previously
3 ~~heretofore~~ built or any replacement of such viaduct or subway thereof
4 under any agreement, statute, or ordinance previously in effect.

5 Sec. 67. Section 18-636, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-636 Sections ~~Nothing in sections~~ 18-617 to 18-636 shall be
8 construed ~~to repeal or amend any statute except those statutes~~
9 ~~hereinafter specifically repealed, but shall be construed~~ as independent,
10 supplemental, and in addition to any other laws of the State of Nebraska
11 relating to the elimination of grade crossings, and shall be deemed
12 ~~additional thereto, and as an independent act~~ to provide the entire
13 powers, facilities, and expenditures necessary to accomplish the
14 elimination of grade crossings in the manner provided herein specified.
15 No other provision of law ~~statute~~ shall be effectual as a limitation upon
16 the powers or proceedings ~~herein contained~~ in such sections, but other
17 provisions of law ~~. Other statutes may be relied upon, if need be,~~ to
18 supplement and effectuate the purposes of such sections ~~herein contained~~.

19 Sec. 68. Section 18-1001, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 18-1001 The Legislature hereby declares the public policy of the
22 State of Nebraska to be that the acquisition of real estate sites for the
23 construction of state armories within the corporate limits of cities or
24 villages for the uses and purposes of the Nebraska National Guard and
25 State Guard is a matter of general state concern and that the use of such
26 ~~said~~ sites is a state use and not a city, village, or local use. One of
27 the corporate purposes of all cities and villages is hereby declared to
28 be to acquire real estate sites within their corporate limits and to
29 convey such sites ~~the same~~ without consideration to the State of Nebraska
30 for the uses and purposes of the Nebraska National Guard and State Guard,
31 as provided in sections 18-1002 to 18-1005. Notwithstanding any more

1 general or special law respecting armories in force and effect in this
2 state, the ~~local~~ governing bodies of cities or villages ~~therein~~ are
3 hereby empowered by ordinance to acquire through the exercise of the
4 right of eminent domain, or otherwise, real estate to be used as a site
5 or sites for the construction of state armories to be devoted to the uses
6 and purposes of the Nebraska National Guard and State Guard and to convey
7 such real estate without consideration, when acquired, to the State of
8 Nebraska to the end that through state aid, ~~or~~ federal aid, or both,
9 state armory buildings may be constructed on such sites ~~thereon~~ without
10 cost to such cities or villages other than the cost to such said cities
11 or villages to acquire and convey such ~~of said~~ real estate ~~so acquired~~
12 ~~and conveyed~~.

13 Sec. 69. Section 18-1002, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 18-1002 Whenever the Nebraska National Guard and State Guard desire
16 any city or village in this state to acquire at the cost of not to exceed
17 ten thousand dollars to such city or village by condemnation, or
18 otherwise, any lot, piece, ~~or~~ parcel of land within the corporate limits
19 of such city or village for a state armory site, the Adjutant General
20 shall notify the city municipal clerk or village clerk of such city or
21 village ~~the local governing body thereof~~ in writing to that effect. The
22 city clerk or village clerk shall present the notice to the ~~local~~
23 governing body at its next regular or special meeting. ~~If ; and, if~~ a
24 majority of the members of the governing body ~~thereof,~~ ~~the vote thereon~~
25 ~~to be recorded by yeas and nays in the minutes of the proceedings of such~~
26 ~~city or village,~~ shall favor the acquisition of such said lot, piece, ~~or~~
27 parcel of land, the governing body as aforesaid, ~~they shall so order such~~
28 acquisition by resolution duly passed and approved and recorded in spread
29 ~~at large upon~~ the minutes. The mayor or chairperson ~~chairman~~ of the
30 village board of trustees, as the case may be, shall ~~thereupon~~ designate
31 a committee from the ~~local~~ governing body to negotiate with the owner or

1 owners of such said real estate for the purchase thereof for the purposes
2 and uses provided in this section aforesaid. If the committee and the
3 owners are able to agree on the price, value, and title of the land, the
4 committee shall report in writing its agreement with the owners to the
5 ~~local~~ governing body. If the agreement is ratified, approved, and
6 confirmed in all things by the ~~local~~ governing body by a majority vote of
7 its members, by ordinance upon receipt of a deed properly executed,
8 approved as to form and substance by the city attorney or village
9 attorney in writing, from the owner or owners, as grantors to the city or
10 village, as the case may be, as grantee, such said governing body shall
11 direct the issuance through its proper officers of warrants upon the
12 state armory site fund, as authorized by sections 18-1005 and 18-1006.
13 Such warrants so issued shall be drawn payable to the owner or owners of
14 the land.

15 Sec. 70. Section 18-1003, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 18-1003 If the owner or owners and the committee cannot agree on the
18 price, value, or title of ~~the land~~ as provided in section 18-1002, within
19 a period of negotiation extending not more than ten days from the date of
20 appointment of the committee by the ~~local~~ governing body, the committee
21 shall report the fact of disagreement to the mayor and city council or to
22 the chairperson ~~chairman~~ and village board of trustees, as the case may
23 be. The city clerk or village ~~municipal~~ clerk shall immediately ~~forthwith~~
24 notify in writing the Adjutant General to that effect, whereupon -
25 ~~whereupon~~ it shall be the duty of the Attorney General, collaborating
26 with the city attorney or village attorney, to institute proper legal
27 proceedings to acquire the land for state use through the exercise of the
28 power of eminent domain. The procedure to condemn property shall be
29 exercised in the manner set forth in sections 76-704 to 76-724. Payment
30 of the award made or any other necessary costs or expenses incident to
31 the condemnation suit shall be made by the city or village.

1 Sec. 71. Section 18-1004, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-1004 Notwithstanding any more general or special law respecting
4 sale or conveyance of real estate now or hereafter owned by cities and
5 villages in force and effect in this state, the ~~local~~ governing bodies of
6 cities and villages are ~~thereof~~ ~~are hereby~~ empowered by ordinance to
7 direct their proper officers to execute deeds for conveyance of any real
8 estate of such cities or villages without consideration to the State of
9 Nebraska for the construction of state armory buildings on such real
10 estate ~~thereon~~. Such construction shall be made without cost to such
11 cities or villages.

12 Sec. 72. Section 18-1005, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-1005 All cities or villages in ~~organized under the laws of the~~
15 State of Nebraska shall have the power and authority to levy a special
16 tax each year of not more than five and two-tenths cents on each one
17 hundred dollars upon the taxable value of all the taxable property in
18 such city or village for the acquisition of real estate by agreement with
19 the owner or owners or by condemnation as provided in sections 18-1002
20 and 18-1003 to be used for state armory sites. Such special levy shall be
21 made by the same ~~local~~ governing body and shall be levied in the same
22 manner as in the case of general city or village taxes. The proceeds of
23 such levy shall ~~inure and~~ be credited to the state armory site fund
24 created by the ~~which the local~~ governing body as provided in section
25 18-1006 ~~is hereby authorized to create and manage~~. Revenue raised by such
26 special levy shall be used only for the purpose of acquiring real estate
27 for a state armory site within the corporate limits of such city or
28 village or in the payment of warrants as authorized by section 18-1006.

29 Sec. 73. Section 18-1006, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 18-1006 Any city or village may anticipate the collection of a

1 ~~special such~~ tax collected as provided in section 18-1005 to be budgeted
2 and levied in its adopted budget statement and for that purpose may issue
3 its warrants, in a sum amounting to eighty-five percent of the tax to be
4 levied, as provided in section 18-1005 ~~aforesaid~~, for the amount of any
5 award issued in condemnation and for the costs and expenses incident
6 thereto, as provided in section 18-1003. Warrants so issued shall be
7 secured by such tax which shall be assessed and levied, as provided by
8 law, and shall be payable only out of funds derived from such tax. In any
9 case in which warrants are issued, as provided in this section ~~herein~~
10 ~~authorized~~, it shall be the duty of such city or village, on receipt of
11 such tax when paid, to hold the same as a separate fund, to be known as
12 the state armory site fund, to the amount of the warrants so issued, and
13 the interest thereon, for the purpose of paying or redeeming such
14 warrants.

15 Sec. 74. Section 18-1101, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 18-1101 The mayor and city council of any city or the chairperson
18 ~~chairman~~ and village board of trustees of any village of the State of
19 Nebraska, which has issued valid pledge warrants, revenue bonds, revenue
20 notes, or revenue debentures, which instruments are outstanding and
21 unpaid, may take up and pay off any such outstanding instruments whenever
22 the same can be done by lawful means by the issue and sale, or the issue
23 and exchange therefor, of other pledge warrants, revenue bonds, revenue
24 notes, or revenue debentures. Such instruments shall not be general
25 obligations of such city or village ~~the municipality~~. Any city or village
26 which has issued and has outstanding valid pledge warrants, revenue
27 bonds, revenue notes, or revenue debentures which are unpaid, some of
28 which are secured by the pledge of the revenue and earnings of one public
29 utility and others are secured by the pledge of the revenue and earnings
30 of another public utility, may take up and pay off all such outstanding
31 instruments by the issuance and sale of its combined revenue bonds or

1 revenue notes which may be secured by the pledge of the revenue and
2 earnings of any two or more of such public utilities. ~~Any~~ ~~;~~ ~~such~~ ~~a~~ ~~city~~
3 or village may enter into such a contract or contracts in connection with
4 such instruments ~~therewith~~ as may be proper and necessary.

5 Sec. 75. Section 18-1102, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-1102 Whenever it is desired to issue pledge warrants, revenue
8 bonds, or revenue debentures under section 18-1101, the city council or
9 village board of trustees ~~corporate authorities described therein~~ shall,
10 by resolution recorded ~~entered~~ in the minutes of its ~~their~~ proceedings,
11 provide for the issuance and sale or exchange of the refunding
12 instruments.

13 Sec. 76. Section 18-1201, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 18-1201 All cities and villages in ~~organized under the laws of the~~
16 State of Nebraska may levy a special tax each year of not more than five
17 cents on each one hundred dollars upon the taxable value of all the
18 taxable property in such city or village for the special purposes set
19 forth in this section. Such special levy shall be made by the same
20 officers or board and be levied in the same manner as general city or
21 village taxes. Revenue raised by such a special levy may be used for
22 purchasing and maintaining public safety equipment, including, but not
23 limited to, vehicles or rescue or emergency first-aid equipment for a
24 fire or police department of such city or village, for purchasing real
25 estate for fire or police station quarters or facilities, for erecting,
26 building, altering, or repairing fire or police station quarters or
27 facilities, for purchasing, installing, and equipping an emergency alarm
28 or communication system, or for paying off bonds authorized by section
29 18-1202. Such revenue may be accumulated in a sinking fund or sinking
30 funds to be used for any such purpose.

31 Sec. 77. Section 18-1202, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 18-1202 Any city or village which has levied or intends to levy a
3 tax as authorized by section 18-1201 for the purposes stated in such
4 section may anticipate the collection of such taxes, including the
5 anticipation of collections from levies to be made in future years, and
6 for such purpose may issue tax anticipation bonds which shall be payable
7 in not exceeding twenty years and may bear interest, payable annually or
8 semiannually, at such rate or rates as the mayor and city council or
9 chairperson and village board of trustees may determine. The total of
10 principal and interest payable on such bonds in any calendar year shall
11 not exceed ninety percent of the anticipated tax collection for such
12 calendar year on the assumption that the taxable valuation for such city
13 or village in all succeeding years shall be the same as the taxable
14 valuation most recently determined prior to passage of the ordinance
15 authorizing such bonds and applying the tax levy made or agreed to be
16 made by the city or village, but not exceeding five cents on each one
17 hundred dollars, and using tax due and delinquency dates in effect at the
18 time of passage of the bond ordinance. The city or village may agree in
19 such bond ordinance to make and to continue to make a levy under section
20 18-1201 until such bonds and interest thereon are fully paid. Such bonds
21 shall be secured by such tax so assessed and levied and shall be payable
22 only out of the funds derived from such tax. It shall be the duty of such
23 city or village on receipt of such taxes to hold the same as a separate
24 fund to the amount of the bonds so issued and the interest thereon for
25 the purpose of paying or redeeming such bonds.

26 Sec. 78. Section 18-1203, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 18-1203 All ~~incorporated~~ cities and villages within the State of
29 Nebraska are hereby expressly authorized, upon a three-fourths vote of
30 all of the members elected to the city council or village board of
31 trustees, to levy not to exceed two and one-tenth cents on each one

1 hundred dollars upon the taxable value of all the taxable property in
2 such cities or villages each year to establish and maintain a vocal,
3 instrumental, or amusement organization for the purpose of rendering free
4 public concerts, music festivals, and entertainments within such city or
5 village limits for the people of such city or village ~~and locality~~. When
6 such vote has been ~~so~~ made and recorded by the city council or village
7 board of trustees, a tax of not to exceed two and one-tenth cents on each
8 one hundred dollars of the taxable value of all the taxable property of
9 such city or village shall be levied by such city or village, in addition
10 to all other general and special taxes, for the support, maintenance, and
11 necessary expenses of such vocal, instrumental, or amusement
12 organization. Any ~~incorporated~~ city or village may levy each year a tax
13 of not exceeding three and five-tenths cents on each one hundred dollars
14 upon the taxable value of all the taxable property in such municipality
15 for the maintenance of a municipal band or other vocal, instrumental, or
16 amusement organization for the purpose of rendering free public concerts,
17 music festivals, and entertainments when a petition signed by ten percent
18 of the legal voters of such ~~an incorporated~~ city or village, as shown by
19 the last regular municipal election, is filed with the city clerk ~~of the~~
20 ~~city~~ or village clerk and requests the following question to be submitted
21 to the voters of the city or village: Shall a tax of not
22 exceeding cents on each one hundred dollars upon the
23 taxable value of all the taxable property of, Nebraska,
24 be levied each year for the purpose of providing a fund for the
25 maintenance of a municipal band or other vocal, instrumental, or
26 amusement organization for the purpose of rendering free public concerts,
27 music festivals, and entertainments? When such petition is filed, the
28 city council or village board of trustees, ~~council, or city commission~~
29 shall cause the question to be submitted to the voters of the city or
30 village at the next general municipal election, and if a majority of the
31 votes cast at the election favor such proposition, the city council or

1 ~~village~~ board of trustees, ~~council, or city commission~~ shall then levy
2 such tax to maintain such municipal band or other vocal, instrumental, or
3 amusement organization for the purposes enumerated in this section.

4 Sec. 79. Section 18-1204, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1204 When a petition signed by ten percent of the legal voters of
7 ~~a such incorporated~~ city or village, as shown by the last regular
8 municipal election, is filed with the city clerk ~~of the city~~ or village
9 clerk requesting that the question be submitted to the voters of
10 withdrawing the authority to tax under section 18-1203, the city council
11 or village board of trustees ~~or city council or commissioners~~ shall
12 submit the question of withdrawal at the next general municipal election.
13 The question on the ballot shall be as follows: Shall the power
14 previously ~~heretofore~~ granted in, Nebraska, to levy a tax
15 of cents on each one hundred dollars upon the taxable value
16 of all the taxable property of such city or village for the purpose of
17 providing a fund for the maintenance of a municipal band or other vocal,
18 instrumental, or amusement organization for the purpose of rendering free
19 public concerts, music festivals, and entertainments be withdrawn? If a
20 majority of the votes cast favor such withdrawal, no further levy for the
21 purpose shall thereafter be made until the proposition is again
22 resubmitted to the people. After the proposition for withdrawing the
23 right to tax has carried, no further submission of a proposition to levy
24 the tax shall be made for at least two years.

25 Sec. 80. Section 18-1205, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-1205 When a ~~any incorporated~~ city or village has voted as
28 required by section 18-1203 to establish and maintain a vocal,
29 instrumental, or amusement organization, there shall thereafter be
30 included in the annual estimate of expenses of such ~~the~~ city or village a
31 levy of not to exceed two and one-tenth cents or three and five-tenths

1 cents on each one hundred dollars, as the case may be, upon the taxable
2 value of the taxable property of such city or village for each year for
3 such ~~the~~ purpose. The levy so made shall be included in the appropriation
4 ordinance.

5 Sec. 81. Section 18-1206, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-1206 Every ~~such~~ vocal, instrumental, or amusement organization
8 established under sections 18-1201 to 18-1207 herein contemplated shall
9 be under the instruction and guidance of a leader, who may be nominated
10 in the first instance by the organization or association but whose
11 nomination, term of employment, and compensation shall be subject to the
12 approval of the city council ~~of said city~~ or village board of trustees of
13 the city or village that established the organization of said village.

14 Sec. 82. Section 18-1207, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 18-1207 The city council of each ~~such~~ city, or village board of
17 trustees of each ~~such~~ village, making provision for any vocal,
18 instrumental, or amusement organization as provided in sections 18-1201
19 to 18-1207, shall make and adopt all suitable and necessary rules,
20 regulations, and bylaws concerning the government, organization,
21 expenditures, and other necessary matters pertaining to such
22 organization, and for that purpose shall appoint and designate three
23 members of the city council or village board of trustees as a committee
24 on municipal amusements and entertainments.

25 Sec. 83. Section 18-1215, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-1215 Whenever a municipality has enacted an ordinance creating a
28 special assessment district, it shall be the duty of such municipality to
29 file a copy of such ordinance in the office of the register of deeds of
30 the county in which such municipality is located.

31 Sec. 84. Section 18-1216, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 18-1216 (1) Any municipality ~~city of the metropolitan, primary,~~
3 ~~first, or second class or any village~~ shall have authority to collect the
4 special assessments which it levies and to perform all other necessary
5 functions related thereto including foreclosure. The governing body of
6 any municipality ~~city or village~~ collecting its own special assessments
7 shall direct that notice that special assessments are due shall be mailed
8 or otherwise delivered to the last-known address of the person against
9 whom such special assessments are assessed or to the lending institution
10 or other party responsible for paying such special assessments. Failure
11 to receive such notice shall not relieve the taxpayer from any liability
12 to pay such special assessments and any interest or penalties accrued
13 thereon.

14 (2) A city of the second class or village collecting its own
15 assessments under this section shall (a) file notice of the assessments
16 and the amount of assessment being levied for each lot or tract of land
17 to the register of deeds of the county in which the municipality is
18 located and (b) file a release of assessment upon final payment of each
19 assessment with the register of deeds. Such register of deeds shall index
20 the assessment against the individual lots and tracts of land and have
21 such information available to the public.

22 Sec. 85. Section 18-1501, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 18-1501 Any city or village in ~~, within~~ the State of Nebraska, is
25 ~~hereby~~ authorized to acquire by lease, for a term not to exceed twenty-
26 five years, purchase, condemnation, or otherwise, the necessary land
27 within or without such city or village for the purpose of establishing an
28 aviation field and to erect thereon such buildings and make such
29 improvements, as may be necessary for the purpose of adapting the field
30 to the use of aerial traffic, and may, from time to time, fix and
31 establish a schedule of charges for the use of such field thereof, which

1 charges shall be used in connection with the maintenance and operation of
2 any such field and the activities thereof. The procedure to condemn
3 property shall be exercised in the manner set forth in sections 76-704 to
4 76-724.

5 Sec. 86. Section 18-1502, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-1502 For the purpose of acquiring and improving an aviation field
8 as authorized in section 18-1501, any city or village may issue and sell
9 bonds of such city or village to be designated aviation field bonds to
10 provide the necessary funds for such aviation field ~~therefor~~ in an amount
11 not to exceed seven-tenths of one percent of the taxable valuation of all
12 the taxable property in such city or village. Such bonds shall become due
13 in not to exceed twenty years from the date of issuance and shall draw
14 interest payable semiannually or annually. Such bonds may not be sold for
15 less than par and in no case without the proposition of issuing the same
16 having first been submitted to the legal electors of such city or village
17 at a general or special election held in such city or village ~~therein~~ and
18 a majority of the votes cast upon the question of issuing the bonds being
19 in favor thereof. The authority to sell such bonds shall not be limited
20 by any other ~~or special~~ provision of law ~~found elsewhere outside of~~
21 ~~sections 18-1501 to 18-1509.~~

22 Sec. 87. Section 18-1503, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 18-1503 For the purpose of acquiring and improving an ~~the~~ aviation
25 field as provided in section 18-1501, ~~a~~ ~~the~~ city or village may, in lieu
26 of issuing and selling bonds, levy an annual tax of not to exceed seven
27 cents on each one hundred dollars upon the taxable value of all the
28 taxable property within the corporate limits of such city or village,
29 which tax shall not be levied or collected until the proposition of
30 levying such tax ~~the same~~ has first been submitted to the legal electors
31 of such city or village at a general or special election held in such

1 ~~city or village therein~~ and the majority of votes cast upon the question
2 of levying such tax are in favor thereof. Such levy shall be authorized
3 for a term not exceeding ten years, and the proposition submitted to the
4 electors shall specify the number of years for which it is proposed to
5 levy such tax. If funds for such purposes are raised by the levy of tax,
6 no part of the funds so accruing shall be used for any other purpose.

7 Sec. 88. Section 18-1504, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-1504 It shall not be necessary, in order for a city or village to
10 acquire the necessary land for an aviation field by lease, to submit the
11 proposition of such acquisition by lease to the legal voters of such city
12 or village.

13 Sec. 89. Section 18-1508, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 18-1508 The governing body ~~legislative body~~ of any city or village
16 shall have power to make and enforce such ordinances, rules, and
17 regulations as shall lawfully be made, for the control and supervision of
18 any airport, landing field, or airdrome acquired, established, or
19 operated by such city or village ~~it~~, and for the control of aircraft and
20 airmen, but such ordinances, rules, and regulations shall not conflict
21 with the rules and regulations for the navigation of aircraft promulgated
22 by the United States Government. This power shall extend to the space
23 above the lands and waters included within the corporate limits of such
24 city or village, and to the space above any airport, landing field, or
25 airdrome outside such ~~its~~ limits.

26 Sec. 90. Section 18-1509, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 18-1509 The governing body of any city or village, authorized by
29 section 18-1501 to acquire an aviation field, shall have power to lease
30 or dispose of such aviation field ~~the same~~ or any portion thereof when
31 doing so will not damage the public need for such airfield ~~will not~~

1 ~~thereby be injured.~~

2 Sec. 91. Section 18-1701, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 18-1701 All cities and villages may ~~are empowered to~~ provide for the
5 disposition or destruction of public records when such ~~the~~ records have
6 been determined to be of no further legal, administrative, fiscal, or
7 historical value by the State Records Administrator pursuant to the
8 Records Management Act. This sections 84-1201 to 84-1220; ~~Provided, the~~
9 ~~provisions of this~~ section shall not apply to the minutes of the city
10 clerk or village clerk, ~~and~~ the permanent ordinance and resolution books,
11 or any other record classified as permanent by the State Records
12 Administrator.

13 Sec. 92. Section 18-1702, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 18-1702 Any city or village, in the State of Nebraska may ~~is~~
16 ~~hereby authorized and empowered to~~ pay from municipal funds the cost of
17 training and the expenses of trainees, designated by its governing body,
18 to attend the Nebraska Law Enforcement Training Center ~~law enforcement~~
19 ~~institute jointly sponsored by the Police Officers Association of~~
20 ~~Nebraska and the Extension Division of the University of Nebraska and~~
21 ~~held periodically at the University of Nebraska at Lincoln, Nebraska.~~

22 Sec. 93. Section 18-1705, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 18-1705 Whenever any city or village shall need any additional land
25 for the purpose of avoiding a menace to travel by caving, sliding,
26 washing, or otherwise or for the purpose of improving, maintaining, or
27 changing any road, street, alley, or other public highway, such city or
28 village may acquire such needed land or an easement therein by purchase,
29 gift, or eminent domain proceedings. Such land may be so acquired
30 regardless of whether the land ~~it~~ is contiguous or noncontiguous to such
31 road, street, alley, or highway, or within or without the corporate

1 limits of such city or village. In case of eminent domain proceedings,
2 the procedure to condemn property shall be exercised in the manner set
3 forth in sections 76-704 to 76-724.

4 Sec. 94. Section 18-1706, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1706 Any city or village may by resolution authorize its fire
7 department or police department ~~departments~~ or any portion thereof to
8 provide fire, police, and emergency service outside of the limits of such
9 city or village ~~the municipality~~ either within or without the state.

10 Sec. 95. Section 18-1707, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-1707 Any city or village shall have the authority to contract
13 with other political subdivisions, government agencies, public
14 corporations, private persons, or groups for (1) compensation for
15 services rendered by such city or village ~~it~~ or (2) the use of vehicles
16 and equipment of the city or village. Such ~~The~~ services shall be of a
17 type which the city or village is empowered to perform and the vehicles
18 or equipment shall be of a type which the city or village is empowered to
19 use, as otherwise provided by law. Any person performing such ~~the~~
20 services shall have completed any training requirements of his or her
21 profession as required by law. The compensation agreed upon shall be a
22 legal charge and collectible by the entity rendering such services in any
23 court of competent jurisdiction.

24 Sec. 96. Section 18-1708, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-1708 All city or village ~~municipal~~ employees serving outside the
27 corporate limits of the city or village ~~municipality~~ as authorized in
28 sections 18-1706 to 18-1709 shall be considered and held as serving in
29 their regular line of duties as fully as if they were serving within the
30 corporate limits of the city or village which employs them ~~their own~~
31 ~~municipality~~.

1 Sec. 97. Section 18-1709, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-1709 Any city or village ~~Each and every municipality~~ of this
4 state ~~may~~ is hereby authorized and empowered to make arrangements and
5 contracts with any other city or village ~~municipality~~ for the purpose of
6 fire protection and for the use of fire apparatus and emergency vehicles
7 and equipment.

8 Sec. 98. Section 18-1712, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 18-1712 Any city or village in the State of Nebraska may pay from
11 city or village ~~municipal~~ funds the cost of training and the expenses of
12 such members of the city or village fire department ~~from each fire~~
13 ~~company~~ as designated by the its governing body of the city or village to
14 attend the fire training school ~~jointly~~ sponsored by the ~~Nebraska State~~
15 ~~Volunteer Firefighter's Association, the State Fire Marshal, the Nebraska~~
16 ~~Forest Service Fire Control, a division of the University of Nebraska~~
17 ~~Institute of Agriculture and Natural Resources, and the Nebraska~~
18 ~~Emergency Management Agency and held periodically at the state fire~~
19 ~~training school.~~

20 Sec. 99. Section 18-1713, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 18-1713 Any city or village in the State of Nebraska ~~may~~ shall be
23 ~~authorized and empowered to~~ enter into a contract with a fire department
24 of any city of the primary or metropolitan class or city of the primary
25 class that maintains a fire training school for its own firefighters
26 ~~firemen~~, to train such firefighters ~~firemen~~ as such city or village ~~it~~
27 might designate and may pay from city or village ~~municipal~~ funds the cost
28 of such training and all of the expenses of such designated trainees
29 during the time that they are undergoing such training.

30 Sec. 100. Section 18-1714, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-1714 Any city or village in the State of Nebraska ~~may is hereby~~
2 ~~authorized to~~ send any person or persons designated by its governing body
3 to attend any fire training school operating within the State of Nebraska
4 and that has been approved as a proper fire department training school
5 for such purposes by the State Fire Marshal and the Nebraska Emergency
6 Management Agency.

7 Sec. 101. Section 18-1716, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-1716 Any regulation of any municipality pertaining to any area
10 outside of its corporate limits shall be subject to any lawful and
11 existing regulation of another municipality pertaining to that same area
12 except as otherwise provided by an agreement entered into pursuant to the
13 Interlocal Cooperation Act or Joint Public Agency Act. However, any area
14 annexed by any municipality shall only be subject to the ordinances of
15 such annexing municipality after such annexation.

16 Sec. 102. Section 18-1718, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-1718 Any action or proceeding of any kind or nature, whether
19 legal or equitable, which is brought to contest any annexation of
20 property made after April 29, 1967, by any city or village, shall ~~must~~ be
21 brought within one year from the effective date of such ~~the~~ annexation or
22 such action or proceeding ~~the same~~ shall be forever barred. The period of
23 time prescribed by this section for bringing an action shall not be
24 tolled or extended by nonresidence or disability.

25 Sec. 103. Section 18-1719, Revised Statutes Cumulative Supplement,
26 2020, is amended to read:

27 18-1719 Any city or village may provide for the destruction and
28 removal of specified portions of weeds and worthless vegetation within
29 the right-of-way of all railroads within the corporate limits of ~~any~~ such
30 city or village, ~~and it~~ may require the owner or owners of such right-of-
31 way to destroy and remove the weeds or vegetation from such right-of-way

1 ~~therefrom~~. If such owner or owners fail, neglect, or refuse, after ten
2 days' written notice to remove the weeds or vegetation, such city or
3 village, by its proper officers, shall destroy and remove the weeds or
4 vegetation or cause the weeds or vegetation to be destroyed or removed
5 and shall assess the cost thereof against such property as a special
6 assessment. No city or village shall destroy or remove or otherwise treat
7 such specified portions until after the time has passed in which the
8 railroad company is required to destroy or remove such vegetation.

9 Sec. 104. Section 18-1720, Revised Statutes Cumulative Supplement,
10 2020, is amended to read:

11 18-1720 (1) All cities and villages in this state may ~~are hereby~~
12 ~~granted power and authority~~ by ordinance to define, regulate, suppress,
13 and prevent nuisances, ~~and to~~ declare what shall constitute a nuisance,
14 and to abate and remove such nuisances ~~the same~~. Every city and village
15 may ~~is authorized to~~ exercise such power and authority within its
16 corporate limits and extraterritorial zoning jurisdiction.

17 (2) Any city or village may enter into an interlocal agreement
18 pursuant to the Interlocal Cooperation Act with a county in which the
19 extraterritorial zoning jurisdiction of the city or village is located to
20 provide for joint and cooperative action to abate, remove, or prevent
21 nuisances within such extraterritorial zoning jurisdiction. The governing
22 body of such city or village and the county board of such county shall
23 first approve such interlocal agreement by ordinance or resolution.

24 Sec. 105. Section 18-1721, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-1721 In order to lessen congestion on the streets and to
27 facilitate adequate provisions for community utilities and facilities
28 such as transportation, any city or village which has a comprehensive
29 zoning ordinance is authorized to require that no building or structure
30 shall be erected or enlarged upon any lot in any zoning district unless
31 the half of the street adjacent to such lot has been dedicated to its

1 comprehensive plan width. The maximum area of land required to be so
2 dedicated shall not exceed twenty-five percent of the area of any such
3 lot and the dedication shall not reduce such a lot below a width of fifty
4 feet or an area of five thousand square feet. Any owner of such a lot may
5 submit an application for a variance and the city or village ~~municipality~~
6 shall provide a procedure for such application to prevent unreasonable
7 hardship under the facts of each case. The authority granted in this
8 section ~~herein~~ is in addition to the authority of the city or village
9 ~~municipality~~ to require dedication of right-of-way as a condition of
10 subdivision approval.

11 Sec. 106. Section 18-1722.01, Reissue Revised Statutes of Nebraska,
12 is amended to read:

13 18-1722.01 Whenever the governing body of a municipality ~~of the~~
14 ~~metropolitan class~~ has decided by resolution or other ~~a municipality of~~
15 ~~any other class has made~~ a determination that a property is unsafe or
16 unfit for human occupancy because of one or more violations of its
17 minimum standard housing ordinance or has decided by resolution or other
18 determination, ~~whichever is applicable,~~ that a building is unsafe because
19 of one or more violations of its local dangerous building or construction
20 ~~code ordinance~~, it shall be the duty of such municipality to post the
21 property accordingly, and to file a copy of such resolution or other
22 ~~determination or resolution~~ in the office of the register of deeds of the
23 county to be recorded. No fee shall be charged for such recording or for
24 the release of such recording.

25 Sec. 107. Section 18-1723, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-1723 Whenever any firefighter who has served a total of five
28 years as a member of a paid fire department of any city in this state or
29 any police officer of any city or village, including any city having a
30 home rule charter, shall suffer death or disability as a result of
31 hypertension or heart or respiratory defect or disease, there shall be a

1 rebuttable presumption that such death or disability resulted from
2 accident or other cause while in the line of duty for all purposes of the
3 Police Officers Retirement Act, ~~Chapter 15, article 10,~~ sections 15-1012
4 to 15-1027 and 16-1020 to 16-1042, and any firefighter's or police
5 officer's pension plan established pursuant to any home rule charter, the
6 Legislature specifically finding the subject of this section to be a
7 matter of general statewide concern. The rebuttable presumption shall
8 apply to death or disability as a result of hypertension or heart or
9 respiratory defect or disease after the firefighter or police officer
10 separates from his or her applicable employment if the death or
11 disability occurs within three months after such separation. Such
12 rebuttable presumption shall apply in any action or proceeding arising
13 out of death or disability incurred prior to December 25, 1969, and which
14 has not been processed to final administrative or judicial conclusion
15 prior to such date.

16 Sec. 108. Section 18-1724, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-1724 Notwithstanding any other provision of law ~~or laws~~
19 ~~heretofore enacted,~~ all cities and villages in this state shall have the
20 power by ordinance to define, regulate, suppress, and prevent
21 discrimination on the basis of race, color, creed, religion, ancestry,
22 sex, marital status, national origin, familial status as defined in
23 section 20-311, handicap as defined in section 20-313, age, or disability
24 in employment, public accommodation, and housing and may provide for the
25 enforcement of such ordinances by providing appropriate penalties for the
26 violation thereof. It shall not be an unlawful employment practice to
27 refuse employment based on a policy of not employing both husband and
28 wife if such policy is equally applied to both sexes.

29 Sec. 109. Section 18-1729, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 18-1729 Any ~~incorporated~~ city or village may, by ordinance,

1 establish a violations bureau for the collection of penalties for
2 nonmoving traffic violations within such city or village. Such violations
3 shall not be subject to prosecution in the courts except when payment of
4 the penalty is not made within the time prescribed by ordinance. When
5 payment is not made within such time, the violations may be prosecuted in
6 the same manner as other ordinance violations.

7 Sec. 110. Section 18-1741.03, Reissue Revised Statutes of Nebraska,
8 is amended to read:

9 18-1741.03 To ensure ~~insure~~ uniformity, the Supreme Court may
10 prescribe the form of the handicapped parking citation to be used for
11 handicapped parking infractions. The handicapped parking citation shall
12 include a description of the handicapped parking infraction, the time and
13 place at which the person cited is to appear, a warning that failure to
14 appear in accordance with the command of the citation is a punishable
15 offense, and such other matter as the Supreme Court deems appropriate,
16 but shall not include a place for the cited person's social security
17 number. The handicapped parking citation shall provide space for an
18 affidavit by a peace officer certifying that the recipient of the
19 citation is the lawful possessor in his or her own right of a handicapped
20 or disabled parking permit and that the peace officer has personally
21 viewed the permit. The Supreme Court may provide that a copy of the
22 handicapped parking citation constitutes the complaint filed in the trial
23 court.

24 Sec. 111. Section 18-1743, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-1743 Any city or village which requires that a building permit be
27 issued for the erection, alteration, or repair of any building within its
28 corporate limits or extraterritorial zoning jurisdiction shall, if the
29 improvement is two thousand five hundred dollars or more, issue a
30 duplicate of such permit to the county assessor.

31 Sec. 112. Section 18-1748, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 18-1748 (1) Any city or village may require the owner of any
3 property which is within such city or village and connected to the public
4 sewers or drains to repair or replace any connection line which serves
5 the owner's property and is broken, clogged, or otherwise in need of
6 repair or replacement. The property owner's duty to repair or replace
7 such a connection line shall include those portions upon the owner's
8 property and those portions upon public property or easements up to and
9 including the point of junction with the public main.

10 (2) Any city or village may require the owner of property served by
11 a driveway approach constructed or maintained upon the street right-of-
12 way to repair or replace any such driveway approach which is cracked,
13 broken, or otherwise deteriorated to the extent that it is causing or is
14 likely to cause damage to or interfere with any street structure
15 including pavement or sidewalks.

16 (3) The city or village shall give the property owner notice by
17 registered letter or certified mail, directed to the last-known address
18 of such owner or the agent of such owner, directing the repair or
19 replacement of such connection line or driveway approach. If within
20 thirty days of mailing such notice the property owner fails or neglects
21 to cause such repairs or replacements to be made, the city or village may
22 cause such work to be done and assess the cost upon the property served
23 by such connection or approach.

24 Sec. 113. Section 18-1750, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-1750 (1) Municipalities may issue notes up to seventy percent of
27 the unexpended balance of total anticipated receipts for the current year
28 and the following year. Total anticipated receipts for the current year
29 and the following year shall mean a sum equal to the anticipated receipts
30 from the current existing total levy multiplied by two.

31 (2) Municipalities may execute and deliver in evidence of such

1 ~~anticipated receipts thereof~~ their promissory notes, which they may are
2 ~~hereby authorized and empowered to~~ make and negotiate, bearing a rate of
3 interest set by the city council or village board of trustees and
4 maturing not more than two years from the date thereof. Such notes,
5 before they are negotiated, shall be presented to the city treasurer or
6 village treasurer ~~of the municipality~~ and registered by him or her and
7 shall be payable out of the funds collected by such municipality in the
8 order of their registration after the payment of prior registered
9 warrants, but prior to the payment of any warrant subsequently
10 registered, except that if both warrants and notes are registered, the
11 total of such registered notes and warrants shall not exceed one hundred
12 percent of the unexpended balance of the total anticipated receipts of
13 such municipality for the current year and the following year. For the
14 purpose of making such calculation, such total anticipated receipts shall
15 not include any anticipated receipts against which the municipality has
16 issued notes pursuant to this section in either the current or the
17 immediately preceding year.

18 (3) ~~(2)~~ In addition to the provisions of subsections ~~subsection~~ (1)
19 and (2) of this section, municipalities may accept interest-free or low-
20 interest loans from the federal government and may execute and deliver in
21 evidence thereof their promissory notes maturing not more than twenty
22 years from the date of execution.

23 Sec. 114. Section 18-1751, Revised Statutes Cumulative Supplement,
24 2020, is amended to read:

25 18-1751 All cities and villages may create a special improvement
26 district for the purpose of replacing, reconstructing, or repairing an
27 existing street, alley, water line, or sewer line, or any other such
28 improvement. Except as provided in sections 19-2428 to 19-2431, the city
29 council or village board of trustees may levy a special assessment, to
30 the extent of such special benefits, for the costs of such improvements
31 upon the properties found specially benefited thereby, whether or not

1 such properties were previously assessed for the same general purpose. In
2 creating such special improvement district, the city council or village
3 board of trustees shall follow procedures applicable to the creation and
4 assessment of the same type of improvement district as otherwise provided
5 by law.

6 Sec. 115. Section 18-1752, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 18-1752 (1) Any city or village may provide for the collection and
9 removal of garbage or refuse found upon any lot or land within its
10 corporate limits or extraterritorial zoning jurisdiction or upon the
11 streets, roads, or alleys abutting such lot or land which constitutes a
12 public nuisance. The city or village may require the owner, duly
13 authorized agent, or tenant of such lot or land to remove the garbage or
14 refuse from such lot, ~~or~~ land, ~~and~~ streets, roads, or alleys.

15 (2) Notice that removal of garbage or refuse is necessary shall be
16 given to each owner or owner's duly authorized agent and to the tenant if
17 any. Such notice shall be provided by personal service or by certified
18 mail. After providing such notice, the city or village ~~through its proper~~
19 ~~offices~~ shall, in addition to other proper remedies, remove the garbage
20 or refuse, or cause it to be removed, from such lot, ~~or~~ land, ~~and~~
21 streets, roads, or alleys.

22 (3) If the mayor or city manager of such city or chairperson of the
23 village board of trustees of such village declares that the accumulation
24 of such garbage or refuse upon any lot or land constitutes an immediate
25 nuisance and hazard to public health and safety, the city or village
26 shall remove the garbage or refuse, or cause it to be removed, from such
27 lot or land within forty-eight hours after notice by personal service or
28 following receipt of a certified letter in accordance with subsection (2)
29 of this section if such garbage or refuse has not been removed.

30 (4) Whenever any city or village removes any garbage or refuse, or
31 causes it to be removed, from any lot or land pursuant to this section,

1 ~~such city or village~~ it shall, after a hearing conducted by the city
2 council or village board of trustees ~~its governing board~~, assess the cost
3 of the removal against such lot or land.

4 Sec. 116. Section 18-1754, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1754 The Tax Commissioner shall review the report of the annexing
7 city or village issued pursuant to section 18-1753 and its calculations
8 as to the new population of the city or village as the result of the
9 annexation. The Tax Commissioner ~~He or she~~ shall determine if the
10 methodology employed in determining such calculations has been made in
11 conformity with section 18-1753 and shall, within sixty days of his or
12 her receipt of a complete report from the annexing city or village,
13 certify the total new population of the city or village following the
14 annexation. The Tax Commissioner shall adopt and promulgate rules and
15 regulations to carry out this section and section 18-1753.

16 Sec. 117. Section 18-1755, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-1755 A city ~~of the metropolitan, primary, first, or second class~~
19 or village acquiring an interest in real property by purchase or eminent
20 domain shall do so only after the governing body of such city or village
21 has authorized the acquisition by action taken in a public meeting after
22 notice and public hearing. The city or village shall provide to the
23 public a right of access for recreational use to the real property
24 acquired for public recreational purposes. Such access shall be at
25 designated access points and shall be equal to the right of access for
26 recreational use held by adjacent landowners. The right of access granted
27 to the public for recreational use shall meet or exceed such right held
28 by a private landowner adjacent to the real property.

29 Sec. 118. Section 18-1757, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 18-1757 (1) The fire chief or head official of the fire department,

1 fire inspectors as may be designated by such fire chief or head official,
2 or inspectors charged with the enforcement of fire, health, ~~or~~ safety,
3 ~~and building or construction codes and constructional technical~~ codes of
4 a city of the metropolitan ~~first~~ class, city of the primary class, or
5 city of the first ~~metropolitan~~ class shall have the authority, after
6 being trained by a certified law enforcement officer in the policies and
7 procedures for issuance of citations, to issue citations for violations
8 of fire, health, ~~and~~ safety, ~~and building or construction codes and~~
9 ~~constructional technical~~ codes (a) that constitute infractions or
10 violations of city ordinances, (b) that are violations of the fire,
11 health, ~~or~~ safety, ~~or building or construction code or constructional~~
12 ~~technical~~ code that the official or inspector issuing the citation is
13 charged with enforcing, and (c) in which the circumstances do not pose a
14 danger to the official or inspector.

15 (2) If a city of the second class or village has adopted and is
16 enforcing a fire, health, safety, or building or construction
17 ~~constructional technical~~ code, the fire chief or head official of the
18 fire department, fire inspectors designated by such fire chief or head
19 official, or such inspectors charged with the enforcement of the fire,
20 health, safety, or building or construction ~~constructional technical~~ code
21 shall have the authority, after being trained by a certified law
22 enforcement officer in the policies and procedures for issuance of
23 citations, to issue citations for violations of fire, health, safety, or
24 building or construction ~~constructional technical~~ codes (a) that
25 constitute infractions or violations of city or village ordinances, (b)
26 that are violations of the fire, health, safety, or building or
27 construction ~~constructional technical~~ code that the official or inspector
28 issuing the citation is charged with enforcing, and (c) where the
29 circumstances do not pose a danger to the official or inspector.

30 (3) A citation issued under this section shall be equivalent to and
31 have the same legal effect as a citation issued in lieu of arrest or

1 continued custody by a peace officer if the citation and procedures
2 utilized meet the requirements of sections 29-422 to 29-429. The citation
3 shall be on the same form prescribed under section 29-423. Failure to
4 appear or comply with a citation issued under this section shall be
5 punishable in the same manner as provided in section 29-426. An official
6 or inspector issuing a citation under this section shall not have
7 authority to take a person into custody or detain a person under this
8 section or section 29-427.

9 Sec. 119. Section 18-1801, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-1801 Whenever any city or village is authorized to issue bonds
12 that would constitute a general obligation of the city or village and
13 such ~~the~~ city or village has taken all preliminary steps required for the
14 issuance of two or more issuances of such bonds, except the enactment of
15 an ordinance or resolution prescribing the form thereof, the city or
16 village may combine all such proposed bonds into a single issue in the
17 total amount of the aggregate of the proposed separate issues and issue
18 and sell such bonds at not less than par. The bonds shall be known as
19 Various Purpose Bonds of the City (or Village) of

20 Sec. 120. Section 18-1802, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 18-1802 Any ~~The~~ various purpose bonds issued under section 18-1801
23 shall be authorized by an ordinance enacted by a majority vote of the
24 governing body of the city or village. The ordinance shall state the
25 various proposed bonds and the amount of each proposed issue which have
26 been combined in the various purpose bonds. The various purpose bonds may
27 mature and bear interest as the governing body may determine but the
28 amount of each proposed separate issue included therein shall mature and
29 bear interest within the maturity and interest limitations which would be
30 applicable to such separate issue as if it were issued independently. The
31 proceeds received from the sale of such bonds shall be allocated and

1 applied to the same purposes as the proceeds of the separate bond issues
2 would have been applied if issued. All money collected from special
3 assessments or other special funds which might have been applied on the
4 payment of any bonds if issued separately shall be kept in a special
5 account and used to pay the principal and interest on the various purpose
6 bonds of the city or village.

7 Sec. 121. Section 18-1803, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-1803 Any city or village shall have the power to issue revenue
10 bonds for the purpose of acquiring, constructing, reconstructing,
11 improving, extending, equipping, or furnishing any revenue-producing
12 facility within or without its corporate limits that the city or village
13 ~~municipality~~ has power to acquire, construct, reconstruct, extend, equip,
14 improve, or operate and for any purpose necessary or incidental to any
15 such purpose of the foregoing and for the purpose of refunding any such
16 bonds and for the purpose of refunding general obligation bonds of the
17 city or village issued to construct part or all of such revenue-producing
18 facilities including refunding any general obligation bonds which may
19 have been issued to refund any bonds issued to construct part or all of
20 such revenue-producing facilities. Cities of the primary class may also
21 issue revenue bonds for any public purpose in connection with or related
22 to any such revenue-producing facility. For the purposes of sections
23 18-1803 to 18-1805, bonds shall mean and include bonds, notes, warrants,
24 or debentures, including notes issued pending permanent revenue bond
25 financing. For the purposes of sections 18-1803 to 18-1805, facility
26 shall mean and include, but not be limited to, all or part of a revenue-
27 producing undertaking, such as a health care facility, waterworks plant,
28 water system, sanitary sewer system, sewage disposal plant, gas plant,
29 electric light and power plant, electric distribution system, or airport
30 facility, including an ownership interest in any such undertaking, or any
31 combination of two or more such undertakings or an interest or interests

1 therein.

2 Sec. 122. Section 18-1804, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 18-1804 General provisions relating to the form, sale, issuance, and
5 other matters concerning revenue bonds issued by municipalities shall be
6 as follows:

7 (1) The form, denominations, and other features of such bond issues
8 shall be as prescribed by the governing body in the ordinance authorizing
9 the issuance of such bonds. The official designated shall be responsible
10 for the sale and issuance of such bonds, for their delivery, for promptly
11 and properly depositing the proceeds therefrom, and for other ministerial
12 acts relating to bonds;

13 (2) Revenue bonds shall be issued for such terms as the ordinance
14 authorizing such bonds ~~them~~ shall prescribe but shall not mature later
15 than fifty years after the date of issuance thereof and may be issued
16 with or without an option of redemption as shall be determined by the
17 governing body;

18 (3) Revenue bonds shall be sold for such price, bear interest at
19 such rate or rates, and be payable as to principal and interest at such
20 time or times and at such place or places within or without the state as
21 shall be determined by the governing body;

22 (4) Any ordinance authorizing revenue bonds may contain such
23 covenants and provisions to protect and safeguard the security of the
24 holders of such bonds as shall be deemed necessary to assure the prompt
25 payment of the principal thereof and the interest thereon. Such covenants
26 and provisions may establish or provide for, but shall not be limited to,
27 (a) the payment of interest on such bonds from the proceeds thereof for
28 such period as the governing body deems advisable, the creation of
29 reserve funds from bond proceeds, revenue of the facility for or with
30 respect to which the bonds were issued or other available money, the
31 creation of trust funds, and the appointment of trustees for the purpose

1 of receiving and disbursing bond proceeds or the collection and
2 disbursement of revenue from the facility for or with respect to which
3 the bonds were issued, (b) ÷ the limitations or conditions upon the
4 issuance of additional bonds payable from the revenue of the facility for
5 or with respect to which the bonds were issued, (c) ÷ the operation,
6 maintenance, management, accounting, and auditing procedures to be
7 followed in the operation of the facility, ÷ and (d) the conditions under
8 which any trustee or bondholders committee shall be entitled to the
9 appointment of a receiver to take possession of the facility, to manage
10 it, and to receive and apply revenue from the facility;

11 (5) The provisions of this section and any ordinances authorizing
12 the issuance of revenue bonds pursuant to this section shall constitute a
13 contract of the municipality with every holder of such bonds and shall be
14 enforceable by any bondholder by mandamus or other appropriate action at
15 law or in equity in any court of competent jurisdiction;

16 (6) Bonds issued pursuant to this section shall not be a debt of the
17 municipality within the meaning of any constitutional, statutory, or
18 charter limitation upon the creation of general obligation indebtedness
19 of the municipality, and the municipality shall not be liable for the
20 payment of such bonds ~~thereof~~ out of any money of the municipality other
21 than the revenue pledged to the payment thereof, and all bonds issued
22 pursuant to this section shall contain a recital to that effect. The
23 holders of all revenue bonds shall have a lien on the revenue of the
24 facility for or with respect to which they are issued subject to
25 conditions provided in the ordinance authorizing the issuance of such
26 bonds;

27 (7) Whenever the governing body shall have issued any revenue bonds,
28 the governing body ~~it~~ shall establish, maintain, revise, and collect
29 charges and rates throughout the life of the bonds at least sufficient to
30 provide for all costs associated with the ownership, operation,
31 maintenance, renewal, and replacement of the facility for or with respect

1 to which the bonds were issued and ~~7~~ the payment of the principal and
2 interest on all indebtedness incurred with respect thereto and to provide
3 adequate reserves therefor, to maintain such coverage for the payment of
4 such indebtedness as the governing body may deem advisable, to maintain
5 such other reserves as provided in the ordinances authorizing the
6 issuance of such bonds, and to carry out the provisions of such
7 ordinances; and

8 (8) Bonds issued pursuant to this section ~~Such bonds~~ shall be signed
9 by the mayor or chairperson of the village board of trustees and
10 countersigned by the official designated. Signatures upon such bonds and
11 coupons shall be in such form as the governing body may prescribe in the
12 bond ordinance concerned. At least one manual signature shall be affixed
13 to each bond, but other required signatures may be affixed as facsimile
14 signatures. The use on bonds and coupons of a printed facsimile of the
15 municipal seal is also authorized.

16 Sec. 123. Section 18-1902, Revised Statutes Cumulative Supplement,
17 2020, is amended to read:

18 18-1902 The plumbing board shall organize by selecting one member as
19 chairperson. The plumbing inspector shall be the secretary of the board.
20 It shall be the duty of the secretary to keep full, true, and correct
21 minutes and records of all licenses issued by the plumbing board ~~it~~,
22 together with their kinds and dates, and the names of the persons to whom
23 issued, in books to be provided by such city or village for that purpose,
24 which books and records shall be open for free inspection by all persons
25 during business hours.

26 Sec. 124. Section 18-1905, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 18-1905 The assistant inspectors shall receive a salary in an amount
29 to be determined by the city council or village ~~chairman~~ and board of
30 trustees. The members of the plumbing board, not ex officio members,
31 shall be paid an amount to be determined by the city council or village

1 ~~chairman and~~ board of trustees. No meeting of the plumbing board shall be
2 held at any time, except on the call of the chairperson ~~chairman~~ of such
3 board. All salaries shall be paid out of the general fund of the city or
4 village, where the plumbing board is located, the same as other city or
5 village officers are paid. Vouchers for the same shall be duly certified
6 by the chairperson ~~chairman~~ and secretary of such plumbing board to the
7 city council, city manager, or village ~~chairman and~~ board of trustees.

8 Sec. 125. Section 18-1907, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 18-1907 Any person desiring to do any plumbing, or to work at the
11 business of plumbing, in any ~~such~~ city or village which has established a
12 plumbing board, shall make written application to the plumbing board for
13 examination for a license, which examination shall be made at the next
14 meeting of the plumbing board, or at an adjourned meeting. ~~If the~~
15 ~~applicant is an individual, the application shall include the applicant's~~
16 ~~social security number.~~ The plumbing board shall examine the applicant as
17 to his or her practical knowledge of plumbing, house drainage,
18 ventilation, and sanitation, which examination shall be practical as well
19 as theoretical, ~~÷~~ and if the applicant has shown himself or herself
20 competent, the plumbing board shall cause its chairperson and secretary
21 to execute and deliver to the applicant a license authorizing him or her
22 to do plumbing in such city or village and also within the area of
23 extraterritorial ~~the zoning jurisdiction outside the corporate limits of~~
24 cities of the metropolitan class.

25 Sec. 126. Section 18-1909, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-1909 All original and renewal plumbing licenses shall be good for
28 one year or two years from the date of issuance as determined by the
29 plumbing board, except that any license may be revoked or suspended by
30 the plumbing board at any time upon a hearing upon sufficient written,
31 sworn charges filed with the plumbing board showing the holder of the

1 license to be incompetent or guilty of a willful breach of the rules,
2 regulations, or requirements of the plumbing board or of the laws or
3 ordinances relating thereto or of other causes sufficient for the
4 revocation or suspension of his or her license, of which charges and
5 hearing the holder of such license shall have written notice.

6 Sec. 127. Section 18-1910, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 18-1910 It shall be unlawful for any person to do any plumbing in
9 any ~~such~~ city or village, or within the area of extraterritorial ~~the~~
10 zoning jurisdiction ~~outside the corporate limits~~ of cities of the
11 metropolitan class, which has established a plumbing board unless the
12 person ~~he~~ holds a proper license. It shall be unlawful for any person to
13 make any connection to water mains extended from within and beyond the
14 extraterritorial zoning jurisdiction of a city of the metropolitan class
15 which has established a plumbing board, unless the person ~~he~~ complies
16 with the applicable plumbing codes of the city of the metropolitan class
17 ~~city~~ and holds a proper license as required by such city. ~~The thereby;~~
18 ~~Provided, that the~~ requirements of this section shall not apply to
19 employees of the water utility of such city or village acting within the
20 scope of their employment.

21 Sec. 128. Section 18-1912, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 18-1912 The city or village plumbing inspector shall inspect all
24 plumbing work in process of construction, alteration, or repair within
25 the inspector's ~~his~~ respective jurisdiction, and for which a permit
26 either has or has not been granted, and shall report to the plumbing said
27 board all violations of any law, ~~or~~ ordinance, or rule or regulation of
28 the plumbing board, in connection with the plumbing work being done, and
29 ~~also~~ shall perform such other appropriate duties as may be required of
30 such inspector ~~him~~ by the plumbing said board. If necessary, the mayor,
31 by the consent of the city council, the city manager, or the chairperson

1 ~~of the village chairman~~ and board of trustees, shall employ one or more
2 assistant inspectors, who shall be ~~practical~~ licensed plumbers, to assist
3 in the performance of the duties of the plumbing inspector.

4 Sec. 129. Section 18-1913, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1913 The plumbing inspector shall be required to stop any
7 plumbing work not being done in accordance with the requirements of the
8 rules and regulations of the plumbing board. ~~The ; and the~~ plumbing board
9 shall have the power to cause plumbing to be removed, if, after notice to
10 the owner or plumber doing the work, the plumbing board shall find the
11 work or any part thereof to be defective.

12 Sec. 130. Section 18-1915, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-1915 The State of Nebraska shall permit cities and villages to
15 collect permit fees and inspect all sanitary plumbing installed or
16 repaired, except for a single-family dwelling or a farm or ranch
17 structure, within the State of Nebraska outside of the corporate limits
18 or extraterritorial zoning jurisdiction of cities and villages. The city
19 or village nearest the construction site shall have jurisdiction to
20 collect such permit fees and conduct the inspection of the sanitary
21 plumbing. If such ~~the~~ city or village has a plumbing ordinance in force
22 and effect, such ordinance will govern the installation of the sanitary
23 plumbing. If there is no plumbing city ordinance in effect for such city
24 or village, the 2009 Uniform Plumbing Code accredited by the American
25 National Standards Institute shall apply to all buildings except single-
26 family dwellings and farm and ranch structures.

27 ~~Any code or ordinance enacted by a city or village which is at least~~
28 ~~equal to the 2009 Uniform Plumbing Code accredited by the American~~
29 ~~National Standards Institute shall take preference over the provisions of~~
30 ~~the immediately preceding sentence.~~

31 Sec. 131. Section 18-1919, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 18-1919 Nothing in sections 18-1915 to 18-1919 shall be construed to
3 require an employee working for a single employer as part of such
4 employer's full-time staff and not holding himself or herself out to the
5 public for hire to hold a license while acting within the scope of his
6 employment for such employer.

7 Sec. 132. Section 18-2003, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-2003 In order to defray the costs and expenses of the
10 improvements authorized by sections 18-2001 and 18-2002, the mayor and
11 city council or chairperson ~~chairman~~ and village board of trustees, as
12 the case may be, may levy and collect special taxes and assessments upon
13 the lots and parcels of real estate adjacent to or abutting upon the
14 portion of the street or alley ~~thus~~ improved, or which may be specially
15 benefited by such improvements, notwithstanding that the same may be
16 unplatted and not subdivided. The ~~;~~ ~~and~~ ~~the~~ method of levying,
17 equalizing, and collecting such special assessments, and generally
18 financing such improvements by bond issues and other means, shall be as
19 provided by law for paving and street improvements in such city or
20 village municipality. For the purpose of paying the cost of street
21 improvements as provided in section 18-2001, the mayor and city council
22 or chairperson ~~chairman~~ and village board of trustees, as the case may
23 be, shall have the power, after the improvements have been completed and
24 accepted, to issue negotiable bonds of such city or village to be called
25 Paving Bonds, payable in not exceeding fifteen years and bearing interest
26 payable annually or semiannually, which may be sold by the city or
27 village for not less than the par value of such bonds ~~thereof~~. For the
28 purpose of making partial payments as the work progresses, warrants
29 bearing interest may be issued by the city council or village board of
30 trustees governing body of the city or village upon certificates of the
31 engineer in charge showing the amount of work completed and materials

1 necessarily purchased and delivered for the orderly and proper
2 continuation of the project, in a sum not exceeding ninety-five percent
3 of the cost thereof until the work has been completed and accepted by the
4 city or village, at which time a warrant for the balance of the amount
5 may be issued, which warrants shall be redeemed and paid upon the sale of
6 the bonds or from any other funds available. The city or village shall
7 pay to the contractor interest at the rate of eight percent per annum on
8 the amounts due on partial and final payments beginning forty-five days
9 after the certification of the amounts due by the engineer in charge and
10 approval by the city council or village board of trustees ~~governing body~~,
11 and running until the date that the warrant is tendered to the
12 contractor. All special assessments which may be levied upon property
13 specially benefited by such work or improvements shall, when collected,
14 be set aside and constitute a sinking fund for the payment of the
15 interest and principal of such bonds. There shall be levied annually upon
16 all taxable property in such city or village a tax which, together with
17 such sinking fund derived from special assessments, shall be sufficient
18 to meet payments of interest and principal as the same become due.

19 Sec. 133. Section 18-2004, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 18-2004 Nothing in sections 18-2001 to 18-2004 shall be construed to
22 repeal or amend any statutes except those ~~hereinafter~~ specifically
23 repealed, and sections 18-2001 to 18-2004 shall be supplemental to and in
24 addition to any other laws of the State of Nebraska related to street
25 improvements ~~construed as an independent and complete act~~. Other statutes
26 may be relied upon, if need be, to supplement and effectuate the purposes
27 of sections 18-2001 to 18-2004.

28 Sec. 134. Section 18-2005, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 18-2005 The city council ~~governing body~~ of any city shall have
31 concurrent and joint jurisdiction with the county board of any county and

1 the governing body of any other municipality over any street which is
2 contiguous to and forms a common boundary between such city and ~~any~~
3 county or municipality. The city council ~~governing body~~ of such ~~any~~ city
4 shall have the right and authority to exercise all powers over such
5 street as it may over streets within its corporate limits with the
6 cooperation and concurrence of the county board or the governing body of
7 any other municipality. Nothing in this section ~~herein~~ shall be construed
8 as granting any power of annexation which is not otherwise granted by
9 law.

10 Sec. 135. Section 18-2123, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-2123 Upon a determination, by resolution, of the governing body
13 of the city in which such land is located, that the acquisition and
14 development of undeveloped vacant land, not within a substandard and ~~or~~
15 blighted area, is essential to the proper clearance or redevelopment of
16 substandard and ~~or~~ blighted areas or a necessary part of the general
17 community redevelopment program of the city, or that the acquisition and
18 development of land outside the city, but within a radius of three miles
19 thereof, is necessary or convenient to the proper clearance or
20 redevelopment of one or more substandard and ~~or~~ blighted areas within the
21 city or is a necessary adjunct to the general community redevelopment
22 program of the city, the acquisition, planning, and preparation for
23 development or disposal of such land shall constitute a redevelopment
24 project which may be undertaken by the authority in the manner provided
25 in the Community Development Law ~~foregoing sections~~.

26 Sec. 136. Section 18-2124, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 18-2124 An authority may issue bonds from time to time in its
29 discretion for any of its corporate purposes, including the payment of
30 principal and interest upon any advances for surveys and plans for
31 redevelopment projects. An authority may also issue refunding bonds for

1 the purpose of paying, retiring, or otherwise refinancing or in exchange
2 for any or all of the principal or interest upon bonds previously issued
3 by the authority. An authority may issue such types of bonds as it may
4 determine, including, without limiting the generality of the foregoing,
5 bonds on which the principal and interest are payable: (1) Exclusively
6 from the income, proceeds, and revenue of the redevelopment project
7 financed with proceeds of such bonds; (2) exclusively from the income,
8 proceeds, and revenue of any of its redevelopment projects whether or not
9 they are financed in whole or in part with the proceeds of such bonds;
10 (3) exclusively from its revenue and income, including any special
11 assessment levied pursuant to section 18-1722 and such tax revenue or
12 receipts as may be ~~herein~~ authorized under the Community Development Law,
13 including those which may be pledged under section 18-2150, and from such
14 grants and loans as may be received; or (4) from all or part of the
15 income, proceeds, and revenue enumerated in subdivisions (1), (2), and
16 (3) of this section. Any such bonds may be additionally secured by a
17 pledge of any loan, grant, or contributions, or parts thereof, from the
18 federal government or other source or a mortgage of any redevelopment
19 project or projects of the authority. The authority shall not pledge the
20 credit or taxing power of the state or any political subdivision thereof,
21 except such tax receipts as may be authorized under this section or
22 pledged under section 18-2150, or place any lien or encumbrance on any
23 property owned by the state, county, or city used by the authority.

24 Sec. 137. Section 18-2131, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-2131 An authority ~~may will have power~~ by its resolution, trust
27 indenture, mortgage, lease, or other instrument, ~~contract to~~ confer upon
28 any obligee holding or representing a specified amount in bonds, the
29 right, in addition to all rights that may otherwise be conferred, upon
30 the happening of an event of default as defined in such resolution or
31 instruments, by suit, action, or proceeding in any court of competent

1 jurisdiction: (1) To cause possession of any redevelopment project or any
2 part thereof, title to which is in the authority, to be surrendered to
3 any such obligee; (2) to obtain the appointment of a receiver of any
4 redevelopment project of such said authority or any part thereof, title
5 to which is in the authority, and of the rents and profits therefrom. If
6 such receiver be appointed, the receiver ~~he~~ may enter and take possession
7 of, carry out, operate, and maintain such project or any part thereof and
8 collect and receive all fees, rents, revenue, or other charges thereafter
9 arising from such project ~~therefrom~~, and shall keep such money in a
10 separate account or accounts and apply the same in accordance with the
11 obligations of such said authority as the court shall direct; and (3) to
12 require the authority and the members, officers, agents, and employees
13 thereof to account as if it and they were the trustees of an express
14 trust.

15 Sec. 138. Section 18-2133, Revised Statutes Cumulative Supplement,
16 2020, is amended to read:

17 18-2133 An obligee of an authority shall have the right in addition
18 to all other rights which may be conferred upon such obligee, subject
19 only to any contractual restrictions binding upon such obligee:

20 (1) By mandamus, suit, action, or proceeding at law or in equity to
21 compel such said authority and the members, officers, agents, or
22 employees thereof to perform each and every term, provision, and covenant
23 contained in any contract of such said authority with or for the benefit
24 of such obligee, and to require the carrying out of any or all such
25 covenants and agreements to the authority and the fulfillment of all
26 duties imposed upon the authority by the Community Development Law; and

27 (2) By suit, action, or proceeding in equity to enjoin any acts or
28 things which may be unlawful, or the violation of any of the rights of
29 such obligee of the authority.

30 Sec. 139. Section 18-2135, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-2135 In any contract for financial assistance with the federal
2 government, ~~an~~ the authority may obligate itself, which obligation shall
3 be specifically enforceable and shall not constitute a mortgage,
4 notwithstanding any other laws, to convey to the federal government
5 possession of or title to ~~a~~ the redevelopment project and land therein to
6 which such contract relates which is owned by the authority, upon the
7 occurrence of a substantial default, as defined in such contract, with
8 respect to the covenants or conditions to which the authority is subject.
9 Such ~~;~~ ~~such~~ contract may further provide that in case of such conveyance,
10 the federal government may complete, operate, manage, lease, convey, or
11 otherwise deal with the redevelopment project in accordance with the
12 terms of such contract, if ~~;~~ ~~Provided,~~ ~~that~~ the contract requires that,
13 as soon as practicable after the federal government is satisfied that all
14 defaults with respect to the redevelopment project have been cured and
15 that the redevelopment project will thereafter be operated in accordance
16 with the terms of the contract, the federal government shall reconvey to
17 the authority the redevelopment project as then constituted.

18 Sec. 140. Section 18-2136, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 18-2136 All property including funds of an authority shall be exempt
21 from levy and sale by virtue of an execution, and no execution or other
22 judicial process shall issue against such property ~~the same~~ nor shall
23 judgment against an authority be a charge or lien upon its property.
24 The ~~;~~ ~~Provided,~~ ~~that~~ the provisions of this section shall not apply to or
25 limit the right of obligees to foreclose or otherwise enforce any
26 mortgage of an authority or the right of obligees to pursue any remedies
27 for the enforcement of any pledge or lien given by an authority on its
28 rents, fees, grants, or revenue.

29 Sec. 141. Section 18-2201, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 18-2201 The Legislature hereby finds and declares that the ~~The~~

1 furnishing of community antenna television service is hereby ~~declared to~~
2 be a business affected with such a public interest that it must be
3 regulated locally. All municipalities in Nebraska are hereby authorized
4 and empowered, by ordinance, to regulate, ~~to prohibit,~~ and ~~to consent to~~
5 the construction, installation, operation, and maintenance within their
6 corporate limits of all persons or entities furnishing community antenna
7 television service. All municipalities, acting through the mayor and city
8 council or village board of trustees, shall have power to require every
9 individual or entity offering such service, subject to reasonable rules
10 and regulations, to furnish any person applying therefor along the lines
11 of its wires, cables, or other conduits, with television and radio
12 service. The mayor and city council or village board of trustees shall
13 have power to prescribe reasonable quality standards for such service and
14 shall regulate rate increases so as to provide reasonable and
15 compensatory rents or rates for such service including installation
16 charges. In the regulation of rate increases the procedure provided in
17 section 18-2206 shall be used in any franchise granted or renewed after
18 May 23, 1979. Such person or entity furnishing community antenna
19 television service shall be required to carry all broadcast signals as
20 prescribed by franchise and permitted to be carried by Federal
21 Communications Commission regulations during the full period of the
22 broadcast day of its stations.

23 Sec. 142. Section 18-2202, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-2202 It shall be unlawful for any person, firm, or corporation to
26 construct, install, operate, or maintain in or along the streets, alleys,
27 and public ways, or elsewhere within the corporate limits of any
28 municipality, a community antenna television service without first
29 obtaining, from such municipality involved, a franchise authorizing the
30 same. The ~~;~~ ~~and~~ ~~the~~ governing bodies of such municipalities are hereby
31 authorized to grant such a franchise and such franchise shall be

1 effective and binding without submission to the electors and approval by
2 a majority vote thereof, notwithstanding any other law or home rule
3 charter, for a term of not to exceed twenty-five years upon such
4 reasonable conditions as the circumstances may require.

5 Sec. 143. Section 18-2203, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-2203 Municipalities may by ordinance require the filing with the
8 city clerk or village clerk by the person, firm, or corporation
9 constructing, installing, operating, or maintaining ~~such~~ community
10 antenna television service of a proper map showing the exact location of
11 all underground cables and equipment, together with a statement showing
12 the exact nature of such cables and equipment ~~the same~~.

13 Sec. 144. Section 18-2204, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 18-2204 Municipalities may, by appropriate ordinance, levy an annual
16 occupation tax against any person, firm, or corporation ~~now~~ maintaining
17 and operating any community antenna television service within its
18 boundaries; and may levy an annual occupation tax against any persons,
19 firms, or corporations ~~hereafter~~ constructing, installing, operating, or
20 maintaining ~~such~~ community antenna television service. Any such
21 occupation tax so levied shall be due and payable on May 1 of each year
22 to the city treasurer or village treasurer ~~of such city or village~~.

23 Sec. 145. Section 18-2206, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-2206 (1) Approval of a rate increase for a person or entity
26 furnishing community antenna television service shall be required and
27 shall be made by the city council or village board of trustees which
28 granted the franchise to such person or entity. Such approval shall be
29 made by ordinance or resolution.

30 (2) Prior to voting on a rate increase the city council or village
31 board of trustees shall hold at least two public meetings at which the

1 ratepayers and the franchisee may comment on the programming content and
2 rates of such franchisee.

3 (3) At least thirty days prior to the first public meeting held to
4 examine programming content and rates, each ratepayer or subscriber shall
5 be notified by a billing statement or other written notice when and where
6 such public meeting shall be held. Such notice shall also provide
7 information as to what rates are proposed by the franchisee for
8 consideration by the city council or village board of trustees.

9 Sec. 146. Section 18-2301, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-2301 For purposes of ~~As used in~~ sections 18-2301 to 18-2315,
12 unless the context otherwise requires:

13 (1) Air conditioning air distribution means ~~shall mean~~ the control
14 of any one or more of the following factors affecting both physical and
15 chemical conditions of the atmosphere within a structure: Temperature,
16 humidity, movement and purity;

17 (2) Furnace means ~~shall mean~~ a self-contained, flue-connected or
18 vented, appliance intended primarily to supply heated air through ducts
19 to spaces remote from or adjacent to the appliance location as well as to
20 the space in which it is located;

21 (3) Contractor means ~~shall mean~~ a holder of a valid certificate of
22 competency for air conditioning air distribution;

23 (4) Ventilating system means ~~shall mean~~ each process of removing air
24 by natural gravity exhauster or mechanical exhaust fan from any space;
25 and

26 (5) Kitchen exhaust system means ~~shall mean~~ a duct system or air
27 passageway for removal of kitchen air contaminants by mechanical means.

28 Sec. 147. Section 18-2302, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 18-2302 In any city or village, there may be a board for the
31 examination of air conditioning air distribution contractors for the

1 issuance of certificates of competency and for such other duties and
2 responsibilities as may be prescribed by sections 18-2301 to 18-2315.
3 Such board shall consist of not more than five members all of whom shall
4 be appointed by the mayor, the chairperson ~~chairman~~ of the village board
5 of trustees, or the city manager with the approval of the city council or
6 village board of trustees. All vacancies occurring on the air
7 conditioning air distribution board by reason of death, disability, or
8 inability of a member to serve shall be filled in the same manner as the
9 original appointment. The qualifications for members of the air
10 conditioning air distribution board may be prescribed by the city council
11 or ~~in the case of a village, by the board of trustees.~~

12 Sec. 148. Section 18-2303, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-2303 Members of ~~The persons who compose~~ the air conditioning air
15 distribution board shall, within ten days after their appointments, meet
16 in their respective city or village building or place designated by the
17 city council, city manager, or village chairman ~~and board of trustees~~ and
18 organize by the selection of one of their members as chairperson
19 ~~chairman~~, one as vice-chairperson ~~vice-chairman~~, and one as secretary. It
20 shall be the duty of the secretary to keep full, true, and correct
21 minutes and records of all meetings, applications for examinations,
22 examinations given and results thereof, and certificates issued, which
23 records shall be open for free inspection by all persons during business
24 hours.

25 Sec. 149. Section 18-2304, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-2304 The appointment of the air conditioning air distribution
28 board shall be for staggered terms of three years as provided by the city
29 council or village board of trustees ~~of the respective city or village~~
30 with the appointments to be made in December of each year. Compensation
31 shall be determined by the city council or village chairman ~~and board of~~

1 trustees.

2 Sec. 150. Section 18-2305, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 18-2305 The air conditioning air distribution board shall meet at
5 least once a month at a fixed time as determined by the city council or
6 village ~~chairman~~ and board of trustees. The board shall adopt rules for
7 the examination at such times and places of all persons who desire a
8 certificate of competency to engage in the business of designing,
9 installing, altering, repairing, cleaning, or adding to any air
10 conditioning air distribution system, furnace, restaurant appliance hood
11 and duct system, or other exhaust or intake ventilating system within the
12 city or village and also within the area of extraterritorial zoning
13 jurisdiction ~~outside the corporate limits~~ of cities of the metropolitan
14 class.

15 Sec. 151. Section 18-2306, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 18-2306 The air conditioning air distribution board, subject to the
18 approval of the city council or village board of trustees, may adopt
19 rules and regulations, not inconsistent with the laws of the state or the
20 ordinances of the city or village, for the designing, installing,
21 altering, inspecting, or repairing of an air conditioning air
22 distribution and ventilating system placed in or in connection with any
23 building in such city or village or within the area of extraterritorial
24 zoning jurisdiction ~~outside the corporate limits~~ of cities of the
25 metropolitan class describing the kind and size of materials to be used
26 in such systems and the manner in which such work shall be done. All
27 plans and specifications for any such system to be placed in a building
28 shall be first submitted to the board or other body designated by the
29 city council or village ~~chairman~~ and board of trustees for its approval
30 before such system ~~it~~ shall be installed.

31 Sec. 152. Section 18-2307, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 18-2307 (1) Any person desiring to engage in business as an air
3 conditioning air distribution contractor in a city or village which has
4 established an air conditioning air distribution board or within the
5 extraterritorial area of zoning jurisdiction ~~outside the corporate limits~~
6 of cities of the metropolitan class if such city ~~it~~ has such a board,
7 shall secure a certificate of competency. ~~Any ; and any~~ person desiring
8 to engage in the business, or to proceed to install, alter, repair,
9 clean, or add to or change in any manner any air conditioning air
10 distribution system or any furnace, restaurant appliance hood and duct
11 system, or other exhaust or intake ventilating system, within such city
12 or village or within the extraterritorial area of zoning jurisdiction
13 ~~outside the corporate limits~~ of cities of the metropolitan class shall be
14 the holder of a certificate of competency or in the direct employ of a
15 person, firm, or corporation holding such certificate.

16 (2) The air conditioning air distribution board shall, upon written
17 application, examine the applicant at its next meeting or at an adjourned
18 meeting as to his or her practical and theoretical knowledge of the
19 designing and installing of residential, commercial, and industrial air
20 conditioning air distribution and ventilating systems and, if found
21 competent, deliver to the applicant a certificate of competency. ~~If the~~
22 ~~applicant is an individual, the application for a certificate of~~
23 ~~competency shall include the applicant's social security number.~~

24 Sec. 153. Section 18-2308, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-2308 Nothing contained in sections 18-2301 to 18-2315 shall be
27 construed to prohibit a homeowner from personally performing air
28 conditioning air distribution work on the property in which the homeowner
29 ~~he~~ resides, and the homeowner ~~he~~ will not be required to have a
30 certificate of competency to do such work, but the work must conform to
31 the rules and regulations set forth by the city council or village

1 ~~chairman~~ and board of trustees for such work as provided by the
2 ~~provisions~~ of sections 18-2301 to 18-2315.

3 Sec. 154. Section 18-2309, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-2309 All applicants who have successfully passed an the
6 examination may, prior to receiving a certificate of competency, be
7 required by the air conditioning air distribution board to furnish a
8 corporate surety bond in the penal sum of not more than ten thousand
9 dollars conditioned that the applicant shall, in all material furnished
10 by the applicant ~~him~~ furnished and in all work performed by the applicant
11 ~~him~~ done and performed within the city or village or within the
12 extraterritorial ~~area of zoning jurisdiction outside the corporate limits~~
13 of cities of the metropolitan class, in installing, altering, and
14 repairing any air conditioning air distribution system or ventilating
15 system, strictly comply with all regulations of the air conditioning air
16 distribution board and ordinances of the city or village related thereto.

17 Sec. 155. Section 18-2310, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 18-2310 All original certificates of competency may be renewed and
20 all renewed certificates of competency may be renewed by the air
21 conditioning air distribution board before the dates of their expiration.
22 Such renewal certificates shall be granted without a reexamination upon
23 the written application of the certificate holder filed with the board
24 and showing that the certificate holder ~~his~~ purposes and condition remain
25 unchanged unless it is made to appear by affidavit before the board that
26 the certificate holder is no longer competent or entitled to such renewal
27 certificate, in which event the renewal certificate shall not be granted
28 until the applicant has undergone the examination required by section
29 18-2307.

30 Sec. 156. Section 18-2311, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-2311 All original and renewal certificates shall be good for one
2 year from their dates, but any certificate may be revoked by the air
3 conditioning air distribution board at any time after a hearing upon
4 sufficient notice after sworn charges are filed with the board showing
5 the holder of the certificate to be then incompetent, guilty of willful
6 breach of the rules, regulations, or requirements of the board, or of the
7 laws or ordinances relating thereto, or of other causes sufficient for
8 the revocation of the certificate as determined by the city council or
9 village ~~chairman and~~ board of trustees ~~of each city or village~~ of which
10 charges and hearing the holder of such certificate shall have written
11 notice.

12 Sec. 157. Section 18-2312, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-2312 It shall be unlawful for any person to engage in business as
15 an air conditioning air distribution contractor or to engage in the
16 business of installing, altering, repairing, cleaning, adding to, or
17 changing in any manner any air conditioning air distribution system or
18 any furnace, any restaurant appliance hood or its duct system, or any
19 other exhaust or intake ventilating system within a city or village
20 having an air conditioning air distribution board or within the
21 extraterritorial ~~area of zoning jurisdiction outside the corporate limits~~
22 of cities of the metropolitan class having such a board unless such
23 person ~~he~~ holds a certificate or is employed by a person, firm, or
24 corporation holding such a certificate.

25 Sec. 158. Section 18-2313, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-2313 Fees for the original certificates, renewal certificates,
28 and permits shall be fixed by the city council or village ~~chairman and~~
29 board of trustees of each city or village having an air conditioning air
30 distribution board. The fee for the original or renewal certificate shall
31 in no event be more than fifty dollars.

1 Sec. 159. Section 18-2314, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-2314 Any city or village having an air conditioning air
4 distribution board shall be authorized to employ inspectors who shall
5 inspect all parts of any air conditioning air distribution system or
6 ventilating or exhaust system in process of construction, alteration, or
7 repair within the respective jurisdiction of such city or village. Any
8 such system found not to comply with the regulations of the air
9 conditioning air distribution board or ordinances of the city or village
10 shall be reported to the board and if not corrected in accordance with
11 requirements of the rules and regulations of the board and ordinances of
12 the city or village shall be removed, if, after notice to the owner or
13 contractor or certificate holder doing the work, the board shall find the
14 work or any part of such work ~~thereof~~ to be defective or not in
15 compliance with such rules and regulations or ordinances.

16 Sec. 160. Section 18-2315, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-2315 Any person violating any of the provisions of sections
19 18-2301 to 18-2315 or of any rules or regulations adopted or ordinances
20 passed pursuant to such sections ~~lawful ordinance~~ shall be deemed guilty
21 of a misdemeanor and shall, upon conviction thereof, be fined not more
22 than five hundred dollars, or be imprisoned not more than six months, or
23 be both so fined and imprisoned, and as a part of such punishment, such
24 person's ~~their~~ license may be revoked.

25 Sec. 161. Section 18-2402, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-2402 The Legislature hereby finds and declares (1) ~~It is~~
28 ~~declared~~ that cooperative action by municipalities ~~cities and villages~~ of
29 this state in the fields of the supplying, treatment, and distribution of
30 water, the generation, transmission, and distribution of electric power
31 and energy, and the collection, treatment, and disposal of sewerage and

1 solid waste is in the public interest; (2) that there is a need in order
2 to insure the stability and continued viability of such systems to
3 provide for a means by which municipalities may cooperate with one
4 another in the financing, acquisition, and operation of such facilities
5 and interests therein and rights thereto in all ways possible; (3) that
6 the creation of agencies through which the municipalities of this state
7 may act cooperatively is in the best interest of this state and the
8 inhabitants thereof and is for a public use and public purpose; and (4)
9 that the necessity in the public interest for the provisions included in
10 the Municipal Cooperative Financing Act sections 18-2401 to 18-2485 is
11 declared as a matter of legislative determination. It is further declared
12 that the intent of the Municipal Cooperative Financing Act sections
13 18-2401 to 18-2485 is to replace competition between participating
14 municipalities in connection with the projects described in the Municipal
15 Cooperative Financing Act sections 18-2401 to 18-2485 by allowing such
16 municipalities to combine and cooperate in connection with the
17 acquisition, construction, operation, financing, and all other functions
18 authorized by the Municipal Cooperative Financing Act sections 18-2401 to
19 18-2485 with respect to such projects.

20 Sec. 162. Section 18-2409, Revised Statutes Cumulative Supplement,
21 2020, is amended to read:

22 18-2409 Governing body shall mean the city council in the case of a
23 city, the village board of trustees in the case of a village, the
24 equivalent body in the case of a municipality incorporated under the laws
25 of another state, and the board in the case of an agency primarily
26 comprised of municipalities.

27 Sec. 163. Section 18-2443, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 18-2443 Prior to advertisement for sealed bids, plans and
30 specifications for the proposed work or materials shall be prepared and
31 filed at the principal office or place of business of the agency. Such

1 advertisement shall be made in three issues, not less than seven days
2 between issues, in one or more legal newspapers in or of general
3 circulation in the municipality or county where the principal office or
4 place of business of the agency is located, ~~or if no newspaper is so~~
5 ~~published then in a newspaper qualified to carry legal notices having~~
6 ~~general circulation therein,~~ and in such additional newspapers or trade
7 or technical periodicals as may be selected by the board in order to give
8 proper notice of the receiving of bids. Such advertisement shall
9 designate the nature of the work proposed to be done or materials
10 proposed to be purchased and ~~7~~ that the plans and specifications therefor
11 may be inspected at the office of the agency, giving the location
12 thereof, and shall designate the time within which bids shall be filed,
13 and the date, hour, and place such bids ~~the same~~ shall be opened.

14 Sec. 164. Section 18-2476, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 18-2476 The board may provide for the publication of any resolution
17 or other proceeding adopted by it pursuant to the Municipal Cooperative
18 Financing Act ~~sections 18-2401 to 18-2485,~~ in a legal newspaper published
19 in or of general circulation ~~published~~ in the municipality or county
20 where the principal office or place of business of the agency is located,
21 ~~or if no newspaper is so published, then in a newspaper qualified to~~
22 ~~carry legal notices having general circulation therein.~~

23 Sec. 165. Section 18-2501, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-2501 (1) Sections 18-2501 to 18-2538 and section 167 of this act
26 shall be known and may be cited as the Municipal Initiative and
27 Referendum Act.

28 (2) (1) The powers of initiative and referendum are hereby reserved
29 to the qualified electors of each municipality ~~municipal subdivision~~ in
30 the state. The Municipal Initiative and Referendum Act Sections 18-2501
31 to 18-2537 shall govern the use of initiative to enact, and the use of

1 referendum to amend or repeal measures affecting the governance of all
2 municipalities ~~municipal subdivisions~~ in the state, except those
3 operating under home rule charter and as specified in section 18-2537.

4 (3) (2) Cities operating under home rule charter shall provide, by
5 charter provision or ordinance, for the exercise of the powers of
6 initiative and referendum within such ~~the~~ cities. Nothing in the
7 Municipal Initiative and Referendum Act sections 18-2501 to 18-2537 shall
8 be construed to prevent such cities from adopting any or all of the
9 provisions of the act sections 18-2501 to 18-2537.

10 Sec. 166. Section 18-2502, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-2502 For purposes of the Municipal Initiative and Referendum Act
13 sections 18-2501 to 18-2538, the definitions in sections 18-2503 to
14 18-2511 and section 167 of this act, unless the context otherwise
15 requires, shall apply.

16 Sec. 167. Chief executive officer means the mayor, the city
17 manager, or the chairperson of the board of trustees of a municipality.

18 Sec. 168. Section 18-2504, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 18-2504 City clerk means ~~shall mean~~ the city clerk, ~~or~~ village
21 clerk, or other ~~the~~ municipal official in charge of elections.

22 Sec. 169. Section 18-2505, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 18-2505 Governing body means ~~shall mean~~ the city council or village
25 board of trustees legislative authority of any municipality ~~municipal~~
26 ~~subdivision~~ subject to the Municipal Initiative and Referendum Act
27 sections 18-2501 to 18-2537.

28 Sec. 170. Section 18-2506, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 18-2506 Measure means an ordinance, charter provision, or resolution
31 which is within the legislative authority of the governing body of a

1 ~~municipality municipal subdivision~~ to pass and which is not excluded from
2 the operation of referendum by the exceptions in section 18-2528. Measure
3 does not include any action permitted by the Nebraska Advantage
4 Transformational Tourism and Redevelopment Act.

5 Sec. 171. Section 18-2507, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 18-2507 Municipality means ~~Municipal subdivision shall mean~~ all
8 cities and villages, not operating under home rule charters, ~~of~~
9 ~~metropolitan, primary, first, and second classes,~~ including those
10 functioning under the commission and city manager plans of government,
11 ~~and villages.~~

12 Sec. 172. Section 18-2518, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-2518 (1) Signed petitions shall be filed with the city clerk for
15 signature verification. Upon the filing of a petition, a municipality
16 ~~city~~, upon passage of a resolution by the governing body of such
17 municipality city, and the county clerk or election commissioner of the
18 county in which such municipality city is located may by mutual agreement
19 provide that the county clerk or election commissioner shall ascertain
20 whether the petition is signed by the requisite number of voters. The
21 municipality city shall reimburse the county for any costs incurred by
22 the county clerk or election commissioner. When the verifying official
23 has determined that one hundred percent of the necessary signatures
24 required by the Municipal Initiative and Referendum Act sections 18-2501
25 ~~to 18-2537~~ have been obtained, he or she shall notify the ~~municipal~~
26 ~~subdivision's~~ governing body of the municipality of that fact, and shall
27 immediately forward to the governing body a copy of the petition.

28 (2) In order for an initiative or referendum proposal to be
29 submitted to the governing body and the voters, the necessary signatures
30 shall be on file with the city clerk within six months from the date the
31 prospective petition was authorized for circulation. If the necessary

1 signatures are not obtained by such date, the petition shall be void.

2 Sec. 173. Section 18-2520, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 18-2520 (1) Except as provided in subsection (2) of this section,
5 the chief executive officer and governing body of a municipality
6 ~~municipal subdivision~~ may at any time, by resolution, provide for the
7 submission to a direct vote of the electors of any measure pending before
8 it, passed by it, including an override of any veto, if necessary, or
9 enacted by the electors under the Municipal Initiative and Referendum Act
10 ~~sections 18-2501 to 18-2538~~ and may provide in such resolution that such
11 measure shall be submitted at a special election or the next regularly
12 scheduled primary or general election. Immediately upon the passage of
13 any such resolution for submission, the city clerk shall cause such
14 measure to be submitted to a direct vote of the electors, at the time
15 specified in such resolution and in the manner provided in the Municipal
16 Initiative and Referendum Act ~~sections 18-2501 to 18-2538~~ for submission
17 of measures upon proposals and petitions filed by voters. Such matter
18 shall become law if approved by a majority of the votes cast.

19 (2) The chief executive officer and governing body of a municipality
20 ~~municipal subdivision~~ shall not submit to a direct vote of the electors
21 the question of whether the municipality ~~municipal subdivision~~ should
22 initiate proceedings for the condemnation of a natural gas system.

23 Sec. 174. Section 18-2521, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-2521 Elections under the Municipal Initiative and Referendum Act
26 ~~sections 18-2501 to 18-2538~~, either at a special election or regularly
27 scheduled primary or general election, shall be called by the city clerk.
28 Any special election to be conducted by the election commissioner or
29 county clerk shall be subject to section 32-405.

30 The city clerk shall cause notice of every such election to be
31 printed in one or more legal newspapers in or of general circulation in

1 such municipality ~~municipal subdivision~~ at least once not less than
2 thirty days prior to such election and also posted in the office of the
3 city clerk and in at least three conspicuous places in such municipality
4 ~~municipal subdivision~~ at least thirty days prior to such election. The
5 notice shall be substantially as follows:

6 Notice is hereby given that on Tuesday, the day
7 of 20...., at (identify polling place or precinct) of the
8 city (or village) of, Nebraska, an election will
9 be held at which there will be submitted to the electors of the
10 municipality for their approval or rejection, the following measures,
11 propositions, or
12 issues:
13 (naming
14 measures, propositions, or issues), which election will be open at 8 a.m.
15 and will continue open until 8 p.m., of the same day.

16 Dated this day of 20.... .
17

18 City (or Village) Clerk of the City (or Village) of
19, Nebraska.

20 The city clerk shall make available for photocopying a copy in
21 pamphlet form of measures initiated or referred. Such notice provided in
22 this section shall designate where such a copy in pamphlet form may be
23 obtained.

24 Sec. 175. Section 18-2522, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 18-2522 All ballots for use in special elections under the Municipal
27 Initiative and Referendum Act ~~sections 18-2501 to 18-2538~~ shall be
28 prepared by the city clerk and furnished by the governing body, unless
29 the governing body contracts with the county for such service, and shall
30 be in form the same as provided by law for election of the chief
31 executive officer and governing body of such municipality ~~municipal~~

1 ~~subdivision~~. When ordinances under the Municipal Initiative and
2 Referendum Act ~~such sections~~ are submitted to the electors at a regularly
3 scheduled primary or general election, they shall be placed upon the
4 official ballots as provided in the Municipal Initiative and Referendum
5 Act sections 18-2501 to 18-2538.

6 Sec. 176. Section 18-2523, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 18-2523 (1) The power of initiative allows citizens the right to
9 enact measures affecting the governance of each municipality ~~municipal~~
10 ~~subdivision~~ in the state. An initiative proposal shall not have as its
11 primary or sole purpose the repeal or modification of existing law except
12 if such repeal or modification is ancillary to and necessary for the
13 adoption and effective operation of the initiative measure.

14 (2) An initiative shall not be effective if the direct or indirect
15 effect of the passage of such initiative measure shall be to repeal or
16 alter an existing law, or portion thereof, which is not subject to
17 referendum or subject only to limited referendum pursuant to section
18 18-2528.

19 (3) The power of initiative shall extend to a measure to provide for
20 the condemnation of an investor-owned natural gas system by a
21 municipality ~~municipal subdivision~~ when the condemnation would, if
22 initiated by the governing body of the municipality ~~municipal~~
23 ~~subdivision~~, be governed by the provisions of the Municipal Natural Gas
24 System Condemnation Act.

25 (4) An initiative measure to provide for the condemnation of an
26 investor-owned natural gas system by a municipality ~~municipal subdivision~~
27 shall be a measure to require the municipality ~~municipal subdivision~~ to
28 initiate and pursue condemnation proceedings subject to the provisions of
29 the Municipal Natural Gas System Condemnation Act.

30 Sec. 177. Section 18-2524, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-2524 Whenever an initiative petition bearing signatures equal in
2 number to at least fifteen percent of the qualified electors of a
3 municipality ~~municipal subdivision~~ has been filed with the city clerk and
4 verified pursuant to section 18-2518, it shall be the duty of the
5 ~~municipal subdivision's~~ governing body of such municipality to consider
6 passage of the measure contained in the petition, including an override
7 of any veto, if necessary. If the governing body fails to pass the
8 measure without amendment, including an override of any veto, if
9 necessary, within thirty days from the date it received notification
10 pursuant to section 18-2518, the city clerk shall cause the measure to be
11 submitted to a vote of the people at the next regularly scheduled primary
12 or general election held within the municipality ~~municipal subdivision~~.
13 If the governing body desires to submit the measure to a vote of the
14 people at a special election prior to the next regularly scheduled
15 primary or general election held within the municipality ~~municipal~~
16 ~~subdivision~~, the governing body shall, by resolution, direct the city
17 clerk to cause the measure to be submitted at a special election. Such
18 resolution shall not be subject to referendum or limited referendum.

19 Sec. 178. Section 18-2525, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 18-2525 Whenever an initiative petition bearing signatures equal in
22 number to at least twenty percent of the qualified electors of a
23 municipality ~~municipal subdivision~~, which petition requests that a
24 special election be called to submit the initiative measure to a vote of
25 the people, has been filed with the city clerk and verified pursuant to
26 section 18-2518, it shall be the duty of the ~~municipal subdivision's~~
27 governing body of such municipality to consider passage of the measure
28 contained in the petition, including an override of any veto, if
29 necessary. If the governing body fails to pass the measure, without
30 amendment, including an override of any veto, if necessary, within thirty
31 days from the date it received notification pursuant to section 18-2518,

1 the city clerk shall cause the measure to be submitted to a vote of the
2 people at a special election called for such purpose. Subject to the
3 provisions of section 18-2521, the date of such election shall be set
4 during the first available month that complies with sections 32-405 and
5 32-559 not be less than thirty nor more than sixty days from the date the
6 governing body received notification pursuant to section 18-2518.

7 Sec. 179. Section 18-2526, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 18-2526 If a majority of the voters voting on an ~~the~~ initiative
10 measure pursuant to the Municipal Initiative and Referendum Act shall
11 vote in favor of such measure, it shall become a valid and binding
12 measure of the municipality ~~municipal subdivision~~ thirty days after
13 certification of the election results, unless the governing body by
14 resolution orders an earlier effective date or the measure itself
15 provides for a later effective date, which resolution shall not be
16 subject to referendum or limited referendum. A measure passed by such
17 method shall not be amended or repealed except by two-thirds majority of
18 the members of the governing body. No such attempt to amend or repeal
19 shall be made within one year from the passage of the measure by the
20 electors.

21 Sec. 180. Section 18-2527, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 18-2527 The power of referendum allows citizens the right to repeal
24 or amend existing measures, or portions thereof, affecting the governance
25 of each municipality ~~municipal subdivision~~ in the state.

26 Sec. 181. Section 18-2528, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 18-2528 (1) The following measures shall not be subject to
29 referendum or limited referendum:

30 (a) Measures necessary to carry out contractual obligations,
31 including, but not limited to, those relating to the issuance of or

1 provided for in bonds, notes, warrants, or other evidences of
2 indebtedness, for projects previously approved by a measure which was, or
3 is, subject to referendum or limited referendum or previously approved by
4 a measure adopted prior to July 17, 1982;

5 (b) Measures relating to any industrial development projects,
6 subsequent to measures giving initial approval to such projects;

7 (c) Measures adopting proposed budget statements following
8 compliance with procedures set forth in the Nebraska Budget Act;

9 (d) Measures relating to the immediate preservation of the public
10 peace, health, or safety which have been designated as urgent measures by
11 unanimous vote of those present and voting of the ~~municipal subdivision's~~
12 governing body of the municipality and approved by its chief executive
13 officer;

14 (e) Measures relating to projects for which notice has been given as
15 provided for in subsection (4) of this section and for which a sufficient
16 referendum petition was not filed within the time limit stated in such
17 notice or which received voter approval after the filing of such
18 petition;

19 (f) Resolutions directing the city clerk to cause measures to be
20 submitted to a vote of the people at a special election as provided in
21 sections 18-2524 and 18-2529;

22 (g) Resolutions ordering an earlier effective date for measures
23 enacted by initiative as provided in section 18-2526;

24 (h) Measures relating to any facility or system adopted or enacted
25 pursuant to the Integrated Solid Waste Management Act by municipalities
26 and which are necessary to carry out contractual obligations provided for
27 in previously issued bonds, notes, warrants, or other evidence of
28 indebtedness;

29 (i) Measures that amend, supplement, change, modify, or repeal a
30 zoning regulation, restriction, or boundary and are subject to protest as
31 provided in section 14-405 or 19-905;

1 (j) Measures relating to personnel issues, including, but not
2 limited to, establishment, modification, or elimination of any personnel
3 position, policy, salary, or benefit and any hiring, promotion, demotion,
4 or termination of personnel; and

5 (k) Measures relating to matters subject to the provisions of the
6 Municipal Natural Gas System Condemnation Act.

7 (2) The following measures shall be subject to limited referendum:

8 (a) Measures in furtherance of a policy of the municipality
9 ~~municipal subdivision~~ or relating to projects previously approved by a
10 measure which was subject to referendum or which was enacted by
11 initiative or has been approved by the voters at an election, except that
12 such measures shall not be subject to referendum or limited referendum
13 for a period of one year after any such policy or project was approved at
14 a referendum election, enacted by initiative, or approved by the voters
15 at an election;

16 (b) Measures relating to the acquisition, construction,
17 installation, improvement, or enlargement, including the financing or
18 refinancing of the costs, of public ways, public property, utility
19 systems, and other capital projects and measures giving initial approval
20 for industrial development projects;

21 (c) Measures setting utility system rates and charges, except for
22 measures necessary to carry out contractual obligations provided for in
23 previously issued bonds, notes, warrants, or other evidences of
24 indebtedness, and pay rates and salaries for municipal ~~subdivision~~
25 employees other than the members of the governing body and the chief
26 executive officer; and

27 (d) Measures relating to any facility or system adopted or enacted
28 pursuant to the Integrated Solid Waste Management Act by municipalities
29 except for measures necessary to carry out contractual obligations
30 provided for in previously issued bonds, notes, warrants, or other
31 evidence of indebtedness.

1 (3) Measures subject to limited referendum shall ordinarily take
2 effect thirty days after their passage by the governing body, including
3 an override of any veto, if necessary. Referendum petitions directed at
4 measures subject to limited referendum shall be filed for signature
5 verification pursuant to section 18-2518 within thirty days after such
6 measure's passage by the governing body, including an override of any
7 veto, if necessary, or after notice is first published pursuant to
8 subdivision (4)(c) of this section. If the necessary number of signatures
9 as provided in section 18-2529 or 18-2530 has been obtained within the
10 time limitation, the effectiveness of the measure shall be suspended
11 unless approved by the voters.

12 (4) For any measure relating to the acquisition, construction,
13 installation, improvement, or enlargement of public ways, public
14 property, utility systems, or other capital projects or any measure
15 relating to any facility or system adopted or enacted pursuant to the
16 Integrated Solid Waste Management Act, a municipality may exempt all
17 subsequent measures relating to the same project from the referendum and
18 limited referendum procedures provided for in the Municipal Initiative
19 and Referendum Act sections 18-2501 to 18-2537 by the following
20 procedure:

21 (a) By holding a public hearing on the project, the time and place
22 of such hearing being published at least once not less than five days
23 prior to the date set for hearing in a legal newspaper in or of general
24 circulation within the municipality governing body's jurisdiction;

25 (b) By passage of a measure approving the project, including an
26 override of a veto if necessary, at a meeting held on any date subsequent
27 to the date of hearing; and

28 (c) After passage of such measure, including an override of a veto
29 if necessary, by giving notice as follows: (i) For those projects for
30 which applicable statutes require an ordinance or resolution of
31 necessity, creating a district or otherwise establishing the project,

1 notice shall be given for such project by including either as part of
2 such ordinance or resolution or as part of any publicized notice
3 concerning such ordinance or resolution a statement that the project as
4 described in the ordinance or resolution is subject to limited referendum
5 for a period of thirty days after the first publication of such notice
6 and that, after such thirty-day period, the project and measures related
7 to it will not be subject to any further right of referendum; and (ii)
8 for projects for which applicable statutes do not require an ordinance or
9 resolution of necessity, notice shall be given by publication of a notice
10 concerning such projects stating in general terms the nature of the
11 project and the engineer's estimate of costs of such project and stating
12 that the project described in the notice is subject to limited referendum
13 for a period of thirty days after the first publication of such notice
14 and that, after such thirty-day period, the project and measures related
15 to it will not be subject to any further right of referendum. The notice
16 required by subdivision (c)(ii) of this subsection shall be published in
17 at least one legal newspaper in or of general circulation within the
18 municipality ~~municipal subdivision~~ and shall be published not later than
19 fifteen days after passage by the governing body, including an override
20 of a veto, if necessary, of a measure approving the project.

21 The right of a municipality ~~municipal subdivision~~ to hold such a
22 hearing prior to passage of the measure by the governing body and give
23 such notice after passage of such measure by the governing body to obtain
24 exemption for any particular project in a manner described in this
25 subsection is optional, and no municipality ~~municipal subdivision~~ shall
26 be required to hold such a hearing or give such notice for any particular
27 project.

28 (5) Nothing in subsections (2) and (4) of this section shall be
29 construed as subjecting to limited referendum any measure related to
30 matters subject to the provisions of the Municipal Natural Gas System
31 Condemnation Act.

1 (6) All measures, except as provided in subsections (1), (2), and
2 (4) of this section, shall be subject to the referendum procedure at any
3 time after such measure has been passed by the governing body, including
4 an override of a veto, if necessary, or enacted by the voters by
5 initiative.

6 Sec. 182. Section 18-2529, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 18-2529 Whenever a referendum petition bearing signatures equal in
9 number to at least fifteen percent of the qualified electors of a
10 municipality ~~municipal subdivision~~ has been filed with the city clerk and
11 verified pursuant to section 18-2518, it shall be the duty of the
12 ~~municipal subdivision's~~ governing body of the municipality to reconsider
13 the measure or portion of such measure which is the object of the
14 referendum. If the governing body fails to repeal or amend the measure or
15 portion thereof in the manner proposed by the referendum, including an
16 override of any veto, if necessary, within thirty days from the date the
17 governing body receives notification pursuant to section 18-2518, the
18 city clerk shall cause the measure to be submitted to a vote of the
19 people at the next regularly scheduled primary or general election held
20 within the municipality ~~municipal subdivision~~. If the governing body
21 desires to submit the measure to a vote of the people at a special
22 election prior to the next regularly scheduled primary or general
23 election held within the municipality ~~municipal subdivision~~, the
24 governing body shall, by resolution, direct the city clerk to cause the
25 measure to be submitted at a special election. Such resolution shall not
26 be subject to referendum or limited referendum.

27 Sec. 183. Section 18-2530, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 18-2530 Whenever a referendum petition bearing signatures equal in
30 number to at least twenty percent of the qualified voters of a
31 municipality ~~municipal subdivision~~, which petition requests that a

1 special election be called to submit the referendum measure to a vote of
2 the people, has been filed with the city clerk and verified pursuant to
3 section 18-2518, it shall be the duty of the ~~municipal subdivision's~~
4 governing body of the municipality to reconsider the measure or portion
5 of such measure which is the object of the referendum. If the governing
6 body fails to repeal or amend the measure or portion thereof, in the
7 manner proposed by the referendum, including an override of any veto, if
8 necessary, the city clerk shall cause the measure to be submitted to a
9 vote of the people at a special election called for such purpose within
10 thirty days from the date the governing body received notification
11 pursuant to section 18-2518. Subject to the provisions of section
12 18-2521, the date of such special election shall be set during the first
13 available month that complies with sections 32-405 and 32-559 ~~not be less~~
14 ~~than thirty nor more than sixty days from the date the governing body~~
15 ~~received notification pursuant to section 18-2518.~~

16 Sec. 184. Section 18-2532, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-2532 Whoever knowingly or willfully makes a false affidavit or
19 takes a false oath regarding the qualifications of any person to sign
20 petitions under the Municipal Initiative and Referendum Act ~~sections~~
21 ~~18-2501 to 18-2531~~ shall be guilty of a Class I misdemeanor with a fine
22 not to exceed limit of three hundred dollars ~~on the fine.~~

23 Sec. 185. Section 18-2533, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-2533 Whoever falsely makes or willfully destroys a petition or
26 any part thereof, or signs a false name thereto, or signs or files any
27 petition knowing the same or any part thereof to be falsely made, or
28 suppresses any petition, or any part thereof, which has been duly filed,
29 pursuant to the Municipal Initiative and Referendum Act ~~sections 18-2501~~
30 ~~to 18-2531~~ shall be guilty of a Class I misdemeanor with a fine not to
31 exceed limit of five hundred dollars ~~on the fine.~~

1 Sec. 186. Section 18-2534, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-2534 Whoever signs any petition under the Municipal Initiative
4 and Referendum Act ~~sections 18-2501 to 18-2533~~, knowing that he or she is
5 not a registered voter in the place where such petition is made, aids or
6 abets any other person in doing any of the acts mentioned in this
7 section, bribes or gives or pays any money or thing of value to any
8 person directly or indirectly to induce him or her to sign such petition,
9 or engages in any deceptive practice intended to induce any person to
10 sign a petition, shall be guilty of a Class I misdemeanor with a fine not
11 to exceed ~~limit of~~ three hundred dollars ~~on the fine~~.

12 Sec. 187. Section 18-2535, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 18-2535 Any city clerk who willfully refuses to comply with the
15 Municipal Initiative and Referendum Act ~~provisions of sections 18-2501 to~~
16 ~~18-2531 and 18-2538~~ or who willfully causes unreasonable delay in the
17 execution of his or her duties under the Municipal Initiative and
18 Referendum Act ~~such sections~~ shall be guilty of a Class I misdemeanor,
19 but imprisonment shall not be included as part of the punishment.

20 Sec. 188. Section 18-2536, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 18-2536 The Election Act, so far as applicable and when not in
23 conflict with the Municipal Initiative and Referendum Act ~~sections~~
24 ~~18-2501 to 18-2531~~, shall apply to voting on ordinances by the registered
25 voters pursuant to the Municipal Initiative and Referendum Act ~~such~~
26 ~~sections~~.

27 Sec. 189. Section 18-2537, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 18-2537 Nothing in the Municipal Initiative and Referendum Act
30 ~~sections 18-2501 to 18-2536~~ shall apply to procedures for initiatives or
31 referendums provided in sections 14-210 to 14-212 relating to cities of

1 ~~the metropolitan class metropolitan-class cities,~~ sections 18-412 and
2 18-412.02 relating to municipal light and power plants, sections 70-504
3 and 70-650.01 relating to public power districts, and sections 80-203 to
4 80-205 relating to soldiers and sailors monuments.

5 Sec. 190. Section 18-2538, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-2538 The municipality or any chief petitioner may seek a
8 declaratory judgment regarding any questions arising under the Municipal
9 Initiative and Referendum Act Chapter 18, article 25, as it may be from
10 time to time amended, including, but not limited to, determining whether
11 a measure is subject to referendum or limited referendum or whether a
12 measure may be enacted by initiative. If a chief petitioner seeks a
13 declaratory judgment, the municipality shall be served as provided in
14 section 25-510.02. If the municipality seeks a declaratory judgment, only
15 the chief petitioner or chief petitioners shall be required to be served.
16 Any action brought for declaratory judgment for purposes of determining
17 whether a measure is subject to limited referendum or referendum, or
18 whether a measure may be enacted by initiative, may be filed in the
19 district court at any time after the filing of a referendum or initiative
20 petition with the city clerk for signature verification until forty days
21 from the date the governing body received notification pursuant to
22 section 18-2518. If the municipality does not bring an action for
23 declaratory judgment to determine whether the measure is subject to
24 limited referendum or referendum, or whether the measure may be enacted
25 by initiative until after it has received notification pursuant to
26 section 18-2518, it shall be required to proceed with the initiative or
27 referendum election in accordance with the Municipal Initiative and
28 Referendum Act sections 18-2501 to 18-2537 and this section. If the
29 municipality does file such an action prior to receiving notification
30 pursuant to section 18-2518, it shall not be required to proceed to hold
31 such election until a final decision has been rendered in the action. Any

1 action for a declaratory judgment shall be governed generally by sections
2 25-21,149 to 25-21,164, as amended from time to time, except that only
3 the municipality and each chief petitioner shall be required to be made
4 parties. The municipality, city clerk, governing body, or any other
5 officers of the municipality ~~municipality's officers~~ shall be entitled to
6 rely on any order rendered by the court in any such proceeding. Any
7 action brought for declaratory judgment pursuant to this section shall be
8 given priority in scheduling hearings and in disposition as determined by
9 the court. When an action is brought to determine whether the measure is
10 subject to limited referendum or referendum, or whether a measure may be
11 enacted by initiative, a decision shall be rendered by the court no later
12 than five days prior to the election. The provisions of this section
13 relating to declaratory judgments shall not be construed as limiting, but
14 construed as supplemental and additional to other rights and remedies
15 conferred by law.

16 Sec. 191. Section 18-2705, Revised Statutes Cumulative Supplement,
17 2020, is amended to read:

18 18-2705 (1) Economic development program means any project or
19 program utilizing funds derived from local sources of revenue for the
20 purpose of providing direct or indirect financial assistance to a
21 qualifying business or the payment of related costs and expenses or both,
22 without regard to whether that business is identified at the time the
23 project or program is initiated or is to be determined by specified means
24 at some time in the future.

25 (2) An economic development program may include, but shall not be
26 limited to, the following activities: Direct loans or grants to
27 qualifying businesses for fixed assets or working capital or both; loan
28 guarantees for qualifying businesses; grants for public works
29 improvements which are essential to the location or expansion of, or the
30 provision of new services by, a qualifying business; grants or loans to
31 qualifying businesses for job training; the purchase of real estate,

1 options for such purchases, and the renewal or extension of such options;
2 grants or loans to qualifying businesses to provide relocation incentives
3 for new residents; the issuance of bonds as provided for in the Local
4 Option Municipal Economic Development Act; and payments for salaries and
5 support of city staff to implement the economic development program or
6 the contracting of such to an outside entity.

7 (3) For cities of the first class, cities of the second class, and
8 villages, an economic development program may also include:

9 (a) Grants ~~grants~~ or loans for the construction or rehabilitation
10 for sale or lease of housing for persons of low or moderate income; -

11 (b) Grants ~~(4) For cities of the first class, cities of the second~~
12 ~~class, and villages, an economic development program may also include~~
13 ~~grants, loans, or funds for rural infrastructure development as defined~~
14 ~~in section 66-2102; -~~

15 (c) Grants ~~(5) For cities of the first class, cities of the second~~
16 ~~class, and villages, an economic development program may also include~~
17 ~~grants or loans for the construction or rehabilitation for sale or lease~~
18 ~~of housing as part of a workforce housing plan; or -~~

19 (d) Grants ~~(6) For cities of the first class, cities of the second~~
20 ~~class, and villages, an economic development program may also include~~
21 ~~grants, loans, or funds for early childhood infrastructure development.~~

22 (4) ~~(7)~~ An economic development program may be conducted jointly by
23 two or more cities after the approval of the program by the voters of
24 each participating city.

25 Sec. 192. Section 18-2708, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 18-2708 Local sources of revenue means the city's property tax, the
28 city's local option sales tax, or any other general tax levied by the
29 city or generated from municipally owned utilities or grants, donations,
30 or state and federal funds received by the city subject to any
31 restrictions of the grantor, donor, or state or federal law. Funds

1 generated from municipally owned utilities shall be used for utility-
2 related purposes or activities associated with the economic development
3 program as determined by the governing body ~~city council~~, including, but
4 not limited to, load management, energy efficiency, energy conservation,
5 incentives for load growth, line extensions, land purchase, site
6 development, and demand side management measures.

7 Sec. 193. Section 18-2709, Revised Statutes Cumulative Supplement,
8 2020, is amended to read:

9 18-2709 (1) Qualifying business means any corporation, partnership,
10 limited liability company, or sole proprietorship which derives its
11 principal source of income from any of the following: The manufacture of
12 articles of commerce; the conduct of research and development; the
13 processing, storage, transport, or sale of goods or commodities which are
14 sold or traded in interstate commerce; the sale of services in interstate
15 commerce; headquarters facilities relating to eligible activities as
16 listed in this section; telecommunications activities, including services
17 providing advanced telecommunications capability; tourism-related
18 activities; or the production of films, including feature, independent,
19 and documentary films, commercials, and television programs.

20 (2) Qualifying business also means:

21 (a) In cities of the first class, cities of the second class, and
22 villages, a business that derives its principal source of income from the
23 construction or rehabilitation of housing;

24 (b) In cities of the first class, cities of the second class, and
25 villages, a business that derives its principal source of income from
26 early childhood care and education programs;

27 (c) A business that derives its principal source of income from
28 retail trade, except that no more than forty percent of the total revenue
29 generated pursuant to the Local Option Municipal Economic Development Act
30 for an economic development program in any twelve-month period and no
31 more than twenty percent of the total revenue generated pursuant to the

1 act for an economic development program in any five-year period,
2 commencing from the date of municipal approval of an economic development
3 program, shall be used by the city for or devoted to the use of retail
4 trade businesses. For purposes of this subdivision, retail trade means a
5 business which is principally engaged in the sale of goods or commodities
6 to ultimate consumers for their own use or consumption and not for
7 resale; and

8 (d) In cities with a population of two thousand five hundred
9 inhabitants or less as determined by the most recent federal decennial
10 census or the most recent revised certified count by the United States
11 Bureau of the Census, a business shall be a qualifying business even
12 though it derives its principal source of income from activities other
13 than those set out in this section.

14 (3) If a business which would otherwise be a qualifying business
15 employs people and carries on activities in more than one city in
16 Nebraska or will do so at any time during the first year following its
17 application for participation in an economic development program, it
18 shall be a qualifying business only if, in each such city, it maintains
19 employment for the first two years following the date on which such
20 business begins operations in the city as a participant in its economic
21 development program at a level not less than its average employment in
22 such city over the twelve-month period preceding participation.

23 (4) A qualifying business need not be located within the territorial
24 boundaries of the city from which it is or will be receiving financial
25 assistance.

26 (5) Qualifying business does not include a political subdivision, a
27 state agency, or any other governmental entity, except as allowed for
28 cities of the first class, cities of the second class, and villages for
29 rural infrastructure development as provided for in subdivision (3)(b)
30 ~~subsection (4)~~ of section 18-2705.

31 Sec. 194. Section 18-2717, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 18-2717 (1) No city of the metropolitan class or primary class shall
3 appropriate from funds derived directly from local sources of revenue
4 more than five million dollars for all approved economic development
5 programs in any one year, no city of the first class shall appropriate
6 from funds derived directly from local sources of revenue more than four
7 million dollars for all approved economic development programs in any one
8 year, and no city of the second class or village shall appropriate from
9 funds derived directly from local sources of revenue more than three
10 million dollars for all approved economic development programs in any one
11 year.

12 (2) Notwithstanding the provisions of subsection (1) of this
13 section, no city shall appropriate from funds derived directly from local
14 sources of revenue an amount for an economic development program in
15 excess of the total amount approved by the voters at the election or
16 elections in which the economic development program was submitted or
17 amended.

18 (3) The restrictions on the appropriation of funds from local
19 sources of revenue as set out in subsections (1) and (2) of this section
20 shall apply only to the appropriation of funds derived directly from
21 local sources of revenue. Sales tax collections in excess of the amount
22 which may be appropriated as a result of the restrictions set out in such
23 subsections shall be deposited in the city's economic development fund
24 and invested as provided for in section 18-2718. Any funds in the city's
25 economic development fund not otherwise restricted from appropriation by
26 reason of the city's ordinance governing the economic development program
27 or this section may be appropriated and spent for the purposes of the
28 economic development program in any amount and at any time at the
29 discretion of the governing body of the city subject only to section
30 18-2716.

31 (4) The restrictions on the appropriation of funds from local

1 sources of revenue shall not apply to the reappropriation of funds which
2 were appropriated but not expended during previous fiscal years.

3 Sec. 195. Section 18-2722, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 18-2722 (1) The registered voters of any city that has established
6 an economic development program shall, at any time after one year
7 following the original vote on the program, have the right to vote on the
8 continuation of the economic development program. The question shall be
9 submitted to the voters whenever petitions calling for its submission,
10 signed by registered voters of the city in number equal to at least
11 twenty percent of the number of persons voting in the city at the last
12 preceding general election, are presented to the governing body of the
13 city.

14 (2) Upon the receipt of the petitions, the governing body of the
15 city shall submit the question at a special election to be held not less
16 than thirty days nor more than forty-five days after receipt of the
17 petitions, except that if any other election is to be held in such city
18 within ninety days of the receipt of the petitions, the governing body
19 may provide for holding the election on the same date.

20 (3) Notwithstanding the provisions of subsection (2) of this
21 section, if two-thirds of the members of the governing body of the city
22 vote to repeal the ordinance establishing the economic development
23 program within fifteen days of the receipt of the petitions for an
24 election, the economic development program shall end and the election
25 shall not be held.

26 (4) The governing body shall give notice of the submission of the
27 question of whether to continue the economic development program not more
28 than twenty days nor less than ten days prior to the election by
29 publication one time in one or more legal newspapers published in or of
30 ~~having~~ a general circulation in the city in which the question is to be
31 submitted. Such notice shall be in addition to any other notice required

1 by the election laws of the state.

2 (5) The question on the ballot shall generally set out the basic
3 terms and provisions of the economic development program as required for
4 the initial submission, except that the question shall be: "Shall the
5 city of (name of the city) continue its economic development program?".

6 (6) A majority of the registered voters voting on the question at
7 the election shall determine the question. The final vote shall be
8 binding on the city, and the governing body of the city shall act within
9 sixty days of the certification of the vote by the county clerk or the
10 election commissioner to repeal the ordinance establishing the economic
11 development program if a majority of the voters voting on the question
12 vote to discontinue the program.

13 (7) The repeal of the ordinance and the discontinuation of the
14 economic development program shall be subject only to the provisions of
15 any contracts related to the economic development program and the rights
16 of any third parties arising from those contracts existing on the date of
17 the election. Any funds collected by the city under the economic
18 development program and unexpended for that program on the date of its
19 repeal and any funds received by the city on account of the operation of
20 the economic development program thereafter shall be deposited in the
21 general fund of the city.

22 Sec. 196. Section 18-2737, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 18-2737 (1) Any city which has received voter approval to conduct an
25 economic development program pursuant to the Local Option Municipal
26 Economic Development Act prior to June 1, 1993, may, subject to
27 subsection (2) of this section, issue bonds as provided by the act even
28 though the proposed plan prepared pursuant to section 18-2710 did not
29 contemplate or provide for the issuance of bonds and the question on the
30 ballot approved by the voters did not set out that the city proposed to
31 issue bonds to provide funds to carry out the economic development

1 program.

2 (2) The governing body of any city proposing to issue bonds pursuant
3 to the authority granted by subsection (1) of this section shall adopt a
4 resolution expressing the intent of the city to issue bonds from time to
5 time pursuant to the act to provide funds to carry out the economic
6 development program. Such resolution shall set a date for a public
7 hearing on the issue of exercising such authority, and notice of such
8 hearing shall be published in a legal newspaper in or of general
9 circulation in the city at least seven days prior to the date of such
10 hearing. Following such hearing, the governing body of the city shall
11 amend or incorporate into the ordinance adopted pursuant to section
12 18-2714 a provision authorizing the governing body to exercise, in the
13 manner set forth in the act, the authority granted by the act to issue
14 bonds to provide funds to carry out the economic development program.

15 (3) Any city desiring to exercise the authority granted by this
16 section which complies with the provisions of subsection (2) of this
17 section may exercise the authority to issue bonds as provided in the act.

18 Sec. 197. Section 18-2803, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 18-2803 For purposes of the Municipal Proprietary Function Act:

21 (1) Fiscal year shall mean the twelve-month period established by
22 each governing body for each proprietary function of municipal government
23 for determining and carrying on its financial affairs for each
24 proprietary function;

25 (2) Governing body shall mean the city council in the case of a city
26 of any class, including any city with a home rule charter, and the
27 village board of trustees in the case of a village ~~and shall include any~~
28 ~~city with a home rule charter~~;

29 (3) Municipal budget statement shall mean a budget statement adopted
30 by a governing body for nonproprietary functions of the municipality
31 under the Nebraska Budget Act;

1 (4) Proprietary budget statement shall mean a budget adopted by a
2 governing body for each proprietary function pursuant to the Municipal
3 Proprietary Function Act; and

4 (5) Proprietary function shall mean a water supply or distribution
5 utility, a wastewater collection or treatment utility, an electric
6 generation, transmission, or distribution utility, a gas supply,
7 transmission, or distribution utility, an integrated solid waste
8 management collection, disposal, or handling utility, or a hospital or a
9 nursing home owned by a municipality.

10 Sec. 198. Section 18-2806, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-2806 (1) After a proposed proprietary budget statement is filed
13 with the municipal clerk, the governing body shall conduct a public
14 hearing on such statement. Notice of the time and place of the hearing, a
15 summary of the proposed proprietary budget statement, and notice that the
16 full proposed proprietary budget statement is available for public review
17 with the municipal clerk during normal business hours shall be published
18 one time at least five days prior to the hearing in a legal newspaper in
19 or of general circulation within the governing body's jurisdiction or by
20 mailing to each resident within the governing body's jurisdiction.

21 (2) After such hearing, the proposed proprietary budget statement
22 shall be adopted or amended and adopted as amended, and a written record
23 shall be kept of such hearing. If the adopted proprietary budget
24 statement reflects a change from the proposed proprietary budget
25 statement presented at the hearing, a copy of the adopted proprietary
26 budget statement shall be filed with the municipal clerk within twenty
27 days after its adoption and published in a legal newspaper in or of
28 general circulation within the governing body's jurisdiction or by
29 mailing to each resident within the governing body's jurisdiction.

30 Sec. 199. Section 18-2807, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-2807 If the actual expenditures for a proprietary function exceed
2 the estimated expenditures in the proprietary budget statement during its
3 fiscal year, the governing body shall adopt a proprietary function
4 reconciliation statement within ninety days after the end of such fiscal
5 year which reflects any difference between the adopted proprietary budget
6 statement for the previous fiscal year and the actual expenditures and
7 revenue for such fiscal year. After adoption of a proprietary function
8 reconciliation statement, it shall be filed with the municipal clerk and
9 published in a legal newspaper in or of general circulation within the
10 governing body's jurisdiction or by mailing to each resident within the
11 governing body's jurisdiction. If the difference between the adopted
12 proprietary budget for the previous fiscal year and the actual
13 expenditures and revenue for such fiscal year is greater than ten
14 percent, the proprietary function reconciliation statement shall only be
15 adopted following a public hearing.

16 Sec. 200. Section 18-3001, Revised Statutes Cumulative Supplement,
17 2020, is amended to read:

18 18-3001 (1) Except as provided in subsection (5) of this section and
19 notwithstanding any provisions of Chapter 14, article 4, Chapter 15,
20 article 9, or Chapter 19, article 9, or of any home rule charter to the
21 contrary, every city or village may include within its zoning ordinance
22 provisions authorizing and regulating planned unit developments within
23 such city or village or within the extraterritorial zoning jurisdiction
24 of such city or village, ~~except such cities or villages shall not have~~
25 ~~authority to impose such power over other organized cities or villages~~
26 ~~within the zoning jurisdiction of such cities or villages.~~ As used in
27 this section, planned unit development includes any development of a
28 parcel of land or an aggregation of contiguous parcels of land to be
29 developed as a single project which proposes density transfers, density
30 increases, and mixing of land uses, or any combination thereof, based
31 upon the application of site planning criteria. The purpose of such

1 ordinance shall be to permit flexibility in the regulation of land
2 development, to encourage innovation in land use and variety in design,
3 layout, and type of structures constructed, to achieve economy and
4 efficiency in the use of land, natural resources, and energy and the
5 provision of public services and utilities, to encourage the preservation
6 and provision of useful open space, and to provide improved housing,
7 employment, or shopping opportunities particularly suited to the needs of
8 an area.

9 (2) An ordinance authorizing and regulating planned unit
10 developments shall establish criteria relating to the review of proposed
11 planned unit developments to ensure that the land use or activity
12 proposed through a planned unit development shall be compatible with
13 adjacent uses of land and the capacities of public services and utilities
14 affected by such planned unit development and to ensure that the approval
15 of such planned unit development is consistent with the public health,
16 safety, and general welfare of the city or village and is in accordance
17 with the comprehensive plan.

18 (3) Within a planned unit development, regulations relating to the
19 use of land, including permitted uses, lot sizes, setbacks, height
20 limits, required facilities, buffers, open spaces, roadway and parking
21 design, and land-use density shall be determined in accordance with the
22 planned unit development regulations specified in the zoning ordinance.
23 The planned unit development regulations need not be uniform with regard
24 to each type of land use.

25 (4) The approval of planned unit developments, as authorized under a
26 planned unit development ordinance, shall be generally similar to the
27 procedures established for the approval of zone changes. In approving any
28 planned unit development, a city or village may, either as a condition of
29 the ordinance approving a planned unit development, by covenant, by
30 separate agreement, or otherwise, impose reasonable conditions as deemed
31 necessary to ensure that a planned unit development shall be compatible

1 with adjacent uses of land, will not overburden public services and
2 facilities, and will not be detrimental to the public health, safety, and
3 welfare. Such conditions or agreements may provide for dedications of
4 land for public purposes.

5 (5) Except as provided in subsection (6) of this section, a city of
6 the second class or village located in a county that has adopted a
7 comprehensive development plan which meets the requirements of section
8 23-114.02 and is enforcing subdivision regulations shall not finally
9 approve a planned unit development upon property located outside of the
10 corporate boundaries of the city or village until the plans for the
11 planned unit development have been submitted to, reviewed, and approved
12 by the county's planning commission pursuant to subsection (4) of section
13 17-1002.

14 (6) A city of the second class or village located in whole or in
15 part within the boundaries of a county having a population in excess of
16 one hundred thousand inhabitants but less than two hundred fifty thousand
17 inhabitants as determined by the most recent federal decennial census or
18 the most recent revised certified count by the United States Bureau of
19 the Census that has adopted a comprehensive development plan which meets
20 the requirements of section 23-114.02 and is enforcing subdivision
21 regulations shall not finally approve a planned unit development upon
22 property located outside of the corporate boundaries of the city or
23 village until the plans for the planned unit development have been
24 submitted to the county's planning department and public works department
25 for review.

26 Sec. 201. Section 71-3305, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 71-3305 (1) Except as otherwise provided in subsection (2) or (3) of
29 this section, any city or village having a population of one thousand or
30 more inhabitants as determined by the most recent federal decennial
31 census or the most recent revised certified count by the United States

1 Bureau of the Census shall add fluoride to the water supply for human
2 consumption for such city or village as provided in the rules and
3 regulations of the Department of Health and Human Services unless such
4 water supply has sufficient amounts of naturally occurring fluoride as
5 provided in such rules and regulations.

6 (2) Subsection (1) of this section does not apply if the voters of
7 the city or village adopted an ordinance, after April 18, 2008, but
8 before June 1, 2010, to prohibit the addition of fluoride to such water
9 supply.

10 (3) If any city or village reaches a population of one thousand or
11 more inhabitants as determined by the most recent federal decennial
12 census or the most recent revised certified count by the United States
13 Bureau of the Census after June 1, 2010, and is required to add fluoride
14 to its water supply under subsection (1) of this section, the city or
15 village may adopt an ordinance to prohibit the addition of fluoride to
16 such water supply. The ordinance may be placed on the ballot by a
17 majority vote of the governing body of the city or village or by
18 initiative pursuant to the Municipal Initiative and Referendum Act
19 ~~sections 18-2501 to 18-2538~~. Such proposed ordinance shall be voted upon
20 at the next statewide general election after the population of the city
21 or village reaches one thousand or more inhabitants as determined by the
22 most recent federal decennial census or the most recent revised certified
23 count by the United States Bureau of the Census.

24 (4) Any rural water district organized under sections 46-1001 to
25 46-1020 that supplies water for human consumption to any city or village
26 which is required to add fluoride to such water supply under this section
27 shall not be responsible for any costs, equipment, testing, or
28 maintenance related to such fluoridation unless such district has agreed
29 with the city or village to assume such responsibilities.

30 Sec. 202. Section 77-3,119, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 77-3,119 (1) The Tax Commissioner shall certify the population of
2 cities and villages to be used for purposes of calculations made pursuant
3 to ~~subdivision (4) of section 18-2603,~~ subdivisions (3)(a) and (b) of
4 section 35-1205, subdivision (1) of section 39-2517, and sections 39-2513
5 and 77-27,139.02. The Tax Commissioner shall transmit copies of such
6 certification to all interested parties upon request.

7 (2) The Tax Commissioner shall certify the population of each city
8 and village based upon the most recent federal census figures. The Tax
9 Commissioner shall determine the most recent federal census figures for
10 each city and village by using the most recent federal census figures
11 available from (a) the most recent federal decennial census, (b) the most
12 recent revised certified count by the United States Bureau of the Census,
13 or (c) the most recent federal census figure of the city or village plus
14 the population of territory annexed as calculated in sections 18-1753 and
15 18-1754.

16 (3) The Tax Commissioner may adopt and promulgate rules and
17 regulations to carry out this section.

18 Sec. 203. Section 77-2602, Revised Statutes Cumulative Supplement,
19 2020, is amended to read:

20 77-2602 (1) Every stamping agent engaged in distributing or selling
21 cigarettes at wholesale in this state shall pay to the Tax Commissioner
22 of this state a special privilege tax. This shall be in addition to all
23 other taxes. It shall be paid prior to or at the time of the sale, gift,
24 or delivery to the retail dealer in the several amounts as follows: On
25 each package of cigarettes containing not more than twenty cigarettes,
26 sixty-four cents per package; and on packages containing more than twenty
27 cigarettes, the same tax as provided on packages containing not more than
28 twenty cigarettes for the first twenty cigarettes in each package and a
29 tax of one-twentieth of the tax on the first twenty cigarettes on each
30 cigarette in excess of twenty cigarettes in each package.

31 (2) Beginning October 1, 2004, the State Treasurer shall place the

1 equivalent of forty-nine cents of such tax in the General Fund. ~~The State~~
2 ~~Treasurer shall reduce the amount placed in the General Fund under this~~
3 ~~subsection by the amount prescribed in subdivision (3)(d) of this~~
4 ~~section.~~ For purposes of this section, the equivalent of a specified
5 number of cents of the tax shall mean that portion of the proceeds of the
6 tax equal to the specified number divided by the tax rate per package of
7 cigarettes containing not more than twenty cigarettes.

8 (3) The State Treasurer shall distribute the remaining proceeds of
9 such tax in the following order:

10 (a) First, beginning July 1, 1980, the State Treasurer shall place
11 the equivalent of one cent of such tax in the Nebraska Outdoor Recreation
12 Development Cash Fund. For fiscal year distributions occurring after
13 FY1998-99, the distribution under this subdivision shall not be less than
14 the amount distributed under this subdivision for FY1997-98. Any money
15 needed to increase the amount distributed under this subdivision to the
16 FY1997-98 amount shall reduce the distribution to the General Fund;

17 (b) Second, beginning July 1, 1993, the State Treasurer shall place
18 the equivalent of three cents of such tax in the Health and Human
19 Services Cash Fund to carry out sections 81-637 to 81-640. For fiscal
20 year distributions occurring after FY1998-99, the distribution under this
21 subdivision shall not be less than the amount distributed under this
22 subdivision for FY1997-98. Any money needed to increase the amount
23 distributed under this subdivision to the FY1997-98 amount shall reduce
24 the distribution to the General Fund;

25 (c) Third, beginning October 1, 2002, and continuing until all the
26 purposes of the Deferred Building Renewal Act have been fulfilled, the
27 State Treasurer shall place the equivalent of seven cents of such tax in
28 the Building Renewal Allocation Fund. The distribution under this
29 subdivision shall not be less than the amount distributed under this
30 subdivision for FY1997-98. Any money needed to increase the amount
31 distributed under this subdivision to the FY1997-98 amount shall reduce

1 the distribution to the General Fund;

2 ~~(d) Fourth, until July 1, 2009, the State Treasurer shall place in~~
3 ~~the Municipal Infrastructure Redevelopment Fund the sum of five hundred~~
4 ~~twenty thousand dollars each fiscal year to carry out the Municipal~~
5 ~~Infrastructure Redevelopment Fund Act. The Legislature shall appropriate~~
6 ~~the sum of five hundred twenty thousand dollars each year for fiscal year~~
7 ~~2003-04 through fiscal year 2008-09;~~

8 (d) Fourth ~~(e) Fifth~~, beginning July 1, 2001, and continuing until
9 June 30, 2008, the State Treasurer shall place the equivalent of two
10 cents of such tax in the Information Technology Infrastructure Fund. The
11 distribution under this subdivision shall not be less than two million
12 fifty thousand dollars. Any money needed to increase the amount
13 distributed under this subdivision to two million fifty thousand dollars
14 shall reduce the distribution to the General Fund;

15 (e) Fifth ~~(f) Sixth~~, beginning July 1, 2008, and continuing until
16 June 30, 2009, the State Treasurer shall place the equivalent of two
17 million fifty thousand dollars of such tax in the Nebraska Public Safety
18 Communication System Cash Fund. Beginning July 1, 2009, and continuing
19 until June 30, 2016, the State Treasurer shall place the equivalent of
20 two million five hundred seventy thousand dollars of such tax in the
21 Nebraska Public Safety Communication System Cash Fund. Beginning July 1,
22 2016, and every fiscal year thereafter, the State Treasurer shall place
23 the equivalent of three million eight hundred twenty thousand dollars of
24 such tax in the Nebraska Public Safety Communication System Cash Fund. If
25 necessary, the State Treasurer shall reduce the distribution of tax
26 proceeds to the General Fund pursuant to subsection (2) of this section
27 by such amount required to fulfill the distribution pursuant to this
28 subdivision; and

29 (f) Sixth ~~(g) Seventh~~, beginning July 1, 2016, and every fiscal year
30 thereafter, the State Treasurer shall place the equivalent of one million
31 two hundred fifty thousand dollars of such tax in the Nebraska Health

1 Care Cash Fund. If necessary, the State Treasurer shall reduce the
2 distribution of tax proceeds to the General Fund pursuant to subsection
3 (2) of this section by such amount required to fulfill the distribution
4 pursuant to this subdivision.

5 (4) If, after distributing the proceeds of such tax pursuant to
6 subsections (2) and (3) of this section, any proceeds of such tax remain,
7 the State Treasurer shall place such remainder in the Nebraska Capital
8 Construction Fund.

9 (5) The Legislature hereby finds and determines that the projects
10 funded from the ~~Municipal Infrastructure Redevelopment Fund~~ and the
11 Building Renewal Allocation Fund are of critical importance to the State
12 of Nebraska. It is the intent of the Legislature that the allocations and
13 appropriations made by the Legislature to such fund ~~funds or, in the case~~
14 ~~of allocations for the Municipal Infrastructure Redevelopment Fund, to~~
15 ~~the particular municipality's account~~ not be reduced until all contracts
16 and securities relating to the construction and financing of the projects
17 or portions of the projects funded from such fund ~~funds or accounts of~~
18 ~~such funds~~ are completed or paid ~~or, in the case of the Municipal~~
19 ~~Infrastructure Redevelopment Fund, the earlier of such date or July 1,~~
20 ~~2009,~~ and that until such time any reductions in the cigarette tax rate
21 made by the Legislature shall be simultaneously accompanied by equivalent
22 reductions in the amount dedicated to the General Fund from cigarette tax
23 revenue. Any provision made by the Legislature for distribution of the
24 proceeds of the cigarette tax for projects or programs other than those
25 to (a) the General Fund, (b) the Nebraska Outdoor Recreation Development
26 Cash Fund, (c) the Health and Human Services Cash Fund, (d) ~~the Municipal~~
27 ~~Infrastructure Redevelopment Fund,~~ (e) the Building Renewal Allocation
28 Fund, (e) (f) the Information Technology Infrastructure Fund, (f) (g) the
29 Nebraska Public Safety Communication System Cash Fund, and (g) (h) the
30 Nebraska Health Care Cash Fund shall not be made a higher priority than
31 or an equal priority to any of the programs or projects specified in

1 subdivisions (a) through (g) ~~(h)~~ of this subsection.

2 Sec. 204. The State Treasurer shall transfer the balance in the
3 Municipal Infrastructure Redevelopment Fund on the effective date of this
4 act to the General Fund, and the Municipal Infrastructure Redevelopment
5 Fund shall terminate upon such date.

6 Sec. 205. Original sections 18-131, 18-305, 18-306, 18-307, 18-308,
7 18-309, 18-310, 18-311, 18-401, 18-402, 18-403, 18-404, 18-405, 18-407,
8 18-408, 18-409, 18-410, 18-411, 18-412, 18-412.02, 18-412.07, 18-412.08,
9 18-412.09, 18-412.10, 18-413, 18-501, 18-502, 18-503, 18-504, 18-505,
10 18-506, 18-506.01, 18-507, 18-508, 18-509, 18-510, 18-511, 18-512,
11 18-602, 18-603, 18-604, 18-610, 18-611, 18-612, 18-614, 18-617, 18-618,
12 18-619, 18-620, 18-621, 18-622, 18-623, 18-624, 18-625, 18-626, 18-627,
13 18-633, 18-634, 18-635, 18-636, 18-1001, 18-1002, 18-1003, 18-1004,
14 18-1005, 18-1006, 18-1101, 18-1102, 18-1201, 18-1202, 18-1203, 18-1204,
15 18-1205, 18-1206, 18-1207, 18-1215, 18-1216, 18-1501, 18-1502, 18-1503,
16 18-1504, 18-1508, 18-1509, 18-1701, 18-1702, 18-1705, 18-1706, 18-1707,
17 18-1708, 18-1709, 18-1712, 18-1713, 18-1714, 18-1716, 18-1718, 18-1721,
18 18-1722.01, 18-1723, 18-1724, 18-1729, 18-1741.03, 18-1743, 18-1748,
19 18-1750, 18-1752, 18-1754, 18-1755, 18-1757, 18-1801, 18-1802, 18-1803,
20 18-1804, 18-1905, 18-1907, 18-1909, 18-1910, 18-1912, 18-1913, 18-1915,
21 18-1919, 18-2003, 18-2004, 18-2005, 18-2123, 18-2124, 18-2131, 18-2135,
22 18-2136, 18-2201, 18-2202, 18-2203, 18-2204, 18-2206, 18-2301, 18-2302,
23 18-2303, 18-2304, 18-2305, 18-2306, 18-2307, 18-2308, 18-2309, 18-2310,
24 18-2311, 18-2312, 18-2313, 18-2314, 18-2315, 18-2402, 18-2443, 18-2476,
25 18-2501, 18-2502, 18-2504, 18-2505, 18-2506, 18-2518, 18-2520, 18-2521,
26 18-2522, 18-2523, 18-2524, 18-2525, 18-2526, 18-2527, 18-2528, 18-2529,
27 18-2530, 18-2532, 18-2533, 18-2534, 18-2535, 18-2536, 18-2537, 18-2538,
28 18-2708, 18-2722, 18-2737, 18-2803, 18-2806, 18-2807, 71-3305, and
29 77-3,119, Reissue Revised Statutes of Nebraska, and sections 13-518,
30 16-6,108, 18-132, 18-201, 18-406, 18-601, 18-613, 18-1719, 18-1720,
31 18-1751, 18-1902, 18-2133, 18-2409, 18-2507, 18-2705, 18-2709, 18-2717,

1 18-3001, and 77-2602, Revised Statutes Cumulative Supplement, 2020, are
2 repealed.

3 Sec. 206. The following sections are outright repealed: Sections
4 18-2601, 18-2602, 18-2603, 18-2604, 18-2605, 18-2606, 18-2607, 18-2608,
5 and 18-2609, Reissue Revised Statutes of Nebraska.