

LEGISLATIVE BILL 1003

Approved by the Governor August 06, 2020

Introduced by Walz, 15; Hunt, 8; Wayne, 13; Hansen, M., 26; Vargas, 7.

A BILL FOR AN ACT relating to cities and villages; to amend sections 13-2102, 14-1813, 15-103, 15-104, 15-105, 15-106, 15-106.01, 15-106.02, 15-108, 15-110, 15-111, 15-112, 15-113, 15-115, 15-116, 15-117, 15-118, 15-201, 15-201.01, 15-204, 15-205, 15-207, 15-208, 15-209, 15-210, 15-212, 15-215, 15-216, 15-217, 15-218, 15-219, 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228, 15-229, 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01, 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243, 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258, 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01, 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308, 15-309, 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317, 15-322, 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501, 15-502, 15-701, 15-701.01, 15-701.02, 15-702.01, 15-702.02, 15-702.03, 15-702.04, 15-708, 15-717, 15-720, 15-724, 15-725, 15-726, 15-727, 15-728, 15-729, 15-734, 15-735, 15-751, 15-752, 15-753, 15-754, 15-807, 15-808, 15-809, 15-810, 15-811, 15-812, 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821, 15-822, 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01, 15-845, 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104, 15-1105, 15-1106, 15-1201, 15-1204, 15-1205, 15-1305, and 71-1599, Reissue Revised Statutes of Nebraska, sections 3-502, 15-102, 15-202, 15-211, 15-241, 15-268, 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017, 15-1202, 15-1203, 17-105, 17-405.01, 18-2109, 18-2115, 18-2117.02, 18-2117.03, 18-2142.05, 19-5205, and 19-5305, Revised Statutes Cumulative Supplement, 2018, and sections 13-2705, 16-401, 18-2101.02, 18-2103, 18-2115.01, 19-612, 19-927, 32-538, and 84-304, Revised Statutes Supplement, 2019; to provide deadlines for filling vacancies on certain boards, authorities, and agencies as prescribed; to change provisions relating to enterprise zones under the Enterprise Zone Act; to change requirements for grant of assistance applications; to change and eliminate provisions relating to cities and villages; to change provisions relating to quorum requirements for the city council; to define and redefine terms; to provide annexation powers for purposes of relocation due to catastrophic flooding; to change and eliminate provisions of the Community Development Law; to change provisions relating to elections and numbers of city council members and planning commission meetings; to eliminate provisions relating to street railways; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 15-730, 15-731, 15-732, and 15-733, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Section 1. Section 3-502, Revised Statutes Cumulative Supplement, 2018, is amended to read:

3-502 (1) Any city may create an airport authority to be managed and controlled by a board. The board, when and if appointed, shall have full and exclusive jurisdiction and control over all facilities owned or thereafter acquired by such city for the purpose of aviation operation, air navigation, and air safety operation.

(2) The Cities Airport Authorities Act shall not become operative as to any city unless the mayor and city council in their discretion activate the airport authority by the mayor appointing and the council approving the board members as provided in this section. Each such board shall be a body corporate and politic, constituting a public corporation and an agency of the city for which such board is established.

(3) Each board in cities of the primary, first, and second classes and in villages shall consist of five members to be appointed by the mayor with the approval of the city council to serve until their successors elected pursuant to section 32-547 take office. Members of such board shall be residents of the city for which such authority is created. Any vacancy on such board shall be filled by appointment by the mayor, with the approval of the city council, to serve the unexpired portion of the term. A member of such board may be removed from office for incompetence, neglect of duty, or malfeasance in office. An action for the removal of such officer may be brought, upon resolution of the city council, in the district court of the county in which such city is located.

(4) Each board in cities of the metropolitan class shall consist of five members who shall be nominated by the mayor and approved by the city council and shall serve for terms of five years. Any vacancy on such board shall be filled, not later than six months after the date of such vacancy, by appointment by the mayor, with the approval of the city council, and such appointee shall serve the unexpired portion of the term of the member whose office was vacated. Any member of such board may be removed from office by the mayor, for incompetence, neglect of duty, or malfeasance in office, with the

consent and approval of the city council.

(5) The members of the board hereby created shall not be entitled to compensation for their services but shall be entitled to reimbursement of expenses paid or incurred in the performance of the duties imposed upon them by the Cities Airport Authorities Act, to be paid as provided in section 23-1112 for county officers and employees. A majority of the members of the board then in office shall constitute a quorum. The board may delegate to one or more of the members, or to its officers, agents, and employees, such powers and duties as it may deem proper.

(6) The board and its corporate existence shall continue only for a period of twenty years from the date of appointment of the members thereof and thereafter until all its liabilities have been met and its bonds have been paid in full or such liabilities and bonds have otherwise been discharged. When all liabilities incurred by the authority of every kind and character have been met and all its bonds have been paid in full or such liabilities and bonds have otherwise been discharged, all rights and properties of the authority shall pass to and be vested in the city. The authority shall have and retain full and exclusive jurisdiction and control over all projects under its jurisdiction, with the right and duty to charge and collect revenue therefrom, for the benefit of the holders of any of its bonds or other liabilities. Upon the authority's ceasing to exist, all its remaining rights and properties shall pass to and vest in the city.

Sec. 2. Section 13-2102, Reissue Revised Statutes of Nebraska, is amended to read:

13-2102 For purposes of the Enterprise Zone Act:

(1) Census shall mean the federal decennial census;
(2) Department shall mean the Department of Economic Development;
(3) Economic distress shall mean conditions of unemployment, poverty, and declining population existing within the area of a proposed enterprise zone considered in the stated order as an order of priority from most to least significant;

(4) Enterprise zone or zone shall mean an area which is at least one but no more than sixteen square miles in total area composed of one or more discrete areas which have a combined total resident population of not less than two hundred fifty persons. If it is composed of more than one discrete area, each separate area must meet the eligibility criteria established by this subdivision and (a) must be no more than five miles from another area if the zone is located within a city of the metropolitan or primary class, (b) must be located within the same county if the zone is located outside of the boundaries of a city of the metropolitan or primary class, or (c) must be located within the boundaries of the applying political subdivisions if the application for zone designation is made jointly by counties or tribal government areas pursuant to subsection (4) of section 13-2103. No area or portion of an area located in a city of the metropolitan or primary class shall include any portion of a central business district. For purposes of this subdivision, central business district shall mean an area comprised of a high concentration of office, service, financial, lodging, entertainment, and retail businesses and government facilities and possessing a high traffic flow or an area composed of one or more complete federal census tracts defined as a central business district by the United States Bureau of the Census.

To qualify as an enterprise zone under this subdivision (4), such area must meet at least two of the following three criteria as measured by data from the United States Bureau of the Census:

(i) Population in the area or within a reasonable proximity to the area has decreased by at least ten percent between the date of the most recent census and the date of the immediately preceding census;

(ii) The average rate of unemployment in the area or within a reasonable proximity to the area is at least two hundred percent of the average rate of unemployment in the state during the same period covered by the most recent census or American Community Survey 5-Year Estimate; or

(iii) The average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area or within a reasonable proximity to the area when the area is located within the legal boundaries of a city of the metropolitan or primary class or the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups which encompass the legal boundaries of a city of the first class, city of the second class, village, or tribal government area when the area is located in such political subdivision.

For purposes of this subdivision (4), reasonable proximity shall refer to the federal census tracts or federal census block groups which either in whole or in part are within the boundaries of any portion of the proposed zone;

(5) Political subdivision shall mean any incorporated village, city, county, or tribal government area; and

(6) Tribal government area shall mean (a) that portion of Knox County under the jurisdiction of the Santee Sioux Tribe, (b) that portion of Thurston County under the jurisdiction of the Omaha Tribe, and (c) that portion of Thurston County under the jurisdiction of the Winnebago Tribe.

Sec. 3. Section 13-2705, Revised Statutes Supplement, 2019, is amended to read:

13-2705 The department may conditionally approve grants of assistance from the fund to eligible and competitive applicants subject to the following limits and requirements:

(1) Except as provided in subdivision (2) of this section, a grant request shall be in an amount meeting the following requirements:

(a) For a grant of assistance under section 13-2704.01, at least fifteen thousand dollars but no more than:

(i) For a city of the primary class, two million two hundred fifty thousand dollars;

(ii) For a city with a population of at least forty thousand inhabitants but fewer than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, one million one hundred twenty-five thousand dollars;

(iii) For a city with a population of at least twenty thousand inhabitants but fewer than forty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, seven hundred fifty thousand dollars;

(iv) For a city with a population of at least ten thousand inhabitants but fewer than twenty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, six hundred thousand dollars; and

(v) For a municipality with a population of fewer than ten thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, three hundred seventy-five thousand dollars; and

(b) For a grant of assistance under section 13-2704.02, at least three thousand dollars but no more than fifteen thousand dollars;

(2) Upon the balance of the fund reaching three million seven hundred fifty thousand dollars, and until the balance of the fund falls below one million five hundred thousand dollars, a grant request shall be in an amount meeting the following requirements:

(a) For a grant of assistance under section 13-2704.01, at least fifteen thousand dollars but no more than:

(i) For a city of the primary class, three million three hundred seventy-five thousand dollars;

(ii) For a city with a population of at least forty thousand inhabitants but fewer than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, one million six hundred eighty-seven thousand dollars;

(iii) For a city with a population of at least twenty thousand inhabitants but fewer than forty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, one million one hundred twenty-five thousand dollars;

(iv) For a city with a population of at least ten thousand inhabitants but fewer than twenty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, nine hundred thousand dollars; and

(v) For a municipality with a population of fewer than ten thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, five hundred sixty-two thousand dollars; and

(b) For a grant of assistance under section 13-2704.02, at least three thousand dollars but no more than fifteen thousand dollars;

(3) Assistance from the fund shall not amount to more than fifty percent of the cost of the project for which a grant is requested;

(4) A municipality shall not be awarded more than one grant of assistance under section 13-2704.01 and one grant of assistance under section 13-2704.02 in any two-year period;

(5) Any eligible facility for which a grant of assistance under section 13-2704.01 is made shall not be sold for at least five years following the award of such grant of assistance; and

~~(6) An application for a grant of assistance to assist in the preservation, restoration, conversion, rehabilitation, or reuse of a historic building or district shall include a notification of approval from the State Historic Preservation Officer that the work proposed in the application conforms to the United States Secretary of the Interior's Standards for the Treatment of Historic Properties. If the application does not include such notification of approval from the State Historic Preservation Officer, the department shall not award a grant of assistance for such application. Upon receipt of any application for a grant of assistance to assist in the preservation, restoration, conversion, rehabilitation, or reuse of a historic building or district, the department shall notify the State Historic Preservation Officer of such application. The State Historic Preservation Officer shall evaluate the work proposed in such application to determine whether it conforms to the United States Secretary of the Interior's Standards for the Treatment of Historic Properties and shall notify the department of the determination. If the work does not conform to such standards, the department shall not award a grant of assistance for such application.~~

Sec. 4. Section 14-1813, Reissue Revised Statutes of Nebraska, is amended to read:

14-1813 (1) Except as provided in subsection (2) of this section, whenever any city of the metropolitan class creates an authority, the board shall consist of five members to be selected as follows: (a) The mayor, with the

approval of the city council and the county board of the county in which the city is located, shall appoint one member who shall serve for one year, one member who shall serve for two years, one member who shall serve for three years, one member who shall serve for four years, and one member who shall serve for five years; and (b) upon the expiration of the term of each appointed officer, the mayor, with the approval of the city council and the county board of the county in which the city is located, shall appoint a member who shall serve for a term of five years. Members of such board shall be residents of the transit authority territory described in section 14-1803 and one member of the board shall be nominated and selected as provided in subsection (2) of this section. In cities of the metropolitan class where a board has been heretofore appointed, the mayor, with the approval of the city council and the county board of the county in which the city is located, shall by resolution redesignate the terms of the members of such board in accordance with the provisions of sections 14-1803, 14-1805, 14-1812, and 14-1813, except that until such redesignation is made the terms shall stand as provided for in the original appointment.

(2) Notwithstanding any provisions of the city charter of the city of the metropolitan class to the contrary, when the next vacancy will occur on the board after August 31, 2003, resulting from the expiration of the term of office of a member of the board, notice of such vacancy shall be communicated to the clerk of each county, city, or village which is part of the transit authority territory. Such notice shall be provided at least forty-five days prior to the expiration of the term of office of the member. Each county, city, and village, other than the city of the metropolitan class, may, by majority vote of their governing bodies, recommend the appointment of one or more residents of their respective jurisdictions to fill the board position. Such nominations shall be filed with the mayor of the city of the metropolitan class not later than the thirtieth day following the date of receipt of notice of the vacancy. The mayor shall make the appointment to fill the board position from such nominations. The individual appointed by the mayor, upon approval by the city council of the city of the metropolitan class, shall become a member of the board. Thereafter, any successor to such board member, either by reason of vacancy or the expiration of such board member's term, shall possess the residence qualifications provided for in this subsection, and such board position shall be filled in the manner provided for in this subsection.

(3) Except as provided in subsection (2) of this section, any vacancy on such board, ~~resulting other than from expiration of a term of office,~~ shall be filled, not later than six months after the date of such vacancy, by the mayor of the city of the metropolitan class, with the approval of the city council and the county board of the county in which the city is located, and such appointee shall possess the same residence qualifications as the member whose office he or she is to fill and shall serve the unexpired portion, if any, of the term of the member whose office was vacated.

(4) Each member, before entering upon the duties of the office, shall file with the city clerk of the city of the metropolitan class an oath that he or she will duly and faithfully perform all the duties of the office to the best of his or her ability, and a bond in the penal sum of five thousand dollars executed by one or more qualified sureties for the faithful performance of his or her duties. If any member shall fail to file such oath and bond on or before the first day of the term for which he or she was appointed or elected, his or her office shall be deemed to be vacant.

(5) A member of such board may be removed from office for incompetence, neglect of duty, or malfeasance in office. An action for the removal of such officer may be brought, upon resolution of the city council of the city of the metropolitan class or the county board of the county in which the city is located, in the district court of the county in which such city is located.

Sec. 5. Section 15-102, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-102 Whenever any city of the first class attains ~~shall attain~~ a population of more than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, the mayor of such city shall certify such fact to the Secretary of State, who upon the filing of such certificate shall by proclamation declare such city to be a city of the primary class.

Sec. 6. Section 15-103, Reissue Revised Statutes of Nebraska, is amended to read:

15-103 The government of a city of the first class which is declared to be a city of the primary class pursuant to section 15-102 ~~such city~~ shall continue in authority from the date of such declaration ~~proclamation~~ until reorganization as a city of the primary class.

Sec. 7. Section 15-104, Reissue Revised Statutes of Nebraska, is amended to read:

15-104 The corporate limits of a city of the first class which is declared to be a city of the primary class pursuant to section 15-102 ~~such city~~ shall remain as before such declaration. ~~The and the~~ city council may by ordinance at any time include within the corporate limits of such city any contiguous or adjacent lands, lots, tracts, streets, or highways such distance and in such direction as may be deemed proper. The city council ~~, and~~ may include, annex, merge, or consolidate with such city, by such extension of its corporate limits, any village which is within the extraterritorial zoning jurisdiction ~~limits~~ of such city, and which it serves with water service or supply or with a sanitary sewerage system and service, or both such water and sanitary sewerage

service. Such city shall have power by ordinance to compel owners of land so brought within the corporate limits to lay out streets and public ways to conform to and be continuous with the streets and ways of such city, or otherwise as appears best for the convenience of the inhabitants of such city and the public. Such city ~~It~~ may vacate any public road established through such land when necessary to secure regularity in the general system of its public ways.

Sec. 8. Section 15-105, Reissue Revised Statutes of Nebraska, is amended to read:

15-105 For purposes of sections 15-104 to 15-106.02, land ~~Land~~ shall be deemed contiguous although a stream, embankments, or a strip or parcel of land, not more than five hundred feet wide, lies between such land and the corporate limits.

Sec. 9. Section 15-106, Reissue Revised Statutes of Nebraska, is amended to read:

15-106 (1) The owner proprietor of any land within the corporate limits of a city of the primary class or contiguous thereto may lay out such land into lots, blocks, public ways, and other grounds under the name of addition to the city of and shall cause an accurate plat thereof to be made, designating explicitly the land so laid out and particularly describing the lots, blocks, public ways, and grounds belonging to such addition. The lots shall be designated by number and by street. Public ways and other grounds shall be designated by name and by number. Such plat shall be acknowledged before some officer authorized to take acknowledgment of deeds and shall have appended to it a certificate made by a registered land surveyor that he or she has accurately surveyed such addition and that the lots, blocks, public ways, and other grounds are staked and marked as required by such city.

(2) When such plat is made, acknowledged, and certified, complies with the requirements of section 15-901, and is approved by the city planning commission, such plat shall be filed and recorded in the office of the register of deeds and county assessor of the county in which the land is located. In lieu of approval by the city planning commission, the city council may designate specific types of plats which may be approved by the city planning director. No plat shall be recorded in the office of the register of deeds or have any force or effect unless such plat is approved by the city planning commission or the city planning director. The plat shall, after being filed with the register of deeds, be equivalent to a deed in fee simple absolute to the city, from the owner proprietor, of all streets, all public ways, squares, parks, and commons, and such portion of the land as is therein set apart for public use or dedicated to charitable, religious, or educational purposes.

(3) All additions thus laid out shall remain a part of the city, and all additions, except those additions as set forth in sections 15-106.01 and 15-106.02, laid out adjoining or contiguous to the corporate limits of a city of the primary class shall be included therein and become a part of the city for all purposes. The inhabitants of such addition shall be entitled to all the rights and privileges and subject to all the laws, ordinances, rules, and regulations of the city. The mayor and city council shall have power by ordinance to compel owners of any such addition to lay out streets and public ways to correspond in width and direction and to be continuous with the streets and public ways in the city or additions contiguous to or near the proposed addition.

(4) No addition shall have any validity, right, or privilege as an addition unless the terms and conditions of such ordinance and of this section are complied with, the plats thereof are submitted to and approved by the city planning commission or the city planning director, and the approval of the city planning commission or the city planning director is endorsed thereon. The city council may provide procedures in land subdivision regulations for appeal by any person aggrieved by any action of the city planning commission or city planning director on any plat.

Sec. 10. Section 15-106.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-106.01 Commencing on April 17, 1982, an addition which has been approved pursuant to section 15-106 and is adjoining or contiguous to the corporate boundaries of a the city of the primary class but which includes land which lies wholly or partially (1) outside of the area designated and described as being for future urban uses in the comprehensive plan adopted by the city pursuant to sections 15-1102 and 15-1103 and (2) within a zoning district adopted pursuant to section 15-902 which allows a residential density of not more than one dwelling per acre shall be included within the corporate limits of the city only upon the enactment of a city ordinance specifically annexing such addition.

Sec. 11. Section 15-106.02, Reissue Revised Statutes of Nebraska, is amended to read:

15-106.02 Commencing on April 17, 1982, an addition which has been approved pursuant to section 15-106 and is adjoining or contiguous to the corporate boundaries of a the city of the primary class, but which (1) includes land which lies wholly or partially within the area designated as being for future urban uses in the comprehensive plan adopted by the city pursuant to sections 15-1102 and 15-1103 and (2) is set aside in such comprehensive plan as an agricultural-industrial reserve shall be included within the corporate limits of the city only upon the enactment of a city ordinance specifically annexing such addition.

Sec. 12. Section 15-108, Reissue Revised Statutes of Nebraska, is amended to read:

15-108 When any city of the first class is declared shall be incorporated as a city of the primary class pursuant to section 15-102, all its trusts, rights, and privileges of such city of the first class shall be transmitted to and be invested in such city of the primary class latter corporation.

Sec. 13. Section 15-110, Reissue Revised Statutes of Nebraska, is amended to read:

15-110 Precinct lines ~~in that part of the county not under township organization~~ within the corporate limits of a city of the primary class shall correspond in number with the ward and be coextensive with such limits, except that therewith; Provided, when a ward is divided into election districts, the precinct corresponding with such ward shall be divided to correspond with the election district.

Sec. 14. Section 15-111, Reissue Revised Statutes of Nebraska, is amended to read:

15-111 A city of the second class or village, which adjoins a city of the primary class, as well as other villages either adjoining such city of the second class or village villages, or supplied in whole or in part with gas, electric light, or street transportation service or supply from manufacturing or power plants and systems mainly located in and maintained and operated mainly from chief headquarters or offices within such city of the primary class, may be consolidated with such city of the primary class in the manner provided in sections 15-111 to 15-118 hereinafter set out. It shall be the duty of the officers of such cities of the second class and villages twenty days prior to any general city or village election, to submit to the electors of such cities or villages thereof at such general city or village election whenever petitioned to do so by twenty percent of the qualified electors of such cities or villages thereof, the question of the consolidation of such adjoining cities or villages with the city of the primary class. Such question shall be submitted in substantially the following form:

Shall the city of be consolidated with the city of ? Or, as the case may be, Shall the village of be consolidated with the city of ? The ballot shall provide in the usual manner for a Yes and No vote on the question.

Sec. 15. Section 15-112, Reissue Revised Statutes of Nebraska, is amended to read:

15-112 If at an such election held pursuant to section 15-111 a majority of the vote cast in a city of the second class or village such municipality shall be in favor of such consolidation, the result shall be certified to the city council of the city of the primary class. If the city council of such city of the primary class approves of the consolidation, an ordinance shall be passed extending the limits of such city to include all the territory of the city of the second class or village voting for consolidation, and the city or cities, village or villages, so consolidated with the city of the primary class shall become a part thereof.

Sec. 16. Section 15-113, Reissue Revised Statutes of Nebraska, is amended to read:

15-113 Whenever any city of the primary class shall extend its boundaries so as to annex any village, or whenever there is consolidation taking effect in the manner ~~herein~~ provided in sections 15-111 to 15-118, the charter, laws, ordinances, powers, and government of such city of the primary class, shall at once extend over the territory embraced within any such city or village so annexed or consolidated with it. Such ; and such city of the primary class shall succeed to all the property and property rights of every kind, contracts, obligations, and choses in action of every kind held by or belonging to such the city or village so annexed or consolidated with it. Such city of the primary class ; and it shall be liable for and assume and carry out all valid contracts, obligations, franchises, and licenses of any such city or village so annexed or consolidated with it. Such city or village so annexed or consolidated with such city of the primary class shall be deemed fully compensated by virtue of such annexation or consolidation and such the said assumption of its obligations and contracts for all its property and property rights of every kind so acquired. Any public franchise granted to or held by any person or corporation from such city of the primary class, before such consolidation or annexation, shall not by virtue of such consolidation or annexation be extended into, upon, or over the streets or public places of such the city or village so consolidated with or annexed by such city of the primary class. Any public franchise, license, or privilege granted to or held by any person or corporation from any of the cities or villages consolidated with or annexed by such city of the primary class before such consolidation or annexation shall not by virtue of such consolidation be extended into, upon, or over the streets, alleys, or public places of the city of the primary class involved in such consolidation or annexation.

Sec. 17. Section 15-115, Reissue Revised Statutes of Nebraska, is amended to read:

15-115 All taxes, assessments, fines, licenses, fees, claims, and demands of every kind assessed or levied against persons or property within any such city of the second class or village ~~thus~~ consolidated with or annexed by any ~~such~~ city of the primary class as provided in sections 15-111 to 15-118, shall be paid to and collected by such city of the primary class.

Sec. 18. Section 15-116, Reissue Revised Statutes of Nebraska, is amended to read:

15-116 All taxes and special assessments which a such city of the second class or village so consolidated with or annexed by a city of the primary class as provided in sections 15-111 to 15-118 was authorized to levy or assess and which are not levied or assessed at the time of such consolidation or annexation for any kind of public improvements made by it or in process of construction or contracted for, may be levied or assessed by such city of the primary class ~~as consolidated or annexed~~, and such city of the primary class shall have the power to reassess all special assessments or taxes levied or assessed by any such city of the second class or village thus consolidated or annexed with it, in all cases where such city of the second class or village is authorized to make reassessments or relieves of such taxes and assessments.

Sec. 19. Section 15-117, Reissue Revised Statutes of Nebraska, is amended to read:

15-117 All actions at law or in equity pending in any court in favor of or against any city of the second class or village ~~thus consolidated with or annexed by a such city of the primary class as provided in sections 15-111 to 15-118~~ at the time such consolidation or annexation takes effect, shall be prosecuted by or defended by such city of the primary class ~~as the case may be~~, and all rights of action existing against any city of the second class or village consolidated with or annexed by such city of the primary class at the time of such consolidation or annexation or accruing thereafter on account of any transaction had with or under any law or ordinance of such city of the second class or village, may be prosecuted against such city of the primary class ~~as consolidated~~.

Sec. 20. Section 15-118, Reissue Revised Statutes of Nebraska, is amended to read:

15-118 All officers of any city of the second class or village ~~so consolidated with or annexed by a such city of the primary class as provided in sections 15-111 to 15-118~~ having books, papers, records, bonds, funds, effects, or property of any kind in their hands or under their control belonging to any such city of the second class or village, shall upon taking effect of such consolidation or annexation deliver the same to the respective officers of such city of the primary class as may be by law or ordinance or limitation of such city entitled or authorized to receive the same. Upon such consolidation or annexation taking effect, the terms and tenure of all offices and officers of any such city of the second class or village so consolidated with or annexed by such city of the primary class shall terminate ~~and entirely cease~~.

Sec. 21. Section 15-201, Reissue Revised Statutes of Nebraska, is amended to read:

15-201 Cities of the primary class shall be bodies corporate and politic and shall have power:

- (1) To sue and be sued;
- (2) To purchase, lease, or otherwise acquire as authorized by their home rule charters or state statutes real estate or personal property within or without the limits of the city for its use for a public purpose;
- (3) To purchase real or personal property upon sale for general or special taxes or assessments and to lease, sell, convey, or exchange such property so purchased;
- (4) To sell, convey, exchange, or lease real or personal property owned by the city in such manner and upon such terms and conditions as shall be deemed in the best interests of the city as authorized by its home rule charter, except that real estate owned by the city may be conveyed without consideration to the State of Nebraska for state armory sites or, if acquired for state armory sites, shall be conveyed in the manner strictly as provided in sections 18-1001 to 18-1006;
- (5) To make contracts and do all acts relative to the property and concerns of the city necessary or incident or appropriate to the exercise of its corporate powers, including powers granted by the Constitution of Nebraska or exercised by or pursuant to a home rule charter adopted pursuant thereto and including the power to execute such bonds and obligations on the part of the city as may be required in judicial proceedings;
- (6) To purchase, construct, and otherwise acquire, own, maintain, and operate public service and public utility property and facilities within and without the limits of the city and to redeem such property from prior encumbrance in order to protect or preserve the interest of the city therein and to exercise such other and further powers as may be necessary or incident or appropriate to the powers of such city, including powers granted by the Constitution of Nebraska or exercised by or pursuant to a home rule charter adopted pursuant thereto. If the public service or public utility property or facility is located outside the limits of the city but within the zoning jurisdiction of another political subdivision, the city and the other political subdivision may by interlocal agreement provide or exchange services, including utility services, relating to the property or facilities;
- (7) To receive grants, devises, donations, and bequests of money or property for public purposes in trust or otherwise; and
- (8) To provide for the planting, maintenance, protection, and removal of shade, ornamental, and other useful trees upon the streets or boulevards; to assess the cost thereof, when appropriate, as a special assessment against the property specially benefited to the extent of benefits received; and to provide by general ordinance for the manner in which such benefits are to be measured and the assessments calculated and the means of notice to the owners of the record title of the property proposed to be improved, including a written statement of the proposed benefits and an estimate of the costs to be assessed

according to the method of assessment. The city may create districts by ordinance which shall designate the property within the district to be benefited and the method of assessment. Notwithstanding the provisions of any city charter and except as provided below, no such improvement shall be finally ordered by the city council until a petition, signed by the owners of the record title of property within the proposed district which would be subject to more than fifty percent of the total of all special assessments to be levied for the purposes authorized by this subdivision, is presented and filed with the city clerk petitioning therefor. The sufficiency of the petitions and objections so presented and the sufficiency of notice as provided in this subdivision shall be determined by the city council and its determination thereof shall be conclusive in the absence of objections made and presented to the city council prior to the letting of the contract for the improvement. If an assessment district is proposed without a prior authorizing petition as described in this subdivision, the owners of the record title of property within the proposed district which would be subject to more than fifty percent of the total of all special assessments to be levied for the purposes authorized by this subdivision may, by petition, stop formation of such district. Such written protest shall be submitted to the city council or city clerk within thirty calendar days after publication of notice concerning the ordinance in a legal newspaper in or of general circulation in the city.

The powers shall be exercised by the mayor and city council ~~of the city~~ except in cases otherwise specified by law. The mayor and city council shall adopt a corporate seal for the use of any officer, board, or agent of the city whose duties require an official seal.

Sec. 22. Section 15-201.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-201.01 Any extraterritorial zoning jurisdiction or authority which a city of the primary class may exercise outside of its corporate limits by authority of state law may be exercised by such city outside of the county in which such city ~~it~~ is located.

Sec. 23. Section 15-202, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-202 A city of the primary class shall have the power to levy taxes for general revenue purposes on all property within the corporate limits of the city taxable according to the laws of Nebraska and to levy an occupation tax on public service property or corporations in such amounts as may be proper and necessary, in the judgment of the mayor and city council, for purposes of revenue. All such taxes shall be uniform with respect to the class upon which they are imposed. The occupation tax may be based upon a certain percentage of the gross receipts of such public service corporation or upon such other basis as may be determined upon by the mayor and city council. After March 27, 2014, any occupation tax imposed pursuant to this section shall make a reasonable classification of businesses, users of space, or kinds of transactions for purposes of imposing such tax, except that no occupation tax shall be imposed on any transaction which is subject to tax under section 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008 or which is exempt from tax under section 77-2704.24. The occupation tax shall be imposed in the manner provided in section 18-1208, except that section 18-1208 does not apply to an occupation tax subject to section 86-704.

Sec. 24. Section 15-204, Reissue Revised Statutes of Nebraska, is amended to read:

15-204 A city of the primary class ~~city~~ shall have the power to levy any other tax or special assessment authorized by law, and to appropriate money and provide for the payment of the debts and expenses of the city.

Sec. 25. Section 15-205, Reissue Revised Statutes of Nebraska, is amended to read:

15-205 A city of the primary class ~~city~~ shall have the power to (1) remove all obstructions from the sidewalk, curbstones, gutters, and crosswalks at the expense of the owners or occupants of the grounds fronting thereon, or at the expense of the person placing such obstructions ~~the same~~ there; and (2) ~~to~~ regulate the building of bulkheads, cellars, basements and ~~basement~~ ways, stairways, railways, windows, ~~window~~ and doorways, awnings, ~~hitching posts and rails~~, lampposts, awning posts, and all other structures upon or over adjoining excavations through or under the sidewalks of the city.

Sec. 26. Section 15-207, Reissue Revised Statutes of Nebraska, is amended to read:

15-207 A city of the primary class ~~city~~ shall have the power, by ordinance, to regulate the transportation of articles through the streets, to prevent injuries to the streets from overloaded vehicles, and to provide for a vehicle license or tax.

Sec. 27. Section 15-208, Reissue Revised Statutes of Nebraska, is amended to read:

15-208 A city of the primary class ~~city~~ shall have the power to (1) prevent and remove all encroachments on streets, avenues, alleys, and other city property, (2) ~~;~~ prevent and punish horseracing, fast driving or riding in the streets, highways, alleys, bridges, or other places in the city, (3) regulate and all games, practices, or amusements within the city therein likely to result in damage to any person or property, (4) ~~;~~ ~~to~~ regulate the riding, driving, or passing along any street of the city, (5) ~~and to regulate, prevent and punish the riding, driving or passing of horses, mules, oxen, cattle or teams, or any vehicle drawn thereby over, upon or across sidewalks;~~ to regulate and prevent the use of streets, sidewalks, and public grounds for signs,

signposts, awnings, telegraph, telephone or other poles, racks, bulletin boards, and the posting of handbills and advertisements, (6) ; ~~to~~ regulate traffic and sales upon the streets, (7) ; ~~to~~ prohibit and punish cruelty to animals, and (8) ; ~~to~~ regulate and prevent the moving of buildings through or upon the streets.

Sec. 28. Section 15-209, Reissue Revised Statutes of Nebraska, is amended to read:

15-209 A primary city of the primary class shall have the power, by ordinance, to regulate levees, depots, depot grounds, and places for storing freight and goods, and to provide for and regulate the passing of railways through the streets and public grounds of the city, reserving the rights of all persons injured thereby.

Sec. 29. Section 15-210, Reissue Revised Statutes of Nebraska, is amended to read:

15-210 A primary city of the primary class shall have the power to (1) acquire, hold, and improve public grounds, parks, playgrounds, swimming pools, recreation centers, or any other park or recreational use or facility within or without the limits of the city, (2) ~~to~~ provide for the protection and preservation and use of such grounds, parks, and other uses and facilities, (3) ~~to~~ provide for the planting and protection of trees, (4) ~~to~~ erect and construct or aid in the erection and construction of statues, memorials, works of art, and other structures upon any public grounds of the city or state or political subdivision thereof, and (5) ~~to~~ receive grants, devises, donations, and bequests of money or property for the above purposes described in this section, in trust or otherwise.

Sec. 30. Section 15-211, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-211 A city of the primary class may, by ordinance, require any and all lots or pieces of ground within the city or within its extraterritorial three-mile zoning jurisdiction to be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon. Upon the failure of the owners of such lots or pieces of ground to fill or drain the lots or pieces when so required, the city council may cause such lots or pieces of ground to be drained or filled, and the cost and expenses thereof shall be levied upon the property so filled or drained and collected as a special assessment.

Sec. 31. Section 15-212, Reissue Revised Statutes of Nebraska, is amended to read:

15-212 A primary city of the primary class shall have the power, by ordinance, to ~~prevent forestalling, prohibit or regulate huckstering,~~ prescribe the kind and description of articles which may be sold and places to be occupied by vendors, and may authorize the immediate seizure and arrest or removal from the markets of persons violating regulations fixed by ordinance, ~~;~~ together with any articles of produce in their possession, and the immediate seizure and destruction of tainted or unsound meat or other provisions. Nothing in this section herein shall be construed to authorize the city council by ordinance to assess or impose any tax, assessment, fine, or punishment on any farmer or producer for selling at any time within the city any article of provision or vegetables grown or produced by the farmer or producer ~~him~~.

Sec. 32. Section 15-215, Reissue Revised Statutes of Nebraska, is amended to read:

15-215 A primary city of the primary class shall have the power to regulate, license, or suppress halls, opera houses, churches, places of amusement, entertainment, or instruction, or other buildings used for the assembly of citizens. A city of the primary class ~~It~~ may cause such buildings ~~them~~ to be provided with sufficient and ample means of exit and entrance, and to be supplied with necessary and appropriate appliances for the extinguishment of fires and for escape from such places in case of fire. A city of the primary class ~~It~~ may prevent overcrowding and regulate the placing of seats, chairs, benches, scenery, curtains, blinds, screens, or other appliances in such buildings ~~therein~~. A city of the primary class ~~It~~ may provide that for any violation of any such regulation a penalty of not to exceed two hundred dollars shall be imposed, and that upon the conviction of any violation of any ordinance regulating such places, the license of such place shall be revoked by the mayor and city council. Whenever the mayor or city council shall by resolution declare any such place to be unsafe, the license thereof shall be thereby revoked, ~~;~~ and the city council may provide that in any case where they have so revoked the license, any owner, proprietor, manager, lessee, or person, opening, using, or permitting such place to be opened or used, involving the assembling of more than twelve persons, shall upon conviction thereof be deemed guilty of a misdemeanor and fined in any sum not exceeding two hundred dollars.

Sec. 33. Section 15-216, Reissue Revised Statutes of Nebraska, is amended to read:

15-216 A primary city of the primary class shall have the power, by ordinance, to prescribe the thickness, strength, and manner of constructing stone, brick, and other buildings, and the number and construction of means of exit and entrance, and of fire escapes. A city of the primary class ~~It~~ may require the keeper and proprietor of any hotel, boarding house, or dormitory to provide and maintain such kind and number of ladders, ropes, balconies, and stairways, and other appliances, as by ordinance may be prescribed to facilitate the escape of persons from any such building in case of fire.

Sec. 34. Section 15-217, Reissue Revised Statutes of Nebraska, is amended to read:

15-217 A city of the primary class shall have the power to regulate,

license, or prohibit the sale of domestic animals, goods, wares, and merchandise at public auction in the streets, alleys, highways, or any public grounds within the city, and to regulate or license the auctioneering of goods, wares, and merchandise. ~~If the applicant is an individual, an application for a license shall include the applicant's social security number.~~

Sec. 35. Section 15-218, Reissue Revised Statutes of Nebraska, is amended to read:

15-218 A primary city of the primary class shall have the power, by ordinance, to regulate or prohibit the running at large of cattle, hogs, horses, mules, sheep, goats, dogs, and other animals and to cause such animals as may be running at large to be impounded and sold to discharge the cost and penalties provided for violation of such prohibitions, and the fees and expenses of impounding and keeping such animals ~~the same~~ and of such sale.

Sec. 36. Section 15-219, Reissue Revised Statutes of Nebraska, is amended to read:

15-219 A primary city of the primary class shall have the power to provide for the erection of all needful pens, pounds, and buildings for the use of the city, within or without such city limits, to appoint and compensate keepers thereof, and to establish and enforce rules governing such pens, pounds, and buildings ~~the same~~.

Sec. 37. Section 15-220, Reissue Revised Statutes of Nebraska, is amended to read:

15-220 A primary city of the primary class shall have the power to regulate, license, or prohibit the running at large of dogs and other animals and guard against injuries or annoyances from such animals ~~therefrom~~, and to authorize the destruction of such animals ~~the same~~ when running at large contrary to the provisions of any ordinance. Any licensing provision shall comply with subsection (2) of section 54-603 for service animals.

Sec. 38. Section 15-221, Reissue Revised Statutes of Nebraska, is amended to read:

15-221 A primary city of the primary class shall have the power, by ordinance, to prevent any person from bringing, having, depositing, or leaving upon or near his or her premises or elsewhere within the city any dead carcass, or other putrid beef, pork, fish, hides, or skins of any kind, or any other unwholesome substance, and to compel the removal of such substances ~~the same~~.

Sec. 39. Section 15-222, Reissue Revised Statutes of Nebraska, is amended to read:

15-222 A primary city of the primary class shall have the power to make contracts with and authorize any person, company, or association to erect gas works, electric works, or other light works in such said city, and give such person, company, or association the privilege of furnishing light for the streets, lanes, and alleys of such said city for any length of time not exceeding one year, or for any time not exceeding five years upon being authorized so to do by a majority vote of the electors of such city. The mayor and city council shall not have power to grant a franchise for any purpose for a period longer than twenty-five years. Franchises to be granted for a longer period than twenty-five years shall be submitted to a vote of the people and shall require a majority vote of the electors of the city voting thereon at a general or special election. All franchise ordinances shall require three readings on three separate days before passage by the city council.

Sec. 40. Section 15-223, Reissue Revised Statutes of Nebraska, is amended to read:

15-223 A primary city of the primary class shall have the power to fix the rate of tax to be paid for the use of water furnished by the city or any person or corporation by means of waterworks, and provide by ordinance that any tax for the use of water furnished by such said city shall be a lien upon the property where such water ~~the same~~ is furnished.

Sec. 41. Section 15-224, Reissue Revised Statutes of Nebraska, is amended to read:

15-224 A primary city of the primary class shall have the power to establish, alter, and change the channel of watercourses, and to wall and cover such watercourses ~~them~~ over, to establish, make, and regulate public wells, cisterns, aqueducts, and reservoirs of water, and to provide for the filling of such wells, cisterns, aqueducts, and reservoirs ~~the same~~.

Sec. 42. Section 15-225, Reissue Revised Statutes of Nebraska, is amended to read:

15-225 A primary city of the primary class shall have the power to provide for the organization of a fire department, to procure fire engines, hooks, ladders, buckets, and other apparatus, to organize fire engine, hook, ladder, and bucket companies, to prescribe rules of duty, and the government of the fire department thereof, with such penalties as the city council may deem proper, not exceeding a one-hundred-dollar fine, to make all necessary appropriations therefor, and to establish regulations for the prevention and extinguishment of fires.

Sec. 43. Section 15-228, Reissue Revised Statutes of Nebraska, is amended to read:

15-228 The city council shall have the power to create water districts for the purpose of supplying water for domestic, industrial, or fire purposes, or for the purpose of enlarging any water mains, now existing or hereafter constructed. All such districts, to be known as water districts, shall be created by ordinance and shall designate the property to be benefited. Upon creation of any water district, the city council shall have the power to construct or cause to be constructed, either by contract with the lowest

responsible bidder or directly by the city, such water main or mains, or extensions or enlargements, including all necessary appliances for fire protection, within such districts as the city council shall determine, and assess the costs thereof against the property in such district, not exceeding the special benefits accruing on account thereof. The city council shall have the power and authority to fix the period of time, not to exceed twenty years, in which the special assessments against any property for the payment of the cost of such improvements may be made. The city council shall have the power and authority to issue bonds in accordance with the provisions of a home rule charter of the city or of state law.

Sec. 44. Section 15-229, Reissue Revised Statutes of Nebraska, is amended to read:

15-229 A primary city of the primary class shall have the power ~~is hereby authorized~~ to acquire, either temporarily or permanently, lands, real or personal property, or any interests therein, or any easements deemed to be necessary or desirable for any present or future necessary or authorized public purpose within or without the city by gift, agreement, purchase, condemnation, or otherwise. In all such cases the city shall make the person or persons whose property shall be taken or injured thereby adequate compensation therefor. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724. A primary city of the primary class shall have authority to enter upon any property to make surveys, examinations, investigations, and tests, and to acquire other necessary and relevant data in contemplation of establishing a location of a necessary or authorized public purpose, acquiring property therefor, or performing other operations incident to construction, reconstruction, or maintenance of such public purpose, and entry upon any property pursuant to this authority shall not be considered to be a legal trespass and no damages shall be recovered on that account alone. In case of any actual or demonstrable damages to the premises, the city shall pay the owner of the premises the amount of the damages. Upon the failure of the landowner and the city to agree upon the amount of damages, the landowner, in addition to any other available remedy, may file a petition as provided for in section 76-705. The entry by the city or its representatives shall be made only after notice of the entry and its purpose.

Sec. 45. Section 15-229.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-229.01 In connection with the acquisition of lands, property, or interests therein for a public purpose, a the city of the primary class may acquire by any lawful means, except through condemnation, an entire lot, block, or tract of land or property if, by so doing, the interests of the public will be best served, even though the entire lot, block, or tract is not immediately needed for public purposes. Without limiting such authority, this may be done where uneconomic remnants of land would be left the original owner or owners or where severance or consequential damages to a remainder make the acquisition of the entire parcel more economical to the city. In the event ; Provided, that ~~when~~ any such property is left without access to a street and the cost of acquisition of such landlocked property or land through condemnation would be more economical to the city than the cost of providing a means of reasonable ingress to or egress from the property or land, the city may acquire such landlocked property or land by condemnation.

Sec. 46. Section 15-229.02, Reissue Revised Statutes of Nebraska, is amended to read:

15-229.02 A The city of the primary class may acquire additional real property by gift, agreement, purchase, exchange, or condemnation if such additional real property is needed for the purpose of moving and establishing thereon buildings, structures, or other appurtenances which are situated on real property acquired by the city for a public purpose. The city may make agreements for the exchange of property, to make allowances for differences in the value of the properties being exchanged, and to move or pay the cost of moving buildings, structures, or other appurtenances.

Sec. 47. Section 15-230, Reissue Revised Statutes of Nebraska, is amended to read:

15-230 A primary city of the primary class may establish, maintain, and operate public library facilities, purchase books, papers, maps, and manuscripts therefor, receive donations and bequests of money or property for such facilities, books, papers, maps, and manuscripts ~~the same~~ in trust or otherwise, and pass necessary bylaws and regulations for the protection and government of such facilities, books, papers, maps, and manuscripts ~~the same~~.

Sec. 48. Section 15-231, Reissue Revised Statutes of Nebraska, is amended to read:

15-231 A primary city of the primary class may (1) purchase or otherwise acquire ground for and erect, establish, operate, regulate, and repair a city hospital or any hospital, the governing board of which is appointed by the mayor or city council, (2) ~~;~~ ~~to~~ receive donations and bequests of money or property for such hospital facilities ~~the same~~ in trust or otherwise, ~~;~~ and (3) ~~to~~ issue bonds of the city for acquiring, constructing, reconstructing, improving, extending, equipping, or furnishing such hospital facilities.

Sec. 49. Section 15-234, Reissue Revised Statutes of Nebraska, is amended to read:

15-234 For any hospital established under section 15-231, ~~there~~ There shall be established ~~such~~ rules for the government of such hospital and admission of persons to its privileges as may be deemed expedient. No religious or sectarian association, organization, or body shall be permitted to manage or

control such hospital.

Sec. 50. Section 15-235, Reissue Revised Statutes of Nebraska, is amended to read:

15-235 The city council of a city of the primary class may enter into an agreement with a corporation or association organized for charitable purposes in such city municipal corporation for the erection and management of a hospital for the sick and disabled, and have a permanent interest therein to an extent and upon such terms and conditions as may be agreed upon between the city council and such corporation or association. The city council shall provide for the payment of the amount agreed upon, for any interests in such hospital therein so required, either in one payment or in installments, or so much from year to year as the parties may stipulate. Such ; ~~Provided,~~ such agreement shall not be made if the city shall have established a hospital as authorized by section 15-231. No such agreement shall extend more than one year.

Sec. 51. Section 15-235.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-235.01 As used in the Hospital Sinking Fund Act sections ~~15-235.01 to 15-235.05~~, unless the context otherwise requires:

(1) Governmental subdivision shall mean any city of the primary class and also any county in which a city of the primary class is the county seat thereof; and

(2) Hospital shall mean any hospital organized pursuant to section 15-231, or any hospital or hospital facility established by a governmental subdivision in conjunction with or adjoining a hospital organized pursuant to section 15-231.

Sec. 52. Section 15-235.03, Reissue Revised Statutes of Nebraska, is amended to read:

15-235.03 All income, revenue, and profits of the hospital and money derived from the levy provided for in section 15-235.02 ~~such levy~~, or from grants, loans, or contributions from the United States, the State of Nebraska, or any agency or instrumentality of such governments ~~either of them~~, shall be held by the treasurer of the governmental subdivision having jurisdiction over the hospital, and the treasurer shall not commingle such money with any other money under his or her control. Such money shall be deposited in a separate bank account or accounts and shall be withdrawn only by check or draft signed by such treasurer on requisition of the chairperson ~~chairman~~ of the hospital board or such other person as the hospital board may authorize. The chief auditing officer of the governmental subdivision and his or her legally authorized representatives are ~~hereby~~ authorized and empowered from time to time to examine the accounts and books of such hospital board, including its receipts, disbursements, contracts, leases, sinking funds, and investments, and any other matters relating to its financial standing.

Sec. 53. Section 15-236, Reissue Revised Statutes of Nebraska, is amended to read:

15-236 A primary city of the primary class may make all such ordinances, bylaws, rules, and regulations not inconsistent with the general laws of the state as may be necessary or expedient to promote the public health, safety, and welfare, including ordinances, bylaws, rules, and regulations as may be necessary or expedient to prevent the introduction or spread of contagious, infectious, or malignant diseases. This power and authority is granted to such city in the area which is within the corporate limits of the city and its extraterritorial zoning jurisdiction. ~~The city or within three miles of the city and outside of any organized city or village.~~ It may create a department of health, make laws and regulations for that purpose, and enforce such all ordinances, bylaws, rules, and regulations ~~made as authorized herein~~ as provided in section 15-263.

Sec. 54. Section 15-237, Reissue Revised Statutes of Nebraska, is amended to read:

15-237 A primary city of the primary class shall have the power to regulate in the area which is within the corporate limits of the city and its extraterritorial zoning jurisdiction ~~city or within three miles of the city and outside the zoning jurisdiction of any organized city or village~~ in order to (1) secure the general health, (2) ; to provide rules for the prevention, abatement, and removal of nuisances, including the pollution of air and water, and (3) ; to make and prescribe regulations for the construction, location, and regulation of all slaughterhouses, stockyards, warehouses, commercial feed lots, stables, or other places where offensive matter is kept, or is likely to accumulate.

Sec. 55. Section 15-238, Reissue Revised Statutes of Nebraska, is amended to read:

15-238 A primary city of the primary class shall have the power by ordinance to regulate and prohibit cesspools and privy vaults in such said city, and shall have the power to require the owner or owners of any lot, lots, or lands within such said cities, upon which any building or buildings are located, to connect such said building or buildings with a sewer, to provide such building or buildings same with a suitable privy or watercloset, and to connect such said privy or watercloset with a sewer, and to require such said owner or owners to keep all privy vaults and cesspools clean. Upon the refusal to connect with a sewer or failure of such said owner or owners to provide a suitable watercloset or privy, or to make any sewer connection, or to remove any privy vault or cesspool, or to clean the privy vault or cesspool same, after five days' notice by publication, or in place thereof, personal notice to

so do, then such said city, through its proper officers, shall have power to make any sewer connection, construct any watercloset or privy, regulate or remove any privy vault or cesspool, or clean the same, or cause the same to be done, and shall have the power to provide by ordinance for assessing the cost thereof by special assessment against the lot, lots, or lands of such said owner or owners.

Sec. 56. Section 15-239, Reissue Revised Statutes of Nebraska, is amended to read:

15-239 A primary city of the primary class may purchase, hold, and pay for, in the manner ~~herein provided in sections 15-239 to 15-243~~, lands outside the corporate limits of such city for the purpose of burial and cemetery grounds, and avenues leading thereto.

Sec. 57. Section 15-240, Reissue Revised Statutes of Nebraska, is amended to read:

15-240 A primary city of the primary class may survey, plot, map, grade, fence, ornament, and otherwise improve all burial and cemetery grounds and avenues leading thereto owned by such said city. The city ~~It~~ may construct walks, rear and protect ornamental trees therein, and provide for paying the expenses thereof.

Sec. 58. Section 15-241, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-241 A city of the primary class may convey cemetery lots owned by such city by certificates signed by the mayor and countersigned by the city clerk under seal of the city, specifying that the person to whom such certificate the same is issued is owner of the lot or lots described therein by number as laid down on such plat or map, for the purpose of interment. Such certificate shall vest in the proprietor, his or her heirs and assigns, a right in fee simple to such lot or lots for the sole purpose of interment under the regulations of the city council.

Sec. 59. Section 15-242, Reissue Revised Statutes of Nebraska, is amended to read:

15-242 A primary city of the primary class may limit the number of cemetery lots which shall be owned by the same person at the same time, ~~It~~ may prescribe rules for enclosing, adorning, and erecting monuments and tombstones on cemetery lots, and may prohibit any diversion of the use of such lots and any improper adornment thereof, but no religious test shall be made as to the ownership of such lots, the burial therein, or ~~nor~~ the ornamentation of graves or lots.

Sec. 60. Section 15-243, Reissue Revised Statutes of Nebraska, is amended to read:

15-243 A primary city of the primary class may pass rules and ordinances imposing penalties and fines, not exceeding one hundred dollars, regulating, protecting, and governing the cemetery, the owners of lots therein, visitors thereof, and trespassers therein. The officers of such city shall have full jurisdiction and power in the enforcement of such rules and ordinances as though they related to the city itself.

Sec. 61. Section 15-244, Reissue Revised Statutes of Nebraska, is amended to read:

15-244 A primary city of the primary class may borrow money on the credit of the city and pledge the credit, revenue, and public property of the city for the payment thereof when authorized in the manner ~~herein provided, and in the manner otherwise provided by law or by the home rule charter of the city or as otherwise provided by law~~. Such city ~~It~~ shall have the power to issue general obligation bonds of the city, general obligation notes, and refunding bonds, as provided in its home rule charter or as otherwise provided by law. Such city ~~It~~ shall have the power to issue revenue bonds for the purpose of acquiring, constructing, reconstructing, improving, extending, equipping, or furnishing any revenue-producing facility within or without the city which is for a public purpose, except ~~; Provided,~~ that unless authorized by a majority of the voters of such city voting upon the question, no revenue bonds shall be issued for entering the public transportation, natural gas distribution, or telephone fields or functions, ~~or to acquire before 1972 that part of a retail distribution system of a public power district within the corporate limits of such city as those corporate limits existed on March 3, 1959~~. Such city shall also have the power to contract for the acquisition of the electric facilities and properties used or useful in connection therewith of a public power district within or without the city, and to pay for all or any part of the acquisition ~~same~~ out of the earnings of electric facilities and properties.

Sec. 62. Section 15-247, Reissue Revised Statutes of Nebraska, is amended to read:

15-247 A primary city of the primary class may divide the city into election districts, establish the boundaries thereof, and number the election districts ~~same~~.

Sec. 63. Section 15-250, Reissue Revised Statutes of Nebraska, is amended to read:

15-250 A primary city of the primary class may regulate and prescribe the powers, and duties, and compensation of officers of the city not otherwise herein provided by law.

Sec. 64. Section 15-252, Reissue Revised Statutes of Nebraska, is amended to read:

15-252 A primary city of the primary class may require of any officer of the city, at any time, a detailed report of the transactions of his or her office or any matters connected therewith.

Sec. 65. Section 15-254, Reissue Revised Statutes of Nebraska, is amended to read:

15-254 A primary city of the primary class may provide for the revision of the ordinances of such city from time to time, and for their publication in pamphlet, ~~or book, or electronic~~ form, with or without the statutes relative to cities of the primary class.

Sec. 66. Section 15-255, Reissue Revised Statutes of Nebraska, is amended to read:

15-255 A city of the primary class may (1) prohibit riots, routs, noise, or disorderly assemblies, (2) ~~;~~ prevent use of firearms, rockets, powder, fireworks, or other dangerous and combustible material, (3) ~~;~~ prohibit carrying of concealed weapons, except the carrying of a concealed handgun in compliance with the Concealed Handgun Permit Act, (4) ~~;~~ ~~arrest, punish, fine, or set at work on streets or elsewhere~~ vagrants and persons found without visible means of support or legitimate business; regulate and prevent the transportation of gunpowder or combustible articles, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitroglycerine, dynamite, petroleum or its products, or other explosives or inflammables, (5) ~~;~~ regulate use of lights in stables, shops, or other places and building of bonfires, ~~;~~ and (6) regulate and prohibit the piling of building material or any excavation or obstruction of the streets.

Sec. 67. Section 15-256, Reissue Revised Statutes of Nebraska, is amended to read:

15-256 A primary city of the primary class may punish disturbance of the peace or good order, clamor, intoxication, drunkenness, fighting, ~~obscene or profane language,~~ or other violations of the public peace by indecent or disorderly conduct, or blockading any street, sidewalk, way, or space, or interfering with the passing of people.

Sec. 68. Section 15-257, Reissue Revised Statutes of Nebraska, is amended to read:

15-257 A primary city of the primary class may provide for the punishment of vagrants, tramps, or ~~common~~ street beggars, ~~common~~ prostitutes, habitual disturbers of the peace, pickpockets, gamblers, burglars, thieves, ~~or ball game players,~~ persons who practice any game, trick, games, tricks or device with intent to swindle, ~~persons who abuse their families, and suspicious persons who can give no reasonable account of themselves.~~

Sec. 69. Section 15-258, Reissue Revised Statutes of Nebraska, is amended to read:

15-258 A city of the primary class may restrain, prohibit, and suppress unlicensed ~~tippling shops,~~ billiard tables, bowling alleys, houses of prostitution, opium and illicit drug joints, dens, and other disorderly houses and practices, games, and gambling houses, ~~desecration of the Sabbath day, commonly called Sunday,~~ and may prohibit all public amusements, shows, or exhibitions, and may prohibit ~~or ordinary business pursuits upon such day,~~ all lotteries, all fraudulent devices and practices for the purposes of obtaining money or property, all shooting galleries except as provided in the Nebraska Shooting Range Protection Act, and all kinds of public indecencies, except that nothing in this section shall be construed to apply to bingo, lotteries, lotteries by the sale of pickle cards, or raffles conducted in accordance with the Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, or the State Lottery Act.

Sec. 70. Section 15-259, Reissue Revised Statutes of Nebraska, is amended to read:

15-259 A primary city of the primary class may erect, establish, and regulate houses of correction, jails, community residential centers, work release centers, halfway houses, and such other places of control or confinement as may be designated as a jail facility from time to time by the city, including station houses and other buildings necessary for ~~to the~~ keeping and confining ~~confinement of~~ prisoners, and may provide for the government and support of such facilities same.

Sec. 71. Section 15-261, Reissue Revised Statutes of Nebraska, is amended to read:

15-261 A primary city of the primary class may regulate railroad crossings, provide precautions, and prescribe rules for running railway engines or cars, and their speed, for prevention of accidents at crossings or on tracks or by fires from railway engines. A city of the primary class ~~It~~ may regulate the running of buses and require heating and cleaning thereof. A city of the primary class ~~It~~ may require reasonable lighting of railway crossings in such manner as the city council may prescribe. If the owner or operator fails to comply, the city ~~it~~ may cause such requirement to be complied with ~~the same to be done~~ and assess the expense of such requirements thereof against such railway company to be collected as other taxes and to be a lien on the real estate belonging to such company its property, or ~~it~~ may enforce compliance by action of mandamus. The city may enforce such regulations as are otherwise provided by law and ~~—~~ ~~It~~ may require railways to keep flagpersons ~~flagmen~~ at all railway street crossings where necessary to protect the public against injury to person or property, and require the installation, maintenance, and proper operation of gates, flashing signals, or other warning devices to ensure ~~insure~~ such safety. A city of the primary class ~~It~~ may compel railways to conform tracks to grades at any time established, to keep tracks ~~them~~ level with the street surface, and ~~it~~ may compel railways to keep streets open, construct and keep in repair ditches, drains, sewers, and culverts along or

under their right-of-way or tracks, and lay and maintain paving upon their whole right-of-way on paved streets.

Sec. 72. Section 15-262, Reissue Revised Statutes of Nebraska, is amended to read:

15-262 A primary city of the primary class may provide for and cause to be taken a census of the city.

Sec. 73. Section 15-263, Reissue Revised Statutes of Nebraska, is amended to read:

15-263 (1) A primary city of the primary class may make all such ordinances, bylaws, rules, and regulations not inconsistent with the general laws of the state as may be necessary or expedient, in addition to the special powers otherwise granted by law, (a) for maintaining the peace, good government, and welfare of the city, and its trade, commerce, and manufactories, (b) for preserving order, and securing persons or property from violence, danger, and destruction, (c) for protecting public and private property, and (d) for promoting the public health, safety, convenience, comfort, morals, and general interests and welfare of the inhabitants of the city.

(2) A city of the primary class may ~~and to~~ enforce all such ordinances by providing for imprisonment of those convicted of violations thereof ~~at hard labor for a period not to exceed six months and may to~~ impose forfeitures, fines, and penalties not exceeding five hundred dollars for any one offense, recoverable with costs, and, in the default of the payment thereof, ~~to~~ provide for confinement in the city prison or county jail, ~~with or without hard labor upon the city streets or elsewhere for the benefit of the city,~~ until the judgment and costs are paid.

Sec. 74. Section 15-264, Reissue Revised Statutes of Nebraska, is amended to read:

15-264 Any city of the primary class shall have the right to contract with any other governmental subdivision or agency, whether local, state, or federal, for the keeping of prisoners, either in a facility of the city or in a facility of the other governmental subdivision or agency. Payment shall be made as provided in any such contract or agreement.

Sec. 75. Section 15-265, Reissue Revised Statutes of Nebraska, is amended to read:

15-265 The mayor and city council of a city of the primary class shall have supervision and control of all public ways and public grounds within the city, and shall require the same to be kept open, in repair, and free from nuisances.

Sec. 76. Section 15-266, Reissue Revised Statutes of Nebraska, is amended to read:

15-266 The mayor and city council of a city of the primary class shall have power to regulate and provide for the lighting of streets, laying down gas, water, and other pipes, and the erection of lampposts, electric towers, or other apparatus. The mayor and city council They may regulate the sale and use of gas and electric lights and fix and determine the price of gas, the charge of electric lights and power, and the rents of gas meters within the city, and regulate the inspection thereof. The mayor and city council They may regulate telephone service and the use of telephones within the city, prohibit or regulate the erection of telegraph, telephone or electric wire poles or other poles for whatsoever purpose desired or used in the public grounds, streets, or alleys, and the placing of wires thereon, require the removal from the public grounds, streets, or alleys of any or all such poles, and require the removal and placing under ground of any or all telegraph, telephone or electric wires.

Sec. 77. Section 15-268, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-268 A city of the primary class may provide for the destruction and removal of weeds and worthless vegetation growing upon any lot, or lots, or lands within the corporate limits of such city or within its extraterritorial ~~three-mile~~ zoning jurisdiction or upon the streets and alleys abutting upon any lot, or lots, or lands, and such city may require the owner or owners of such lot, or lots, or lands to destroy and remove such weeds and worthless vegetation therefrom and from the streets and alleys abutting thereon. If, after five days' notice by publication, by certified United States mail, or by the conspicuous posting of the notice on the lot or land upon which the nuisance exists, the owner or owners fail, neglect, or refuse to destroy or remove the nuisance, the city, through its proper officers, shall destroy and remove the nuisance, or cause the nuisance to be destroyed or removed, from the lot, or lots, or lands and streets and alleys abutting thereon and shall assess the cost thereof against such lot, or lots, or lands as a special assessment.

Sec. 78. Section 15-268.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-268.01 (1) Any city of the primary class may provide for the collection and removal of garbage or refuse found upon any lot, lots, or land within the corporate limits of such city or within the extraterritorial zoning jurisdiction ~~three-mile jurisdictional limit~~ of the city, or upon the streets, roads, or alleys abutting such lot, lots, or land, which constitutes a public nuisance. The city may require the owner, owners, duly authorized agent, or tenant of such lot, lots, or land to remove the garbage or refuse therefrom and from the streets, roads, or alleys abutting thereon.

(2) Notice that removal of garbage or refuse is necessary shall be given to (a)(i) the owner or owners, or (ii) the duly authorized agent, and (b) the tenant. Such notice shall be provided by personal service or by certified mail.

After providing such notice, the city through its proper offices shall, in addition to other proper remedies, remove the garbage or refuse, or cause it to be removed, from such lot, lots, or land, and streets, roads, or alleys abutting thereon.

(3) If the mayor of such city shall declare that the accumulation of such garbage or refuse upon any lot, lots, or land constitutes an immediate nuisance and hazard to public health and safety, the city shall remove the garbage or refuse from such lot, lots, or land twenty-four hours after notice by personal service in accordance with subsection (2) of this section if such garbage or refuse has not been removed.

Sec. 79. Section 15-269, Reissue Revised Statutes of Nebraska, is amended to read:

15-269 The Legislature finds and declares that the great increase in the number of motor vehicles, including buses and trucks, has created hazards to life and property in cities of the primary class in Nebraska State recognition is hereby given to the hazard created in the streets of cities of the primary class of Nebraska by the great increase in the number of motor vehicles, including cars, buses, and trucks. In order to remove or reduce the hazards to life and property and the inconvenience of congested traffic on the streets in such cities in this state, it is deemed necessary and of general benefit to the entire State of Nebraska to provide means for such cities in Nebraska to own offstreet parking facilities for the parking of motor vehicles.

Sec. 80. Section 15-270, Reissue Revised Statutes of Nebraska, is amended to read:

15-270 Any city of the primary class in Nebraska may own, purchase, construct, equip, lease, or operate within such city offstreet motor vehicle parking facilities for the use of the general public. Any such city shall have the authority to acquire by grant, contract, purchase, or through the condemnation of property, as provided in sections 76-704 to 76-724 by law for such acquisition, all real or personal property, including a site or sites on which to construct such facilities, necessary or convenient in the carrying out of this grant of power.

Sec. 81. Section 15-271, Reissue Revised Statutes of Nebraska, is amended to read:

15-271 (1) In order to pay the cost required by any purchase, construction, lease, or condemnation of property and equipping of offstreet motor vehicle parking such facilities, or the enlargement of presently owned offstreet motor vehicle parking facilities, a city of the primary class the city may issue revenue bonds to provide the funds for such improvements, except ; Provided, that any such city may not issue revenue bonds under the provisions of sections 15-269 to 15-276 to acquire any privately owned parking garage or privately owned commercial parking lot having space for the parking of two hundred or more motor vehicles.

(2) Any ordinance authorizing such revenue bonds may contain such covenants and provisions to protect and safeguard the security of the holders of such bonds as shall be deemed necessary to assure the prompt payment of the principal thereof and the interest thereon.

(3) Such revenue bonds shall not be sold at discounts exceeding five percent, and such bonds shall not bear interest in excess of the rate of interest specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature. Such bonds shall be issued for such terms as the ordinance authorizing them shall prescribe but shall not mature later than fifty years after the date of issuance thereof.

(4) Any such revenue bonds which may be issued shall not be included in computing the maximum amount of bonds which the issuing city of the primary class may be authorized to issue under its charter or any statute of this state. If any city has installed or installs onstreet parking meters, it may pledge all or any part of the revenue of such parking meters, not previously pledged, as security for the bonds authorized by this section.

Sec. 82. Section 15-272, Reissue Revised Statutes of Nebraska, is amended to read:

15-272 A ~~Such~~ city of the primary class may make and enter into any and all contracts and agreements with any individual, public or private corporation, or agency of this state or of the United States, as may be necessary or incidental to the performance of its duties and the execution of its powers under sections 15-269 to 15-276. In the exercise of this authority, such city may make such contracts and agreements as may be needed for the payment of the revenue bonds authorized by sections 15-269 to 15-276 and for the successful operation of the parking facilities. In the exercise of this authority, the city may lease or grant concessions for the use of the facilities or various portions thereof to one or more operators to provide for the efficient operation of the facilities, but no lease or concession shall run for a period in excess of thirty years. In granting any lease or concession, or in making any contract or agreement, the city shall retain such control of the facilities as may be necessary to insure that the facilities will be properly operated in the public interest and that the rates, ~~or~~ charges, or prices are reasonable.

Sec. 83. Section 15-273, Reissue Revised Statutes of Nebraska, is amended to read:

15-273 A ~~Such~~ city of the primary class is authorized to make all necessary rules and regulations governing the use, operation, and control of offstreet motor vehicle parking such facilities constructed or acquired under sections 15-269 to 15-276. Such city ~~it~~ shall establish and maintain equitable

rates sufficient in amount to pay for the cost of the operation, repair, and upkeep of the facilities to be purchased, acquired, or leased, and the principal of and interest on any revenue bonds issued pursuant to the provisions of sections 15-269 to 15-276. The city may also make any other agreements with the purchasers of the bonds for the security of the issuing city and the purchasers of such bonds not in contravention of the provisions of sections 15-269 to 15-276.

Sec. 84. Section 15-274, Reissue Revised Statutes of Nebraska, is amended to read:

15-274 The provisions of sections 15-269 to 15-276 and of any ordinance authorizing the issuance of bonds under such the provisions of sections 15-269 to 15-276 shall constitute a contract with the holders of such bonds, and any holder of a bond or bonds or any of the coupons of any bond or bonds of such city of the primary class municipality, issued under the provisions of sections 15-269 to 15-276, may either in law or in equity, by suit, action, mandamus, or other proceedings, enforce and compel the performance of all duties required by such the provisions of sections 15-269 to 15-276 or by the ordinance authorizing the bonds, including the making and collection of sufficient charges and fees for service and the use thereof, and the application of income and revenue thereof.

Sec. 85. Section 15-307, Reissue Revised Statutes of Nebraska, is amended to read:

15-307 All elective officers of a the city of the primary class, except city council members, shall give a good and sufficient bond or evidence of equivalent insurance in an amount to be fixed by ordinance, for the faithful performance of their duties. Each city council member before entering upon the duties of his or her office shall give a bond or evidence of equivalent insurance in favor of the city in the sum of two thousand dollars. If a bond is given, it shall be signed by a surety company or by two or more good and sufficient sureties who are residents of such city, who shall justify that he or she is worth at least two thousand dollars over and above his or her debts, liabilities, and exemptions, conditioned for the faithful discharge of the duties of the city council members and conditioned further that if the city council members vote for an expenditure of money or the creation of any liability in excess of the amount allowed by law, or vote for the transfer of any sum of money from one fund to another where such transfer is not allowed by law, such city council members and surety or sureties signing the bonds shall be liable thereon.

Sec. 86. Section 15-308, Reissue Revised Statutes of Nebraska, is amended to read:

15-308 All appointive officers of a the city of the primary class before entering upon their respective duties shall give a good and sufficient bond or evidence of equivalent insurance in an amount to be fixed by ordinance in favor of the city, conditioned upon the faithful performance of their duties.

Sec. 87. Section 15-309, Reissue Revised Statutes of Nebraska, is amended to read:

15-309 The city council of a city of the primary class shall have the power by ordinance to fix the salaries of the officers and employees of the city and provide by ordinance for the forfeiting of the salary of any officer or employee.

Sec. 88. Section 15-309.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-309.01 No officer of a city of the primary class shall receive any pay or perquisite from the city other than his or her salary, \div and the city council shall not pay or appropriate any money or other valuable thing to any person, not an officer, for the performance of any act, service, or duty, the performance of which shall come within the proper scope of the duties of any officer of the city, unless such money or other valuable thing the same is specifically specially appropriated and ordered by unanimous vote of all members elected to the city council.

Sec. 89. Section 15-310, Reissue Revised Statutes of Nebraska, is amended to read:

15-310 The mayor shall be the chief executive officer of a the city of the primary class. The executive and administrative power of a city of the primary class shall be vested in and exercised by the mayor, who shall also be the ceremonial head of the city government. The mayor shall enforce the city ordinances and all applicable laws. The mayor He may administer oaths, may perform all the duties devolving upon a magistrate, and shall sign commissions and appointments of all officers appointed by him or her with city the council approval.

Sec. 90. Section 15-311, Reissue Revised Statutes of Nebraska, is amended to read:

15-311 The mayor of a city of the primary class shall have such jurisdiction as may be vested in him or her by ordinance, over all places within the city of the primary class or within its extraterritorial zoning jurisdiction three miles of the corporate limits of the city and outside of any organized city or village, for the enforcement of the health ordinances and regulations thereof, and for the purpose of carrying out the provisions of all such ordinances, except that the ordinances respecting taxation shall not be enforced outside of the corporate limits of such primary city of the primary class.

Sec. 91. Section 15-314, Reissue Revised Statutes of Nebraska, is amended to read:

15-314 The mayor and chief of police of a city of the primary class shall each have the power to call upon any citizen to aid in the enforcement of any ordinance or suppression of any riot, and any person who shall refuse or neglect to obey such call shall forfeit and pay a fine not exceeding one hundred dollars. Such power shall not be construed to include the appointment of special police or special deputies.

Sec. 92. Section 15-315, Reissue Revised Statutes of Nebraska, is amended to read:

15-315 The mayor of a city of the primary class shall have the power to remit fines and forfeitures and to grant reprieves and pardons for all offenses arising under the ordinances of the city.

Sec. 93. Section 15-316, Reissue Revised Statutes of Nebraska, is amended to read:

15-316 The city clerk of a city of the primary class shall have the custody of all laws and ordinances and shall keep a correct journal of the proceedings of the city council. After ; Provided, that after the period of time specified by the State Records Administrator pursuant to the Records Management Act sections 84-1201 to 84-1220, the city clerk may transfer such journal of the proceedings of the city council to the State Archives of the Nebraska State Historical Society, for permanent preservation. The city clerk He shall keep a correct record of all outstanding bonds against the city showing the number and amount of each, for what and to whom issued, and when purchased, paid, or canceled, and shall make an annual report showing particularly the bonds issued and sold during the year, and the terms of sale, with each item of expense thereof. The city clerk He shall perform such other or further duties as may be required of him or her by ordinances of the city. The city clerk He shall also make a monthly report to the city council showing the amount appropriated to each fund, and the whole amount of funds drawn thereon, which report shall be recorded in spread at large upon the minutes. The city clerk He may, if the city council deem assistance necessary, appoint a deputy who shall give a bond in favor of the city the same as is required of the city clerk himself.

Sec. 94. Section 15-317, Reissue Revised Statutes of Nebraska, is amended to read:

15-317 The city treasurer of a city of the primary class shall be required to give a bond or evidence of equivalent insurance of not less than one hundred fifty thousand dollars or he or she may be required to give a bond or evidence of equivalent insurance double the sum of money estimated by the city council to be at any time in his or her hands belonging to the city. The city treasurer and school districts, and he or she shall be the custodian of all money belonging to the city and all securities belonging or to be held by the city. The city treasurer He or she shall keep a separate account of each fund or appropriation and debits and credits belonging thereto. The city treasurer He or she shall give every person paying money into the treasury a receipt therefor, specifying the date of payment and on what account paid, and he or she shall also file copies of receipts with his or her monthly report. The city treasurer He or she shall monthly and as often as required render to the city council an account under oath showing the state of the treasury at that date, the amount of money remaining in each fund, the amount paid therefrom, and the balance of money in the treasury. The city treasurer He or she shall also accompany such accounts with a statement of all receipts and disbursements, together with all warrants redeemed and paid by him or her, which warrants, together with any and all vouchers held by him or her, shall be filed in the city clerk's office, and if he or she neglects or fails for thirty days from the end of any month to enter such accounts, his or her office may by resolution of the mayor and city council be declared vacant, and the mayor with the concurrence of the city council shall fill the vacancy by appointment until the next election of the city officers. The city treasurer may employ and appoint a deputy and an assistant or assistants as determined by ordinance. The city treasurer shall be liable upon his or her official bond for the acts of such appointees.

Sec. 95. Section 15-322, Reissue Revised Statutes of Nebraska, is amended to read:

15-322 The city attorney of a city of the primary class shall be the legal advisor of the mayor, the city council, and city officers of a city of the primary class. The city attorney He shall commence, prosecute, and defend actions on behalf of the city, attend the meetings of the city council, and give opinions, orally or in writing, as required, upon any matter submitted to him or her by the mayor, the city council, or any officers of the city. The city attorney He is authorized to prepare, file, and sign the proper complaint when there is sufficient evidence to warrant the belief that a person is guilty and can be convicted of a violation of a city ordinance. The city attorney He shall draft or review for legal correctness ordinances, contracts, franchises, and other instruments as may be required, and the city attorney he shall perform such other duties as may be imposed upon him or her by general law or by ordinance. The city attorney may appoint a deputy city attorney and one or more assistant city attorneys, whose duties may be prescribed by ordinance.

Sec. 96. Section 15-326, Reissue Revised Statutes of Nebraska, is amended to read:

15-326 The marshal or chief of police of a city of the primary class shall have the immediate charge of the police, and he or she and his or her officers shall have the power and duty to arrest all offenders against the laws of the state or the ordinances of the city in the same manner as the county sheriff

and to keep such offenders in the city jail or other place to prevent their escape until a trial or examination may be had before a proper officer. The jurisdiction of the ~~marshal or~~ chief of police and his or her officers in the service of process, in all criminal cases, and in cases for the violation of city ordinances shall be coextensive with the county.

Sec. 97. Section 15-332, Reissue Revised Statutes of Nebraska, is amended to read:

15-332 The power to remove from office the mayor or any city council member councilman or other officer of a city of the primary class for good and sufficient cause is hereby conferred upon the district court for the county in which such city is situated, when not otherwise ~~herein~~ provided by law, and whenever any three city council members councilmen shall make and file with the clerk of such said court the proper charges and specifications against the mayor, alleging and showing that he or she is guilty of malfeasance or misfeasance as such officer, or that he or she is incompetent or neglects any of his or her duties as mayor, or that for any other good and sufficient cause stated, he or she should be removed from office as mayor; or whenever the mayor or any three city council members councilmen shall make and file with the clerk of such said court the proper charges and specifications against any city council member councilman or other officer, alleging and showing that he or she is guilty of malfeasance or misfeasance in office or that he or she is incompetent or neglects any of his or her duties, or that from any other good and sufficient cause stated, he or she should be removed from office, the judge of such court may issue the proper order writ, requiring such officer to appear before him or her on a day named therein, not more than ten days after the service of such order writ, together with a copy of such charges and specifications, upon such officer to show cause why he or she should not be removed from his or her office. The proceedings in such case shall take precedence over all civil cases, and be conducted according to the rules of such court in such cases made and provided, and such officer may be suspended from the duties of his or her office during the pendency of such proceedings by order of such said court. During the time any officer is suspended, the mayor and city council, or in case the mayor is suspended, then the city council, may appoint any competent person to perform the duties of the officer so suspended, and provide for his or her compensation, and require such appointee to execute a good and sufficient bond for the faithful performance of the duties of the office.

Sec. 98. Section 15-401, Reissue Revised Statutes of Nebraska, is amended to read:

15-401 Regular meetings of the city council of a city of the primary class shall be held at least once each week on such days and at such times as the city council may prescribe in its rules, and special meetings shall be held whenever called by the mayor or any four members of the city council. The city council may choose not to meet during any week in which a federal or state holiday occurs. Four members of the city council shall constitute a quorum for the transaction of any business, and four affirmative votes shall be required to pass any measure or to transact any business unless it is otherwise provided by any home rule charter of a city of the primary class.

Sec. 99. Section 15-402, Reissue Revised Statutes of Nebraska, is amended to read:

15-402 Ordinances of a city of the primary class shall be passed pursuant to such rules and regulations as the city council may provide, and may be proved by the certificate of the city clerk under seal of the city. The passage, approval, publication, or posting of ordinances shall be sufficiently proved by certificate of the city clerk under seal of the city showing when passed and approved, when and in what legal newspaper paper published, or when, by whom, and where the ordinance same was posted. Ordinances printed or published in book, or pamphlet, or electronic form, purporting to be published under authority of the city, shall be received in evidence in all courts without further proof. All such ordinances need not be otherwise published and shall be received in court as evidence of the passage, approval, and publication thereof, as required by law, and of the respective dates thereof.

Sec. 100. Section 15-403, Reissue Revised Statutes of Nebraska, is amended to read:

15-403 The style of ordinances of a city of the primary class shall be: Be it ordained by the city council of the city of All ordinances shall be published within fifteen days after passage thereof, such publication to be sufficient if published in one issue of a legal daily or weekly newspaper in or of general circulation in the city, or posted on the official bulletin board of the city at the city hall, or in book, or pamphlet, or electronic form, as may be provided by ordinance, to be distributed or sold in the city. Ordinances fixing a penalty or forfeiture for the violation thereof shall not take effect until fifteen days after passage, and in no case before one week after the publication thereof in the manner ~~above~~ prescribed in this section, except that ~~;~~ Provided, in case of riots, infectious or contagious diseases, or other impending danger or other emergency requiring immediate operation of the ordinance, such ordinance the same shall take effect immediately upon the publication thereof as ~~above~~ prescribed in this section. All ordinances, except as otherwise provided in this section ~~hereinabove~~ prescribed, shall take effect fifteen days after passage.

Sec. 101. Section 15-404, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-404 All ordinances, resolutions, or orders for the appropriation or

payment of money in a city of the primary class shall require for passage or adoption the concurrence of a majority of the members elected to the city council. Ordinances of a general or permanent nature shall be read by title on three different days unless the city council votes to suspend this requirement by a two-thirds vote of the members, except that such requirement shall not be suspended for any ordinance for the annexation of territory or the redrawing of boundaries for city council election districts or wards or as otherwise provided by law. No ordinance shall contain a subject which is not clearly expressed in its title. No ordinance or section thereof shall be revised or amended unless the new ordinance contains the entire ordinance or section as revised or amended, and the ordinance or section so amended shall be repealed.

Sec. 102. Section 15-406, Reissue Revised Statutes of Nebraska, is amended to read:

15-406 The mayor of a city of the primary class shall from time to time communicate to the city council such recommendations or information as in his or her opinion tend to improve the finances, police, health, comfort, and general welfare of the city.

Sec. 103. Section 15-501, Reissue Revised Statutes of Nebraska, is amended to read:

15-501 When a system of waterworks shall have been adopted in a city of the primary class and the people shall have voted to borrow money to aid their construction, the mayor and city council may (1) construct and maintain such system of waterworks, either within or without the corporate limits of the city, (2) make all needful rules and regulations concerning the use of such waterworks, and (3) do all acts necessary for the construction, completion, and management and control of such waterworks ~~the same, not inconsistent with law,~~ including the exercise of the right of eminent domain. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724.

Sec. 104. Section 15-502, Reissue Revised Statutes of Nebraska, is amended to read:

15-502 In case such aid shall not be voted by the people as provided in section 15-501 ~~in the manner aforesaid~~ or in case the system of waterworks shall prove inadequate for the needs of the city of the primary class, both public and private, then the mayor and city council may contract with and procure individuals or corporations to construct and maintain a system of waterworks in such city of the primary class for any time not exceeding twenty years from the date of the contract, and with a reservation to the city of the right to purchase such waterworks at any time after the lapse of ten years from the date of the contract, upon payment to such individuals or corporation of an amount to be determined by the contract not exceeding the cost of construction of such waterworks. In other respects such contracts may be upon such terms as may be agreed upon by a two-thirds vote of the mayor and city council, recorded in entered upon the minutes, except that ~~;~~ ~~Provided,~~ no such contract shall be made unless authorized by a majority vote of the legal voters at a special election called for such purpose.

Sec. 105. Section 15-701, Reissue Revised Statutes of Nebraska, is amended to read:

15-701 The city council of a city of the primary class shall have the power by ordinance to create, open, widen, or otherwise improve, vacate, control, name, and rename any street, alley, or public way or ways, including the sidewalk space within the corporate limits of the city, except that all damages sustained by the owners of the property thereon by opening or widening shall be ascertained as provided in the manner set forth in sections 76-704 to 76-724. Whenever any street, alley, or public way shall be vacated, such street, alley, or public way ~~the same~~ shall revert to the owners of the adjacent real estate, one-half on each side thereof, unless the city reserves title to such street, alley, or public way ~~thereto~~ in the ordinance vacating such street, alley, or public way. In the event title is retained by the city, such property may be sold, conveyed, exchanged, or leased upon such terms and conditions as shall be deemed in the best interests of the city, as authorized in its home rule charter. When the city vacates all or any portion of a street, alley, or public way or ways, the city shall, within thirty days after the effective date of the vacation, file a certified copy of the vacating ordinance with the register of deeds for the county in which the vacated property is located to be indexed against all affected lots.

Sec. 106. Section 15-701.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-701.01 The city council of a city of the primary class shall have the power to grade partially, ~~or to an established grade~~, curb, re curb, gutter, construct sidewalks, or otherwise improve or repair any street or streets, alley or alleys, public grounds, public way or ways, or parts thereof, including sidewalk space, at public cost, or by levy of special assessments ~~benefits~~ on the property specially benefited thereby, proportionate to the benefits. When the streets, public ways, or public grounds ~~shall~~ have been brought to an established grade, the city council shall have power to bring sidewalks and sidewalk space therein to a grade and to construct sidewalks, ~~and shall have power and authority to levy special assessments against the property specially benefited, not to exceed the cost of the improvement. Ordinary repairs, not including repaving or resurfacing or relaying existing pavement or making sidewalk repairs, shall be at public cost.~~

Sec. 107. Section 15-701.02, Reissue Revised Statutes of Nebraska, is amended to read:

15-701.02 The city council of a city of the primary class shall have the power to grade, to change grade, and to pave, repave, macadamize, curb, recurb, gravel, or regravels, open, and widen streets, roadways, or public ways, gutter, resurface, or relay existing pavement, or otherwise improve any street, streets, alley, alleys, public grounds, or public way or ways, or parts thereof, including the sidewalk space, and including improvement by mall or promenade, and by ordinance to create grading, paving, repaving, curbing, recurbing, resurfacing, graveling, regravelling, sidewalk, or improvement districts thereof, to be consecutively numbered, and such districts may include two or more connecting or intersecting streets, alleys, or public ways and may include two or more improvements, in this section mentioned, in one proceeding. Cost of so improving the street, streets, alley, alleys, public grounds, or public way or ways, including sidewalks, may be in whole or in part assessed, proportionate to benefits, on the property specially benefited. The city council may fix the depth to which the property may be charged and assessed for benefits, and to a greater depth than the lots fronting on the street, streets, alley, alleys, public grounds, or public way or ways so improved, and the determination thereof by the city council shall be conclusive. The city council shall have the power and authority to fix the period of time for the payment of the special assessments, and to issue bonds, as authorized by the home rule charter.

Sec. 108. Section 15-702.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-702.01 (1) A city of the primary class shall have the power to designate and establish controlled-access facilities, and may design, construct, maintain, improve, alter, and vacate such facilities, and may regulate, restrict, or prohibit access to such facilities so as best to serve the traffic for which such facilities are intended. Such a city may provide for the elimination of intersections at grade with existing roads, streets, highways, or alleys, if the public interest shall be served thereby. An existing road, street, alley, or other traffic facility may be included within such facilities or such facilities may include new or additional roads, streets, highways, or alleys ~~the like~~. In order to carry out the purposes of this section, the city, in addition to any other powers it may have, may acquire, in private or public property, such rights of access as are deemed necessary, including, but not necessarily limited to, air, light, view, egress, and ingress. Such acquisitions may be by gift, devise, purchase, agreement, adverse possession, prescription, condemnation, or otherwise as provided by law and may be in fee simple absolute or in any lesser estate or interest. The city may make provision to mitigate damages caused by such acquisitions, terms, and conditions regarding the abandonment or reverter of such acquisitions, and any other provisions or conditions that are desirable for the needs of the city and the general welfare of the public.

(2) No automotive service stations or other commercial establishments for serving motor vehicle users shall be constructed or located on the publicly owned right-of-way of, or on any publicly owned or publicly leased land used for, or in connection with, a controlled-access facility.

Sec. 109. Section 15-702.02, Reissue Revised Statutes of Nebraska, is amended to read:

15-702.02 A city of the primary class shall have the power is authorized to designate, establish, design, construct, maintain, vacate, alter, improve, and regulate frontage roads within the boundaries of any present or hereafter acquired right-of-way and to exercise the same jurisdiction over such frontage roads as is authorized over controlled-access facilities. Such frontage roads may be connected to or separated from the controlled-access facilities at such places as the city shall determine to be consistent with public safety. Upon the construction of any frontage road, any right of access between the controlled-access facility and property abutting or adjacent to such frontage road shall terminate and ingress to and egress from the frontage road shall be provided at such places as will afford reasonable and safe connections.

Sec. 110. Section 15-702.03, Reissue Revised Statutes of Nebraska, is amended to read:

15-702.03 The right of reasonably convenient egress to and ingress from lands or lots, abutting on an existing highway, street, or road within a city of the primary class, may not be denied except with the consent of the owners of such lands or lots, or with the condemnation of such right of access to and from such abutting lands or lots. If the construction or reconstruction of any highway, street, or road, to be paid for in whole or in part with federal or state highway funds, results in the abutment of property on such highway, street, or road that did not theretofore have direct egress from and ingress to it, no rights of direct access shall accrue because of such abutment, but the city may prescribe and define the location of the privilege of access, if any, of properties that then, but not theretofore, abut on such highway, street, or road.

Sec. 111. Section 15-702.04, Reissue Revised Statutes of Nebraska, is amended to read:

15-702.04 In all specifications for materials to be used in paving, curbing, and guttering of every kind, of access ways, a the city of the primary class shall establish a standard or standards of strength and quality, to be demonstrated by physical, chemical, or other tests within the limits of reasonable variations. In every instance the materials shall be so described in the specifications, either by standard or quality, to permit genuine competition between contractors so that there may be two or more bids by

individuals or companies in no manner connected with each other and no material shall be specified which shall not be subject to such competition.

Sec. 112. Section 15-708, Reissue Revised Statutes of Nebraska, is amended to read:

15-708 If in any city of the primary class there shall be any real estate belonging to any county, school district, municipal or quasi-municipal corporation, joint public agency, cemetery association, library board, or other public board or association, abutting upon the street, streets, alley, alleys, public way, or public grounds proposed to be improved, the proper officer or officers having control and jurisdiction over such real estate, or authorized to purchase, lease, hold, or convey real estate, shall have power to sign a petition for paving, repaving, curbing, recurbing, grading, changing grade, guttering, resurfacing, relaying existing pavement, or otherwise improving any street, streets, alley, alleys, public way, or public grounds or improvement districts. When such improvements have been ordered, it shall be the duty of the governing body county board of education, library board, cemetery trustees or ~~other proper officers~~ controlling and having jurisdiction over such said real estate benefited by such said improvement, to pay such special taxes or assessments, or its proportionate share of the cost of such said improvements, ÷ and in event of neglect or refusal so to do, the city may recover the amount of such special taxes or assessments, or proportionate share of the cost, in any proper action, and the judgment thus obtained may be enforced in the usual manner.

Sec. 113. Section 15-709, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-709 The city council of a city of the primary class may order the owner of lots abutting on a street that is to be paved to lay sewer, gas, and water service pipes to connect mains. If the owner fails to lay such pipes, after five days' notice by publication in a legal newspaper in or of general circulation in the city, or in place thereof by personal service of such notice, as the city council in its discretion may direct, the city council may cause the sewer, gas, and water service pipes to be laid as part of the work of the improvement district and assess the cost thereof on the property of such owner as a special assessment. Such assessment to pay the cost of the pavement or improvements in the improvement district shall be collected and enforced as a special assessment.

Sec. 114. Section 15-713, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-713 To pay the cost of curbing and guttering public ways in a city of the primary class, the city council may issue bonds called curbing gutter bonds, district No., payable in not more than twenty years or at the option of the city at any interest-paying date, and assess the cost, not exceeding the special benefits, on abutting property as special assessments. Such assessments shall become due, delinquent, draw interest, and be subject to like penalty and collected as special assessments and shall constitute a sinking fund for the payment of such bonds. No paving bonds and no curbing gutter bonds shall be sold or delivered until necessary to make payments for work done on such improvements.

Sec. 115. Section 15-717, Reissue Revised Statutes of Nebraska, is amended to read:

15-717 The city council of a city of the primary class shall have the power to lay off the city into suitable districts for the purpose of establishing a system of sewerage and drainage, ÷ to provide such system and regulate the construction, repairs, and use of sewers and drains, and to provide penalties for any obstruction of, or injury to, any sewers or drains, and for any violation of the rules and regulations with respect thereto that may be prescribed by the city council. The city council shall have the power to create sewer districts by ordinance and designate the property to be benefited by the construction of sewers in such districts. The city council shall have the power to construct or cause to be constructed such sewer or sewers in such district or districts and assess the cost thereof against the property in such districts, to the extent of the special benefits.

Sec. 116. Section 15-718, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-718 Special assessments may be levied by the city council of a city of the primary class for the purpose of paying the cost of constructing such sewers and drains as provided in section 15-717 within the city. Such assessments shall be levied upon the real estate within the sewerage districts in which such sewer or drain may be, to the extent of benefits to such property by reason of such improvements. The benefits to such property shall be determined by the city council as in other cases of special assessments. All assessments made for sewerage or drainage purposes shall be levied and collected as special assessments.

Sec. 117. Section 15-720, Reissue Revised Statutes of Nebraska, is amended to read:

15-720 The mayor and city council of a city of the primary class may issue sewer district bonds to cover the cost of the work of constructing sewers in sewer districts, and the special assessment levied on account of such work shall constitute a sinking fund for the payment of such bonds.

Sec. 118. Section 15-724, Reissue Revised Statutes of Nebraska, is amended to read:

15-724 The mayor and city council of a city of the primary class may by ordinance purchase and own grounds for and 7 erect and establish market houses

and market places, regulate and govern such market houses and market places the same, and prescribe the fees to be charged persons for stalls therein. ~~Any~~ ~~Provided~~, ~~the revenue from such fees so derived shall be applied~~ (1) to the payment of the salaries of the officers appointed to take charge of such said market house or market place, (2) to the payment of repairs of the market house or market place, and (3) to the payment of the cost of erecting such said market house or market place. After all salaries, repairs, and costs of construction have been paid, the surplus, if any remaining, shall be disposed of as the city council shall direct. The mayor and city council may contract with any person or persons, or association of persons, companies, or corporations, for the erection and regulation of such said market house or and market place on such terms and conditions and in such manner as the city council may prescribe, and raise all necessary revenue therefor as ~~herein provided in this section~~. ~~The mayor and city council~~ They may locate market houses or and market places and buildings aforesaid on any street, alley, or public ground, or any land purchased for such purpose, and provide for the erection of all other useful and necessary buildings for the use of the city and for the protection and safety of all property owned by the city, except that ~~;~~ ~~Provided~~, any such improvement, costing in the aggregate a sum greater than five hundred dollars, shall not be authorized until the ordinance providing for such improvement therefor shall be first submitted to and ratified by a majority of the legal voters of such city thereof.

Sec. 119. Section 15-725, Reissue Revised Statutes of Nebraska, is amended to read:

15-725 Special tax assessments to pay the cost of public local improvements in a city of the primary class, except special assessments for sidewalk purposes or as ~~herein otherwise provided by law~~, shall be made in the ~~manner following manner~~: (1) Assessment shall be made on the improvement district by resolution of the city council at any meeting, stating the cost of the improvement and benefit accruing to the property in the district to be taxed, ~~which, with the vote by yeas and nays,~~ shall be recorded in the minutes. ~~The city council~~ ~~Therewith~~ shall submit ~~be submitted~~ a proposed distribution of the tax on each separate property to be taxed ~~subject to action of the board of equalization as provided in the resolution, prescribed therein;~~ and (2) notice of the board of equalization meeting time of assessment shall be published, in a legal ~~some newspaper in or published and of general circulation in the city,~~ ten days before the meeting assessment, and the notice shall include that the city council will sit as a board of equalization to distribute the tax at the a time fixed in such notice fixed, not less than five days after such assessment, and the proper distribution of such special tax shall be open to examination of all persons interested. Property shall not be specially taxed for more than the total cost of the improvement nor more than the special benefit accruing thereto by the improvement. If the aggregate tax be less than the cost of improvement, the excess shall be paid from the general fund. Special taxes may be assessed as the improvement progresses and as soon as completed in front of or along property taxed, or when the whole is complete, as the city council shall determine. Special assessments for local benefits shall be a lien on all property so specially benefited superior and prior to all other liens save general taxes or other special assessments and equal therewith. If any special assessment be declared void, or doubt of its validity exist, the mayor and city council, to pay the cost of improvement, may make a reassessment thereof on the property original estate within the district, and any sums paid on the original special assessment shall be credited to the property on which it was paid and any excess refunded to the owner paying it, with lawful interest. Taxes reassessed and not paid shall be enforced and collected as other special taxes. No special tax or assessment which the mayor and city council acquire jurisdiction to make shall be void for any irregularity, defect, error, or informality in procedure, in levy or equalization thereof.

Sec. 120. Section 15-726, Reissue Revised Statutes of Nebraska, is amended to read:

15-726 When any special tax, except sidewalk tax, is levied in a city of the primary class, it shall be the duty of the city clerk to issue a certificate describing such lot or piece of ground by number and block, and stating the amount of special tax levied thereon and the purpose for which such tax was levied, and stating when such tax the same shall become due and delinquent. ~~The city clerk~~ He shall forthwith deliver a duplicate of such certificate to the city treasurer, who shall, without delay, give at least five days' notice through publication in a legal newspaper published in or of general circulation in the city, of the time when such tax will become delinquent. To every such certificate the city clerk shall append a warrant in the usual form, requiring such city treasurer to collect such special tax or taxes by distress and sale of goods and chattels of the person, persons, or bodies corporate owing any such special tax or taxes, if such special tax or taxes are the same be not paid before the time fixed for such special tax or taxes the same to become delinquent. The city treasurer shall make his or her return of such warrants with a report of his or her doings thereunder on or before the fifteenth day of July next thereafter.

Sec. 121. Section 15-727, Reissue Revised Statutes of Nebraska, is amended to read:

15-727 It shall be sufficient in any case involving a special tax assessment in a city of the primary class to describe the lot or piece of ground as such lot or piece of ground the same is platted or recorded, although such lot or piece of ground belongs the same belong to several persons, but in

case any lot or piece of ground ~~belongs~~ belong to different persons, the owner of any part thereof may pay his or her portion of the tax on such lot or piece of ground, and his or her proper share may be determined by the city treasurer.

Sec. 122. Section 15-728, Reissue Revised Statutes of Nebraska, is amended to read:

15-728 When any public improvement in a city of the primary class is completed according to contract, it shall be the duty of the city engineer to carefully inspect such improvement ~~the same~~, and if the improvement is found to be properly done, such city engineer shall accept the improvement ~~same~~ and forthwith report his or her acceptance thereof to the city council with recommendation that the improvement ~~same~~ be approved or disapproved, and the city council may confirm or reject such acceptance. When the ordinance levying the tax makes such tax ~~the same~~ due as the improvement is completed in front of or along any block or piece of ground, the city engineer may accept the improvement ~~same~~ in sections from time to time, if found to be done according to the contract, reporting his or her acceptance as in other cases.

Sec. 123. Section 15-729, Reissue Revised Statutes of Nebraska, is amended to read:

15-729 ~~A city of the primary class may authorize or permit the use of its roads, streets, highways, alleys, or other public rights-of-way for street railway systems. All street railway companies in any city of the primary class shall be required to pave, repave or repair between and to one foot beyond their outer rails. In case any such railway uses more than one track in any street, it shall pave, repave or repair between tracks and to one foot beyond the outer rails where such company owns, at its own cost. Whenever any street shall be ordered paved or repaved by the mayor and council of the city, such paving or repaving shall be done at the same time and shall be of the same material and character as the paving or repaving of the street upon which such railway track is located, unless other material be specially ordered by the mayor and council of the city. Such street railway companies shall be required to keep that portion of the streets required by them to be paved, repaved or repaired, in repair, using for said purpose the same material as the streets upon which the track is laid at the point of repair, or such other material as the mayor and council may require and order upon streets in such city.~~

Sec. 124. Section 15-734, Reissue Revised Statutes of Nebraska, is amended to read:

15-734 The owner of property abutting on public streets in a city of the primary class is hereby primarily charged with the duty of keeping and maintaining the sidewalks on such property ~~thereon~~ in a safe and sound condition, and free from snow, ice, and other obstructions. Upon a failure to so keep and maintain such sidewalks, and ; and in default thereof, upon notice to such abutting property owner as hereinafter provided in this section, such abutting property owner shall be liable for injuries or damages sustained by reason of such failure ~~thereof~~. Such The city is given general charge, control, and supervision of the streets and sidewalks thereof, and is required to cause to be maintained or maintain the same in a reasonably safe condition. The city ~~It~~ is given full power to require owners of abutting property to keep and maintain the sidewalks of such property ~~thereof~~ in a safe and sound condition and free from snow, ice, and other obstructions, and to require such abutting property owners to construct and maintain the sidewalks of such material and of such dimensions and upon such grade as may be determined by the city council. In case such abutting property owner refuses or neglects, after five days' notice by publication in a legal newspaper in or of general circulation in such city, or in place thereof, by personal service of such notice, to so construct or maintain such sidewalk, the city through the proper officers may construct or repair such sidewalk or cause such sidewalk ~~the same~~ to be constructed or repaired, and report the cost of such construction or repairs ~~thereof~~ to the city council, whereupon the city council shall assess such costs ~~the same~~ against such abutting property. The city council may receive bids for constructing or repairing any or all such sidewalks ~~walks~~, and may let contracts to the lowest responsible bidders for constructing or repairing such sidewalks ~~the same~~. The contractor or contractors shall be paid for such contracts ~~therefor~~ from special assessments against the abutting property. The cost of constructing, replacing, repairing, or grading thereof shall be assessed at a regular city council meeting by resolution, fixing the cost along abutting property as a special assessment against such property; and the amount charged or the cost thereof, ~~with the vote by yeas and nays,~~ shall be recorded in spread ~~upon~~ the minutes. Notice of the time of such meeting of the city council and its purpose shall be published once in a legal newspaper in or published and of general circulation in the city at least five days before the meeting of the city council is to be held, or, in place thereof, personal notice may be given to such abutting property owners. Such special assessment shall be known as special sidewalk assessments, and together with the cost of notice, shall be levied and collected as special assessments ~~taxes~~ in addition to the general revenue taxes, and shall be subject to the same penalties and shall draw interest at a rate not to exceed the rate of interest specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, from the date of the levy thereof until satisfied.

Sec. 125. Section 15-735, Reissue Revised Statutes of Nebraska, is amended to read:

15-735 Special sidewalk assessments assessed as provided in section 15-734 may be collected:

- (1) In the manner usual for the collection or foreclosure of county or

state taxes against real estate;

(2) By foreclosure as in case of county ~~or state~~ taxes against real estate. ~~In ; Provided, however, in the foreclosure of such special sidewalk assessments,~~ any number of parties, owners of abutting property against which property a special sidewalk assessment has been made, may be made parties defendant, and any number of special sidewalk assessments may be foreclosed in one action, the decree, however, to be separate as to each particular piece of abutting property against which such special sidewalk assessments have been levied. ~~A ; and provided further,~~ a certified copy by the city clerk of the action of the city council in making such special sidewalk assessments shall be received in evidence as prima facie evidence of the regularity of all proceedings in the matter of making and levying such special sidewalk assessments, and such special sidewalk assessments shall constitute a lien prior and superior to all other liens except liens for taxes or other special assessments upon such abutting property. ~~In ; and provided further,~~ in the foreclosure of such special assessments, the action may be brought in the name of the city against any and all parties subject to the payment of such special sidewalk assessments in one or more actions, and the city may become a purchaser thereof for an amount not exceeding the amount of the special sidewalk assessment, ~~and interest and penalties thereon;~~ or

(3) The city clerk, upon the request of the city council, shall, under seal of the city, make out a statement containing a description of the property against which special sidewalk assessments are delinquent, the amount of such special sidewalk assessments, together with interest and penalties thereon, the name of the owner of such abutting property at the time of the levy, and the date of the levy, and shall transmit the same to the clerk of the district court. ~~Upon ; and upon~~ request of the city the clerk of the district court shall issue an order of sale of such abutting property and deliver the same to the county sheriff, who shall thereupon cause such property to be advertised and sold as in case of sale of real estate under judgment and execution, except that it shall not be necessary for the county ~~said~~ sheriff to cause such property to be appraised. ~~Upon ; upon~~ sale the county sheriff shall report the sale thereof to the district court for confirmation.

Sec. 126. Section 15-751, Reissue Revised Statutes of Nebraska, is amended to read:

15-751 (1) Any county and any city of the primary class, which is the county seat ~~of such county thereof~~, shall have the power to join with each other and with other political or governmental subdivisions, agencies, or public corporations whether federal, state, or local, or with any number of combinations thereof, by contract or otherwise in the joint ownership, operation, or performance of any property, facility, power, or function, or in agreements containing the provisions that one or more thereof operate or perform for the other or others. Any such county and any such city shall also have the power to authorize and undertake research, formulate plans, draft and seek the enactment of legislation, take other actions concerning improvement of the relationships between themselves or between each of them and other political or governmental subdivisions, agencies, or public corporations, whether federal, state, or local, for the attainment of voluntary cooperation agreements, annexations, transfers of functions to or from such city, or to or from such county, or city-county consolidation or separation, or any other means of accomplishing changes in governmental organization in which such city or such county has an interest. Such city and such county may undertake such efforts alone or in concert with other political or governmental subdivisions, agencies, or public corporations, whether federal, state, or local, or with public or private research or professional organizations. Such city and such county may appropriate and spend money for such purposes.

(2) Any officer or employee, whether elected or appointed, of any county, may also simultaneously be and serve as an officer or employee of any such city of the primary class, referred to in subsection (1) of this section, which is the county seat of the county where such duties are not incompatible. Any officer or employee, whether elected or appointed, of a city of the primary class which is the county seat of a county may also simultaneously be and serve as an officer or employee of the county of which such ~~said~~ city is the county seat where such duties are not incompatible, except ; Provided, that this provision shall not apply to or cover the county board of such county or the mayor or members of the city council of such city.

Sec. 127. Section 15-752, Reissue Revised Statutes of Nebraska, is amended to read:

15-752 Any action authorized under section 15-751 shall be taken only upon the affirmative vote of a majority of the county board of the commissioners ~~of such county in which a city of the primary class is the county seat~~ or a majority of the members of the city council and mayor of such city, and when such action is taken by such governing body, it shall be binding upon all officers and employees of such county or such city.

Sec. 128. Section 15-753, Reissue Revised Statutes of Nebraska, is amended to read:

15-753 The city council of a city of the primary class shall have the power to create ornamental lighting districts for the purpose of acquiring and installing ornamental lights, including poles, fixtures, wiring, underground conduits, and all necessary equipment and accessories, in or along any street, streets, public grounds, or public way or ways, within the city. All such districts shall be known as ornamental lighting districts and shall be created by ordinance which shall designate the property within the district to be

benefited. The city shall have the power to advertise for bids for the installation, construction, and equipment for such ornamental lights therefor, and to contract with the lowest responsible bidder therefor as authorized in its home rule charter. The cost of such ornamental lights thereof may be, in whole or in part, assessed proportionately to the benefits on the property specially benefited, and the city council shall have the power and authority to fix the period of time for the payment of the special assessments, and to issue bonds, as authorized by its ~~the~~ home rule charter.

Sec. 129. Section 15-754, Reissue Revised Statutes of Nebraska, is amended to read:

15-754 The city council of a city of the primary class shall have the power by ordinance to create public improvement districts for opening, widening, or enlarging of any street, alley, boulevard, or public way or the establishing or enlarging of any park or parkway within the city. Such special improvement district having been created, the city may acquire ~~require~~, by agreement, purchase, condemnation, or otherwise, the necessary lands, lots, or grounds to carry out the purposes of the district. The cost thereof may be, in whole or in part, assessed proportionate to benefits, on the property specially benefited. The city council shall have power and authority to fix the period of time for the payment of the special assessments, and to issue bonds, as authorized by its ~~the~~ home rule charter.

Sec. 130. Section 15-807, Reissue Revised Statutes of Nebraska, is amended to read:

15-807 The city council of a city of the primary class shall constitute the board of equalization for the city, and shall have power as such board to equalize all taxes and assessments, to correct any errors in the listing or valuation of property, and to supply any omissions in the same. A majority of all the members elected to the city council shall constitute a quorum for the transaction of business properly before the board, but a less number may adjourn from time to time and compel the attendance of absent members. When sitting as a board of equalization on general or special taxes, the city council may adopt rules and regulations as to the manner of presenting complaints and applying for relief. The city council ~~It~~ shall not invalidate or prejudice the proceedings of the board that a majority of the members thereof after organization as a board do not in fact continue present during the advertised hours for the sitting of such board, as long as ; ~~Provided, however,~~ the city clerk and some member of the board shall be present to receive complaints or applications for relief. No final action shall be taken with respect to any taxes or assessments by the board until a majority of the members of the city council sitting as a board of equalization shall be present and in open session.

Sec. 131. Section 15-808, Reissue Revised Statutes of Nebraska, is amended to read:

15-808 The city council of a city of the primary class sitting as a board of equalization shall hold a session of not less than three or more than thirty days annually commencing on the first Tuesday after the third Monday in June and shall have power:

(1) To assess any taxable property, real and personal, not assessed;

(2) To review assessments made and correct such assessments ~~the same~~ as appears to be just. The board shall not increase the assessment of any person, partnership, limited liability company, or corporation until such person, partnership, limited liability company, or corporation has been notified by the board to appear and show cause, if any, why the assessment should not be increased. If personal service of such notice cannot be made in the city, notice may be given by publication and it shall be sufficient if such notice is published in one issue of a legal newspaper in or daily paper of general circulation within the city; and

(3) To equalize the assessments of all taxable property in the city and to correct any errors in the listing or value thereof. The city council sitting as a board of equalization shall be authorized and empowered to meet at any time for the purpose of equalizing assessment of any omitted or undervalued property and to add to the assessment rolls any taxable property not included.

Sec. 132. Section 15-809, Reissue Revised Statutes of Nebraska, is amended to read:

15-809 The city council of a city of the primary class shall act as a board to equalize all special assessments, except for sidewalks affecting single properties, before special taxes for local improvements be finally levied, distributed, and apportioned, and to correct any errors therein, upon notice as provided in this section herein. The board shall be in session not less than two hours on two successive days, and until it hears all complaints owners may make to the proposed distribution and levy of the tax, and shall equalize the tax and correct errors therein. If by reduction of the amount charged on any property it is necessary to increase the proposed amount upon other property, the owner shall be notified in person or at his or her residence, or by five days' publication in a legal newspaper in or of general circulation in the city if not a resident, or if changes are many, another distribution may be submitted by any member or any owner interested, and notice by five days' publication in a legal newspaper in or of general circulation in the city be given of a second session for equalization, at which time the equalization shall be completed.

Sec. 133. Section 15-810, Reissue Revised Statutes of Nebraska, is amended to read:

15-810 The city council of a city of the primary class or any committee of

the members thereof or the city council, when sitting as a board of equalization, shall have the power to compel the attendance of witnesses for the investigation of matters that may come before such city council or committee ~~them~~, and the presiding officer of the city council or chairperson ~~chairman~~ of such committee, for the time being, may administer the requisite oaths. Such city, and such council or committee of the members thereof or the city council, when sitting as a board of equalization, shall have the same authority to compel the giving of testimony as is conferred on courts of justice.

Sec. 134. Section 15-811, Reissue Revised Statutes of Nebraska, is amended to read:

15-811 If for any reason any taxable property in a the city of the primary class escapes ~~shall escape~~ taxation in any year, it shall be the duty of the city council when sitting as a board of equalization in any subsequent year to assess such property at a fair valuation for the year or years for which such property should have been assessed, and to levy thereon under such assessment a tax at the same rate and upon the same basis that other taxable property was assessed for the year in which such property escaped taxation, which tax and levy shall be in addition to all current or other taxes on the same property.

Sec. 135. Section 15-812, Reissue Revised Statutes of Nebraska, is amended to read:

15-812 As soon as the assessment roll has ~~shall have~~ been equalized, and the annual levy made on such assessment roll in a city of the primary class ~~thereon~~, the city clerk shall immediately make out a tax list, which shall be as nearly as practicable in the form prescribed by law for the tax list to be furnished county treasurers, and the city clerk ~~he~~ shall deliver such tax list to the city treasurer on or before the first day of October next after the date of the levy in each year. Errors in the name of persons assessed may be corrected by the city treasurer and the tax collected from the person intended, and in case the city treasurer finds that any land has been omitted in the assessment, the city treasurer ~~he~~ shall report that fact to the city council, who may assess the same and direct the correction of the tax list as provided in this section and in section 15-811.

Sec. 136. Section 15-813, Reissue Revised Statutes of Nebraska, is amended to read:

15-813 To each tax list so delivered as provided in section 15-812, a warrant under the hand of the city clerk of the city of the primary class shall be annexed, to be substantially in the following form:

In the name and by the authority of the State of Nebraska:
To city treasurer of the city of in Nebraska;

You are hereby commanded to collect from each of the persons and corporations named in the annexed tax list and owners of real estate described therein the taxes set down in such list opposite their respective names, and the several parcels of land described therein; and in case any person or corporation upon whom any such tax or sum is imposed, or who by law is required to pay the same, shall refuse or neglect to pay the full amount thereof before the first day of March (or September), 20.... (insert year after levy), you are to levy and collect the same by distress and sale of the goods and chattels of the person or corporation so taxed as are by law required to pay such tax.

Given under my hand and official seal this day of A.D. 20.... .

.....
City Clerk of the City of

Sec. 137. Section 15-814, Reissue Revised Statutes of Nebraska, is amended to read:

15-814 Any such warrant issued pursuant to section 15-813 shall fully authorize and empower the city treasurer of the city of the primary class to levy on any personal property belonging to such delinquent, and such warrant shall be a full and complete justification of the city treasurer in any action brought to recover damages or costs for any act or proceeding by the city treasurer ~~him~~ done or taken in conformity with the commands thereof.

Sec. 138. Section 15-816, Reissue Revised Statutes of Nebraska, is amended to read:

15-816 All municipal personal taxes in a city of the primary class shall be collected from the personal property of the person, partnership, limited liability company, or corporation owning such personal property ~~the same~~. All delinquent municipal taxes levied on any real estate within such city shall be collected by sale of such real estate in the same manner as in case of sale for delinquent county taxes.

Sec. 139. Section 15-817, Reissue Revised Statutes of Nebraska, is amended to read:

15-817 The mayor and city council of a city of the primary class shall have full power and authority to pass ordinances not inconsistent with the laws of this state which they may deem necessary to secure a speedy and thorough collection of all municipal taxes and special assessments.

Sec. 140. Section 15-818, Reissue Revised Statutes of Nebraska, is amended to read:

15-818 All municipal taxes and special assessments in a the city of the primary class shall be paid in money cash, or in warrants of the city drawn on the fund for which the same is offered, except that ; ~~Provided~~, coupons on any bonds of the city shall be received in payment of taxes or special assessments.

Sec. 141. Section 15-819, Reissue Revised Statutes of Nebraska, is amended to read:

15-819 Taxes assessed upon personal property in a the city of the primary class shall be a lien upon the personal property of the person, partnership, limited liability company, or corporation assessed from and after the time the tax books are received by the city treasurer. Such lien shall be prior and superior to all other liens thereon except liens for taxes.

Sec. 142. Section 15-821, Reissue Revised Statutes of Nebraska, is amended to read:

15-821 Special assessments on real estate in a city of the primary class shall be a lien from the date of the levy, and interest on all unpaid installments shall be payable annually. Such lien shall be perpetual and superior to all other liens upon the property except liens for taxes. In case of sale of any property for such tax or special assessment, the sale same shall be governed by the general revenue law, except as ~~herein~~ otherwise provided by law, and the rights and limitations shall be the same as in other tax sales. ~~Each ; Provided, each~~ installment shall draw interest at a rate not to exceed the rate of interest specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, payable annually, from levy until due; and installments delinquent shall draw interest at the rate specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, until paid.

Sec. 143. Section 15-822, Reissue Revised Statutes of Nebraska, is amended to read:

15-822 The city council of a city of the primary class shall have the power, in all cases where special assessments for any purpose have or may be declared void or invalid for want of jurisdiction in making or levying such special assessments, or on account of any defect or irregularity in the manner of levying such special assessments the same, or for any cause whatever, to reassess and relevel a new assessment equal to the special benefits or not to exceed the cost of the improvement for which the assessment was made upon the property originally assessed, and such assessment so made shall constitute a lien upon the property prior and superior to all other liens except liens for taxes or other special assessments. ~~In ; Provided, in~~ all cases under the provisions of this section, the city council before making any such reassessment or relevel of special taxes or assessments shall give five days' notice in a legal newspaper in or published and of general circulation in the city of the time when the city council will meet to determine the matter of reassessing or releveling all such special assessments.

Sec. 144. Section 15-823, Reissue Revised Statutes of Nebraska, is amended to read:

15-823 All taxes levied for the purpose of raising money to pay interest or to create a sinking fund for the payment of the principal of any funded or bonded debt of a city of the primary class ~~the city~~ shall be payable in money only, and except as otherwise expressly provided, no money so obtained shall be used for any other purpose than the payment of the interest or debt for the payment of which they shall have been raised. ~~Such ; Provided, such~~ sinking fund may, under the direction of the mayor and city council, be invested in any of the underdue bonds issued by the city, if the bonds provided they can be secured by the city treasurer at such rate or premiums as shall be prescribed by ordinance. Any due or overdue coupon or bond shall be a sufficient warrant or order for the payment of the coupon or bond same out of any fund specially created for that purpose, without any further order or allowance by the mayor or city council.

Sec. 145. Section 15-824, Reissue Revised Statutes of Nebraska, is amended to read:

15-824 Irregularities in making assessments and returns thereof, in the equalization of assessments, and in the mode and manner of advertising the sale of any property shall not invalidate or affect the sale thereof when advertised and sold for delinquent city taxes and special assessments in a city of the primary class as provided by law, as herein provided; nor shall the sale of any real estate or any such tax or assessment be invalid on account of such real estate having been listed in the name of any other person than that of the rightful owner.

Sec. 146. Section 15-834, Reissue Revised Statutes of Nebraska, is amended to read:

15-834 No bonds issued by a the city of the primary class which are general obligation bonds shall be sold for less than par or face value. All such bonds may contain such provisions with respect to their redemption as the city shall provide. There shall be no tax levy to pay more than the interest upon such bonds until the year before they become due, and then only so much as is needed to meet the bonds maturing the year after.

Sec. 147. Section 15-835, Reissue Revised Statutes of Nebraska, is amended to read:

15-835 All money received from any special assessments in a city of the primary class shall be held by the city treasurer as a special fund to be applied to the payment of the improvement for which the assessment was made, and such money shall be used for no other purpose. ~~Any ; Provided, however,~~ any surplus remaining in any such fund after all obligations against the same shall have been satisfied, may be transferred to any other fund by order of the city council.

Sec. 148. Section 15-840, Reissue Revised Statutes of Nebraska, is amended to read:

15-840 All liquidated and unliquidated claims and accounts payable against a the city of the primary class shall: (1) Be presented in writing; (2) state the name of the claimant and the amount of the claim; and (3) fully and accurately identify the items or services for which payment is claimed or the time, place, nature, and circumstances giving rise to the claim. The city finance director shall be responsible for the preauditing and approval of all claims and accounts payable, and no warrant in payment of any claim or account payable shall be drawn or paid without such approval. In order to maintain an action for a claim, other than a tort claim as defined in section 13-903, it shall be necessary, as a condition precedent, that the claimant file such claim within one year of the accrual of such claim thereof, in the office of the city clerk, or other official whose duty it is to maintain the official records of a ~~primary-class city of the primary class~~.

Sec. 149. Section 15-841, Reissue Revised Statutes of Nebraska, is amended to read:

15-841 Any taxpayer of a the city of the primary class, after the allowance in whole or in part of any liquidated or unliquidated claim, or the claimant, after the disallowance in whole or in part of any such claim, may appeal therefrom to the district court of the county in which the city is situated in accordance with the procedures set forth in sections 15-1201 to 15-1205. In an appeal by a taxpayer in case the claimant finally recovers judgment for as great a sum exclusive of interest as was allowed by the city council, such appellant shall pay all costs of such appeal. In an appeal by a claimant in case claimant fails to recover as great a sum exclusive of interest as was allowed by the city council, such claimant shall pay all costs. No warrant shall issue for the payment of any such claim until the appeal is finally determined. No appeal bond shall be required of the city by any court in case of appeal by the city, and judgment shall be stayed pending such appeal.

Sec. 150. Section 15-842.01, Reissue Revised Statutes of Nebraska, is amended to read:

15-842.01 No bond for costs, appeal, supersedeas, injunction, or attachment shall be required of any city of the primary class or of any officer, board, commission, head of any department, agent, or employee of any such city in any proceeding or court action in which such said city of the primary class or officer, board, commission, head of department, agent, or employee is a party litigant in its, ~~or his, or her~~ official capacity.

Sec. 151. Section 15-845, Reissue Revised Statutes of Nebraska, is amended to read:

15-845 The city treasurer of a city of the primary class shall deposit and at all times keep on deposit for safekeeping in ~~the banks, in the capital stock financial institutions, in the~~ qualifying mutual financial institutions, or any of such banks or institutions in some of them doing business in such city of approved and responsible standing all money collected, received, or held by him or her as such city treasurer. Any such bank, capital stock financial institution, or qualifying mutual financial institution located in the city may apply for the privilege of keeping such money or any part thereof upon the following conditions: (1) All such deposits shall be subject to payment when demanded by the city treasurer; and (2) such deposits shall be subject to all regulations imposed by law or adopted by the city for the receiving and holding thereof. The fact that a stockholder, director, or other officer of such bank, capital stock financial institution, or qualifying mutual financial institution shall also be serving as mayor, as a member of the city council, or as any other officer of such city municipality shall not disqualify such bank, capital stock financial institution, or qualifying mutual financial institution from acting as a depository for such municipal funds. Section 77-2366 shall apply to deposits in capital stock financial institutions. Section 77-2365.01 shall apply to deposits in qualifying mutual financial institutions.

Sec. 152. Section 15-848, Reissue Revised Statutes of Nebraska, is amended to read:

15-848 The city treasurer of a city of the primary class shall not have on deposit in any bank, capital stock financial institution, or qualifying mutual financial institution at any time more than the maximum amount of the bond given by such bank, capital stock financial institution, or qualifying mutual financial institution if the bank, capital stock financial institution, or qualifying mutual financial institution gives a surety bond, nor in any bank, capital stock financial institution, or qualifying mutual financial institution giving a personal bond, more than one-half of the amount of the bond of such bank, capital stock financial institution, or qualifying mutual financial institution. The amount on deposit plus accretions at any time with any such bank, capital stock financial institution, or qualifying mutual financial institution shall not in either case exceed the paid-up capital stock and surplus of such bank, capital stock financial institution, or qualifying mutual financial institution. The city treasurer shall not be liable for any loss sustained by reason of the failure of any such bonded depository whose bond shall have been duly approved by the city attorney as provided by section 15-846 or which has, in lieu of a surety bond, given security as provided by section 15-847. Section 77-2366 shall apply to deposits in capital stock financial institutions. Section 77-2365.01 shall apply to deposits in qualifying mutual financial institutions.

Sec. 153. Section 15-901, Reissue Revised Statutes of Nebraska, is amended to read:

15-901 (1) Except as provided in section 13-327, the extraterritorial

zoning jurisdiction of a city of the primary class shall consist of the unincorporated area three miles beyond and adjacent to its corporate boundaries.

(2) No owner of real estate located within the corporate limits of ~~in~~ any city of the primary class or within the extraterritorial zoning jurisdiction ~~three miles of the corporate limits of~~ any city of the primary class, when such real estate is located in the same county as the city and outside of any incorporated ~~organized~~ city or village, shall be permitted to subdivide, plat, or lay out the real estate in building lots and streets, or other portions of the real estate ~~same~~ intended to be dedicated for public use or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto, without first having obtained approval by the city planning commission and, when applicable, having complied with sections 39-1311 to 39-1311.05. No plat or subdivision of such real estate shall be recorded in the office of the register of deeds or have any force or effect unless such plat or subdivision ~~the same~~ is approved by the city planning commission. A city of the primary class shall have the authority within its corporate limits and extraterritorial zoning jurisdiction ~~the area~~ to regulate the subdivision of land for the purpose, whether immediate or future, of transferring ownership or building development, except that the city shall have no power to regulate subdivision in those instances where the smallest parcel created is more than ten acres in area. A city of the primary class shall have the authority within its corporate limits and extraterritorial zoning jurisdiction ~~the area~~ to prescribe standards for laying out subdivisions in harmony with the comprehensive plan; to require the installation of improvements by the owner, by the creation of public improvement districts, or by requiring a good and sufficient bond guaranteeing installation of such improvements; and to require the dedication of land for public purposes.

(3) For purposes of this section, subdivision shall mean the division of a lot, tract, or parcel of land into two or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of ownership or building development, except that the division of land shall not be considered to be subdivision when the smallest parcel created is more than ten acres in area.

(4) Subdivision plats in a city of the primary class shall be approved by the city planning commission on recommendation by the city planning director and public works and utilities department. The city planning commission may withhold approval of a plat until the public works and utilities department has certified that the improvements required by the regulations have been satisfactorily installed, until a sufficient bond guaranteeing installation of the improvements has been posted, or until public improvement districts are created. The city council may provide procedures in land subdivision regulations for appeal by any person aggrieved by any action of the city planning commission or city planning director on any plat.

Sec. 154. Section 15-902, Reissue Revised Statutes of Nebraska, is amended to read:

15-902 (1) Every city of the primary class shall have power within the corporate limits of ~~in the area which is within~~ the city or within the extraterritorial zoning jurisdiction ~~three miles of the corporate limits of~~ the city and outside of any organized city or village to regulate and restrict: (a) The location, height, bulk, and size of buildings and other structures; (b) the percentage of a lot that may be occupied; (c) the size of yards, courts, and other open spaces; (d) the density of population; and (e) the locations and uses of buildings, structures, and land for trade, industry, business, residences, and other purposes. Such city shall have power to divide the area zoned into districts of such number, shape, and area as may be best suited to carry out the purposes of this section and to regulate, restrict, or prohibit the erection, construction, reconstruction, alteration, or use of buildings, structures, or land within the total area zoned or within districts. All such regulations shall be uniform for each class or kind of buildings throughout each district, but regulations applicable to one district may differ from those applicable to other districts. Such zoning regulations shall be designed to secure safety from fire, flood, and other dangers and to promote the public health, safety, and general welfare and shall be made with consideration having been given to the character of the various parts of the area zoned and their peculiar suitability for particular uses and types of development and with a view to conserving property values and encouraging the most appropriate use of land throughout the area zoned, in accordance with a comprehensive plan. Such zoning regulations may include reasonable provisions regarding nonconforming uses and their gradual elimination.

(2)(a) ~~The~~ city of the primary class shall not adopt or enforce any zoning ordinance or regulation which prohibits the use of land for a proposed residential structure for the sole reason that the proposed structure is a manufactured home if such manufactured home bears an appropriate seal which indicates that it was constructed in accordance with the standards of the Uniform Standard Code for Manufactured Homes and Recreational Vehicles, the Nebraska Uniform Standards for Modular Housing Units Act, or the United States Department of Housing and Urban Development. The city may require that a manufactured home be located and installed according to the same standards for foundation system, permanent utility connections, setback, and minimum square footage which would apply to a site-built, single-family dwelling on the same lot. The city may also require that manufactured homes meet the following standards:

(i) The home shall have no less than nine hundred square feet of floor

area;

- (ii) The home shall have no less than an eighteen-foot exterior width;
 - (iii) The roof shall be pitched with a minimum vertical rise of two and one-half inches for each twelve inches of horizontal run;
 - (iv) The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
 - (v) The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
 - (vi) The home shall have wheels, axles, transporting lights, and removable towing apparatus removed.
- (b) The city may not require additional standards unless such standards are uniformly applied to all single-family dwellings in the zoning district.

(c) Nothing in this subsection shall be deemed to supersede any valid restrictive covenants of record.

(3) For purposes of this section, manufactured home shall mean (a) a factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R. 3280 et seq., promulgated by the United States Department of Housing and Urban Development, or (b) a modular housing unit as defined in section 71-1557 bearing a seal in accordance with the Nebraska Uniform Standards for Modular Housing Units Act.

Sec. 155. Section 15-905, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-905 Every city of the primary class may regulate in the area which is within the corporate limits of the city or within its extraterritorial zoning jurisdiction ~~three miles of the corporate limits of the city and outside of any organized city or village~~, except as to construction on farms for farm purposes, (1) the minimum standards of construction of buildings, dwellings, and other structures in order to provide safe and sound condition thereof for the preservation of health, safety, security, and general welfare, which standards may include regulations as to electric wiring, heating, plumbing, pipefitting, sewer connections, ventilation, size of habitable rooms, and the method of constructing buildings, dwellings, and other structures, and to provide for inspection thereof and building permits and fees for such permits, (2) the removal and tearing down of buildings, dwellings, and other structures in such areas which constitute nuisances because of the dilapidated, unsafe, or rundown condition or conditions, and (3) except as to the United States of America, the State of Nebraska, a county, or a village, in the extraterritorial zoning jurisdiction ~~area outside of the corporate limits~~ of the city of the primary class, the nature, kind, and manner of constructing streets, alleys, sidewalks, curbing or abridging curbs, driveway approaches constructed on or to public right-of-way, and sewage disposal facilities. Any building or construction code implemented under this section shall be adopted and enforced as provided in section 71-6406.

Sec. 156. Section 15-1017, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-1017 (1) A city of the primary class which has a city pension and retirement plan or fund, or a city fire and police pension plan or fund, or both, may provide by ordinance as authorized by its home rule charter, and not prohibited by the Constitution of Nebraska, for the investment of any plan or fund, and such city ~~it~~ may provide that (a) the such ~~a~~ city shall place in trust any part of such plan or fund, (b) the city ~~it~~ shall place in trust any part of any such plan or fund with a corporate trustee in Nebraska, or (c) the city ~~it~~ shall purchase any part of any such plan from a life insurance company licensed to do business in the State of Nebraska. The powers conferred by this section shall be independent of and in addition and supplemental to any other provisions of the laws of the State of Nebraska with reference to the matters covered hereby, and this section shall be considered as a complete and independent act and not as amendatory of or limited by any other provision of the laws of the State of Nebraska.

~~(2) Beginning December 31, 1998, through December 31, 2017:~~

~~(a) The clerk of a city of the primary class shall file with the Public Employees Retirement Board an annual report on each retirement plan established pursuant to this section, section 15-1026, and section 401(a) of the Internal Revenue Code and shall submit copies of such report to the Auditor of Public Accounts. The Auditor of Public Accounts may prepare a review of such report pursuant to section 84-304.02 but is not required to do so. The annual report shall be in a form prescribed by the Public Employees Retirement Board and shall contain the following information for each such retirement plan:~~

- ~~(i) The number of persons participating in the retirement plan;~~
- ~~(ii) The contribution rates of participants in the plan;~~
- ~~(iii) Plan assets and liabilities;~~
- ~~(iv) The names and positions of persons administering the plan;~~
- ~~(v) The names and positions of persons investing plan assets;~~
- ~~(vi) The form and nature of investments;~~
- ~~(vii) For each defined contribution plan, a full description of investment policies and options available to plan participants; and~~
- ~~(viii) For each defined benefit plan, the levels of benefits of participants in the plan, the number of members who are eligible for a benefit,~~

~~and the total present value of such members' benefits, as well as the funding sources which will pay for such benefits.~~

~~If a plan contains no current active participants, the city clerk may file in place of such report a statement with the Public Employees Retirement Board indicating the number of retirees still drawing benefits, and the sources and amount of funding for such benefits; and~~

~~(b) If such retirement plan is a defined benefit plan which was open to new members on January 1, 2004, in addition to the reports required by section 13-2402, the city council of a city of the primary class shall cause to be prepared an annual report and shall file the same with the Public Employees Retirement Board and the Nebraska Retirement Systems Committee of the Legislature and submit to the Auditor of Public Accounts a copy of such report. The Auditor of Public Accounts may prepare a review of such report pursuant to section 84-304.02 but is not required to do so. If the city council does not submit a copy of the report to the Auditor of Public Accounts within six months after the end of the plan year, the Auditor of Public Accounts may audit, or cause to be audited, the city. All costs of the audit shall be paid by the city. The report shall consist of a full actuarial analysis of each such retirement plan established pursuant to this section and section 15-1026. The analysis shall be prepared by an independent private organization or public entity employing actuaries who are members in good standing of the American Academy of Actuaries, and which organization or entity has demonstrated expertise to perform this type of analysis and is unrelated to any organization offering investment advice or which provides investment management services to the retirement plan. The report to the Nebraska Retirement Systems Committee shall be submitted electronically.~~

~~(2)(a) (3)(a) Beginning December 31, 2018, and each December 31 thereafter, for a defined benefit plan, the city clerk of a city of the primary class or his or her designee shall prepare and electronically file an annual report with the Auditor of Public Accounts and the Nebraska Retirement Systems Committee of the Legislature. If such retirement plan is a defined benefit plan which was open to new members on January 1, 2004, the report shall be in addition to the reports required by section 13-2402. The report shall be on a form prescribed by the Auditor of Public Accounts and shall include, but not be limited to, the following information:~~

~~(i) The levels of benefits of participants in the plan, the number of members who are eligible for a benefit, the total present value of such members' benefits, and the funding sources which will pay for such benefits; and~~

~~(ii) A copy of a full actuarial analysis of each such defined benefit plan. The analysis shall be prepared by an independent private organization or public entity employing actuaries who are members in good standing of the American Academy of Actuaries, and which organization or entity has demonstrated expertise to perform this type of analysis and is unrelated to any organization which offers investment advice or provides investment management services to the retirement plan.~~

~~(b) The Auditor of Public Accounts may prepare a review of such report pursuant to section 84-304.02 but is not required to do so. If the city council does not submit a copy of the report to the Auditor of Public Accounts within six months after the end of the plan year, the Auditor of Public Accounts may audit, or cause to be audited, the city. All costs of the audit shall be paid by the city.~~

Sec. 157. Section 15-1101, Reissue Revised Statutes of Nebraska, is amended to read:

15-1101 In any city of the primary class there shall be created a planning department, which shall consist of a city planning commission, a planning director, and such subordinate employees as are required to administer the planning program as provided in sections 15-1101 to 15-1106 hereinafter set forth. The planning director shall serve as the secretary of the city planning commission and as the administrative head of the planning department.

Sec. 158. Section 15-1102, Reissue Revised Statutes of Nebraska, is amended to read:

15-1102 (1) The general plan for the improvement and development of a the city of the primary class shall be known as the comprehensive plan. This plan for governmental policies and action shall include the pattern and intensity of land use, the provision of public facilities including transportation and other governmental services, the effective development and utilization of human and natural resources, the identification and evaluation of area needs including housing, employment, education, and health and the formulation of programs to meet such needs, surveys of structures and sites determined to be of historic, cultural, archaeological, or architectural significance or value, long-range physical and fiscal plans for governmental policies and action, and coordination of all related plans and activities of the state and local governments and agencies concerned. The comprehensive plan, with the accompanying maps, plats, charts, and descriptive and explanatory materials, shall show the recommendations concerning the physical development pattern of such city and of any land outside its boundaries related thereto, taking into account the availability of and need for conserving land and other irreplaceable natural resources, the preservation of sites of historic, cultural, archaeological, and architectural significance or value, the projected changes in size, movement, and composition of population, the necessity for expanding housing and employment opportunities, and the need for methods of achieving modernization, simplification, and improvements in

governmental structures, systems, and procedures related to growth objectives. The comprehensive plan shall, among other things, show:

(a) (1) The general location, character, and extent of existing and proposed streets and highways and railroad, air, and other transportation routes and terminals;

(b) (2) Existing and proposed public ways, parks, grounds, and open spaces;

(c) (3) The general location, character, and extent of schools, school grounds, and other educational facilities and properties;

(d) (4) The general location and extent of existing and proposed public utility installations;

(e) (5) The general location and extent of community development and housing activities;

(f) (6) The general location of existing and proposed public buildings, structures, and facilities; and

(g) ~~An~~ (7) ~~when a new comprehensive plan or a full update to an existing comprehensive plan is developed on or after July 15, 2010, but not later than January 1, 2015,~~ an energy element which: Assesses energy infrastructure and energy use by sector, including residential, commercial, and industrial sectors; evaluates utilization of renewable energy sources; and promotes energy conservation measures that benefit the community.

(2) The comprehensive plan shall include a land-use plan showing the proposed general distribution and general location of business and industry, residential areas, utilities, and recreational, educational, and other categories of public and private land uses. The land-use plan shall also show the recommended standards of population density based upon population estimates and providing for activities for which space should be supplied within the area covered by the plan. The comprehensive plan shall include and show proposals for acquisition, extension, widening, narrowing, removal, vacation, abandonment, sale, and other actions affecting public improvements.

Sec. 159. Section 15-1103, Reissue Revised Statutes of Nebraska, is amended to read:

15-1103 The planning director of a city of the primary class shall be responsible for preparing the comprehensive plan and amendments and extensions thereto and for submitting such plans and modifications to the city planning commission for its consideration and action. The planning commission shall review such plans and modifications and those which the city council may suggest and, after holding at least one public hearing on each proposed action, shall provide its recommendations to the city council within a reasonable period of time. The city council shall review the recommendations of the planning commission and, after at least one public hearing on each proposed action, shall adopt or reject such plans as submitted, except that the city council may, by an affirmative vote of at least five members of the city council, adopt a plan or amendments to the proposed plan different from that recommended by the planning commission.

When such the city is considering the adoption or amendment of a zoning ordinance or the approval of the platting or replatting of any development of real estate, the planning director shall notify any military installation which is located within the corporate boundary limits or the extraterritorial zoning jurisdiction of the city if the city has received a written request for such notification from the military installation. The planning director shall deliver the notification to the military installation at least ten days prior to the meeting of the planning commission at which the proposal is to be considered.

Sec. 160. Section 15-1104, Reissue Revised Statutes of Nebraska, is amended to read:

15-1104 No ordinance or resolution which deals with the acquisition, extension, widening, narrowing, removal, vacation, abandonment, sale, or other change relating to any public way, transportation route, ground, open space, building or structure, or other public improvement of a character included in the comprehensive plan of a city of the primary class, the subject matter of which has not been reported on by the planning department under the provisions of section 15-1103, shall be adopted by the city council until such ordinance or resolution shall first have been referred to the planning department and that department has reported regarding conformity of the proposed action with the comprehensive plan. The planning department's report shall specify the character and degree of conformity or nonconformity of each proposed action to the comprehensive plan, and a report in writing thereon shall be rendered to the city council within thirty days after the date of receipt of the referral unless a longer period is granted by the city council. If the planning department fails to render any such report within the allotted time, the approval of the department may be presumed by the city council.

Sec. 161. Section 15-1105, Reissue Revised Statutes of Nebraska, is amended to read:

15-1105 The planning director of a city of the primary class shall be responsible for preparing any proposed the zoning ordinance and for submitting such ordinance ~~it~~ to the city planning commission for its consideration and action. The planning commission shall review the proposed zoning ordinance and, after holding at least one public hearing on each proposed action, shall approve or reject it in whole or in part and with or without modifications. When approved by the planning commission, the proposed zoning ordinance shall be submitted to the city council for its consideration, and such the zoning ordinance shall become effective when adopted by the city council. The city

~~council of such primary city~~ may amend, supplement, or otherwise modify the zoning ordinance. Any such proposed amendment, supplement, or modification shall first be submitted to the planning commission for its recommendations and report. The planning commission shall hold at least one public hearing on such proposed amendment, supplement, or modification with relation thereto, before submitting its recommendations and report. After the recommendations and report of the planning commission have been filed, the city council shall, before enacting any proposed amendment, supplement, or modification, hold a public hearing on such proposed amendment, supplement, or modification in relation thereto. Notice of the time and place of such hearings above referred to shall be given by publication thereof in a legal newspaper in or paper of general circulation in the city at least one time at least five days before the date of hearing. Notice with reference to proposed amendments, supplements, or modifications of the zoning ordinance shall also be posted in a conspicuous place on or near the property upon which the action is pending. Such notice shall be easily visible from the street, and shall be posted at least five days before the hearing.

Sec. 162. Section 15-1106, Reissue Revised Statutes of Nebraska, is amended to read:

15-1106 There may be created a board of zoning appeals of a city of the primary class comprised of five members appointed by the mayor and confirmed by the city council, which board shall have power to hear and decide appeals from any decision or order of the building inspector or other officers charged with the enforcement of the zoning ordinances ordinance in those cases when it is alleged that such decision or order is in error. The board shall also have power to decide upon petitions for variances and, subject to such standards and procedures as the city council may provide in the zoning ordinances ordinance, to vary the strict application of sign regulations or height, area, parking, or density requirements to the extent necessary to permit the owner a reasonable use of his or her land in those specific instances when there are peculiar, exceptional, and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned. The board may also have such related duties as the mayor or city council may assign. The city council may provide for appeals from a decision of the board.

Sec. 163. Section 15-1201, Reissue Revised Statutes of Nebraska, is amended to read:

15-1201 Any person or persons, jointly or severally aggrieved by any final administrative or judicial order or decision of the board of zoning appeals, the board of equalization, the city council, or any officer, ~~or~~ department, or board of a city of the primary class, shall, except as provided for claims in sections 15-840 to 15-842.01, appeal from such order or decision to the district court in the manner provided in sections 15-1201 to 15-1205 herein prescribed.

Sec. 164. Section 15-1202, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-1202 (1) The party appealing any final order or decision as provided in section 15-1201 shall within thirty days after the date of the order or decision complained of (a) file a notice of appeal with the city clerk of the city of the primary class specifying the parties taking the appeal and the order or decision appealed from and serve a copy of the notice upon the city attorney and (b) deposit the fees and bond or undertaking required pursuant to subsection (2) of this section or file an affidavit pursuant to subsection (3) of this section. The notice of appeal shall serve as a praecipe for a transcript.

(2) Except as provided in subsection (3) of this section, the appellant shall:

(a) Deposit with the city clerk a docket fee of the district court for cases originally commenced in district court;

(b) Deposit with the city clerk a cash bond or undertaking with at least one good and sufficient surety approved by the city clerk, in the amount of two hundred dollars, on condition that the appellant will satisfy any judgment and costs that may be adjudged against him or her; and

(c) Deposit with the city clerk the fees for the preparation of a certified and complete transcript of the proceedings of the city relating to the order or decision appealed.

(3)(a) An appellant may file with the city clerk an affidavit alleging that the appellant is indigent. The filing of such an affidavit shall relieve the appellant of the duty to deposit any fee, bond, or undertaking required by subsection (2) of this section as a condition for the preparation of the transcript or the perfecting of the appeal by the appellant subject to the determination of the court as provided in section 15-1204. In conjunction with the filing of the petition for appeal as provided for in section 15-1204, the appellant shall file a copy of the affidavit alleging his or her indigency and the district court shall rule upon the issue of indigency prior to the consideration of any other matter relating to the appeal as provided in section 15-1204.

(b) An appellant determined to be indigent under this subsection shall not be required to deposit any fee, bond, or undertaking required by subsection (2) of this section. For purposes of this section, indigent means the inability to financially pursue the appeal without prejudicing the appellant's ability to provide economic necessities for the appellant or the appellant's family.

(c) An appellant determined not to be indigent shall, within thirty days

after the determination, deposit with the city clerk the fees and bond or undertaking required by subsection (2) of this section. The appeal shall not proceed further until the city clerk notifies the court that the appropriate deposit has been made.

Sec. 165. Section 15-1203, Revised Statutes Cumulative Supplement, 2018, is amended to read:

15-1203 (1) Except as provided in subsection (2) of this section, the city clerk, on payment to him or her of the costs of the transcript, shall transmit within fifteen days to the clerk of the district court the docket fee and a certified and complete transcript of the proceedings of the city relating to the order or decision appealed as provided in section 15-1201. After receipt of such fee and transcript, the clerk of the district court shall file the appeal.

(2) If the appellant files an affidavit alleging that he or she is indigent pursuant to section 15-1202, the city clerk shall transmit within fifteen days to the clerk of the district court a certified and complete transcript of the proceedings of the city relating to the order or decision appealed. After receipt of the transcript, the clerk of the district court shall file the appeal.

Sec. 166. Section 15-1204, Reissue Revised Statutes of Nebraska, is amended to read:

15-1204 (1) The party appealing an order or decision as provided in section 15-1201 shall file a petition within thirty days after the date the transcript is filed in the district court.

(2) Except as provided in subsection (3) of this section, satisfaction of the requirements of subsections (1) and (2) of section 15-1202 and subsection (1) of this section shall perfect the appeal and give the district court jurisdiction of the matter appealed.

(3) Indigency shall be determined by the district court having jurisdiction of the appeal upon motion of the appellant before the court considers any other matter relating to the appeal. The court shall make a reasonable inquiry to determine the appellant's financial condition and shall consider such factors as the appellant's income, the availability to the appellant of other resources, including real and personal property, bank accounts, social security benefits, and unemployment or other benefits, the appellant's normal living expenses, the appellant's outstanding debts, the number and age of the appellant's dependents, and other relevant circumstances. If the appellant is deemed to be indigent, the satisfaction of the requirements of subsections (1) and (3) of section 15-1202 and subsection (1) of this section shall perfect the appeal and give the district court jurisdiction of the matter appealed.

Sec. 167. Section 15-1205, Reissue Revised Statutes of Nebraska, is amended to read:

15-1205 The district court shall hear the appeal under sections 15-1201 to 15-1205 as in equity and without a jury and determine anew all questions raised before the city. The court may reverse or affirm, wholly or partly, or may modify the order or decision brought up for review. Either party may appeal from the decision of the district court to the Court of Appeals.

Sec. 168. Section 15-1305, Reissue Revised Statutes of Nebraska, is amended to read:

15-1305 ~~Whenever a city of the primary class exercises any city shall exercise~~ the jurisdiction and authority granted in sections 15-1301 to 15-1307 with respect to Chapter 71, article 15, ~~the city it~~ shall have the jurisdiction and authority concurrent with and independent of any existing housing authority for such purposes within the city and its area of jurisdiction. ~~In ; Provided, that in~~ order to coordinate the actions of the local housing authority and the community development agency, the local housing authority shall submit to the city council of such city, prior to the date it submits its annual budget request to the federal government, a complete report of its activities during the past calendar year and a complete description of its proposed actions for the coming calendar year. Such report shall include the number of units added to or removed from the authority's programs, the number of families housed by the authority, the number applying who were not housed and the reasons for their not being housed, the sources and amounts of all funds spent or to be spent and the amounts available for use in its housing programs that have not been used, and the policies of the authority on eligibility, admissions, occupancy, termination of tenancies, and grievance procedures. Such report shall be made available to the public upon the its delivery of the report to the city council, and shall be subject to public hearing prior to its formal acceptance by the city council.

Sec. 169. Section 16-401, Revised Statutes Supplement, 2019, is amended to read:

16-401 Regular meetings of the city council of a city of the first class shall be held at such times as may be fixed by ordinance and special meetings whenever called by the mayor or any four city council members. A majority of all the members elected to the city council shall constitute a quorum for the transaction of any business, except as otherwise required by law, but a less number may adjourn, from time to time, and compel the attendance of absent members. When the city council consists of four members as established by ordinance or home rule charter, the mayor shall be deemed a member of the city council for purposes of establishing a quorum when the mayor's presence is necessary to establish the quorum. An affirmative vote of not less than one-half of the elected members shall be required for the transaction of any business.

Sec. 170. Section 17-105, Revised Statutes Cumulative Supplement, 2018, is amended to read:

17-105 Regular meetings of the city council of a city of the second class shall be held at such times as the city council may provide by ordinance. A majority of all the members elected to the city council shall constitute a quorum for the transaction of any business, but a fewer number of members may adjourn from time to time and compel the attendance of absent members. When the city council consists of four members as established by ordinance or home rule charter, the mayor shall be deemed a member of the city council for purposes of establishing a quorum when the mayor's presence is necessary to establish the quorum. Unless a greater vote is required by law, an affirmative vote of at least one-half of the elected members shall be required for the transaction of any business.

Sec. 171. Section 17-405.01, Revised Statutes Cumulative Supplement, 2018, is amended to read:

17-405.01 (1) Except as provided in subsections subsection (2) and (3) of this section and section 17-407, the mayor and city council of any city of the second class or the chairperson and members of the village board of trustees may by ordinance, except as provided in sections 13-1111 to 13-1118, at any time, include within the corporate limits of such city or village any contiguous or adjacent lands, lots, tracts, streets, or highways as are urban or suburban in character, and in such direction as may be deemed proper. Such grant of power shall not be construed as conferring power to extend the limits of any city of the second class or village over any agricultural lands which are rural in character.

(2) The mayor and city council of any city of the second class or the chairperson and members of the village board of trustees may, by ordinance, annex any lands, lots, tracts, streets, or highways which constitute a redevelopment project area so designated by the city or village or its community redevelopment authority in accordance with the provisions of the Community Development Law when such annexation is for the purpose of implementing a lawfully adopted redevelopment plan containing a provision dividing ad valorem taxes as provided in subsection (1) of section 18-2147 and which will involve the construction or development of an agricultural processing facility, notwithstanding that such lands, lots, tracts, streets, or highways are not contiguous or adjacent or are not urban or suburban in character. Such annexation shall comply with all other provisions of law relating to annexation generally for cities of the second class and villages. The city or village shall not, in consequence of the annexation under this subsection of any noncontiguous land, exercise the authority granted to it by law statute to extend its extraterritorial zoning jurisdiction beyond its corporate boundaries for purposes of planning, zoning, or subdivision development without the agreement of any other city, village, or county currently exercising zoning jurisdiction over the area surrounding the annexed redevelopment project area. The annexation of any noncontiguous land undertaken pursuant to this subsection shall not result in any change in the service area of any electric utility without the express agreement of the electric utility serving the annexed noncontiguous area at the time of annexation, except that at such time following the annexation of the noncontiguous area as the city or village lawfully annexes sufficient intervening territory so as to directly connect the noncontiguous area to the main body of the city or village, such noncontiguous area shall, solely for the purposes of section 70-1008, be treated as if it had been annexed by the city or village on the date upon which the connecting intervening territory had been formally annexed. ~~(3) For purposes of this subsection (2) of this section,~~ agricultural processing facility means a plant or establishment where value is added to agricultural commodities through processing, fabrication, or other means and where eighty percent or more of the direct sales from the facility are to other than the ultimate consumer of the processed commodities. A facility shall not qualify as an agricultural processing facility unless its construction or development involves the investment of more than one million dollars derived from nongovernmental sources.

(3) The mayor and two-thirds of the city council of any city of the second class or the chairperson and two-thirds of the members of the village board of trustees may, by ordinance, annex any lands, lots, tracts, streets, or highways when such annexation is for the purpose of relocating part or all of such city or village due to catastrophic flooding, notwithstanding that such lands, lots, tracts, streets, or highways are not contiguous or adjacent or are not urban or suburban in character. Such annexation shall comply with all other provisions of law relating to annexation generally for cities of the second class and villages. The city or village shall not, in consequence of the annexation under this subsection of any noncontiguous land, exercise the authority granted to it by law to extend its extraterritorial zoning jurisdiction beyond its corporate boundaries for purposes of planning, zoning, or subdivision development without the agreement of any other city, village, or county currently exercising zoning jurisdiction over the area surrounding the annexed area. The annexation of any noncontiguous land undertaken pursuant to this subsection shall not result in any change in the service area of any electric utility without the express agreement of the electric utility serving the annexed noncontiguous area at the time of annexation, except that at such time following the annexation of the noncontiguous area as the city or village lawfully annexes sufficient intervening territory so as to directly connect the noncontiguous area to the main body of the city or village, such noncontiguous area shall, solely for the

purposes of section 70-1008, be treated as if it had been annexed by the city or village on the date upon which the connecting intervening territory had been formally annexed. If, within five years following an annexation undertaken pursuant to this subsection, part or all of the city or village has not been relocated to the annexed area, the city or village shall initiate disconnection of such annexed area pursuant to section 17-414. For purposes of this subsection, catastrophic flooding means a flooding event that (a) results in total property damage within the city or village which exceeds forty-five percent of the total assessed value of the improvements within the city or village and (b) is declared to be a major disaster by the President of the United States or the Governor.

Sec. 172. Section 18-2101.02, Revised Statutes Supplement, 2019, is amended to read:

18-2101.02 (1) For any city that (a) intends to carry out a redevelopment project which will involve the construction of workforce housing in an extremely blighted area as authorized under subdivision (28)(g) of section 18-2103, (b) intends to declare an area as an extremely blighted area for purposes of funding decisions under subdivision (1)(b) of section 58-708, or (c) intends to declare an area as an extremely blighted area in order for individuals purchasing residences in such area to qualify for the income tax credit authorized in subsection (7) of section 77-2715.07, the governing body of such city shall first declare, by resolution adopted after the public hearings required under this section, such area to be an extremely blighted area.

(2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is extremely blighted and shall submit the question of whether such area is extremely blighted to the planning commission or board of the city for its review and recommendation. The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. ~~Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to this subsection.~~ The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

(3) Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing required under subsection (2) of this section, the governing body shall hold a public hearing on the question of whether the area is extremely blighted after giving notice of the hearing as provided in section 18-2115.01. ~~Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to subsection (2) of this section.~~ At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may make its declaration.

(4) Copies of each study or analysis conducted pursuant to subsection (2) of this section shall be posted on the city's public web site or made available for public inspection at a location designated by the city.

(5) The study or analysis required under subsection (2) of this section may be conducted in conjunction with the study or analysis required under section 18-2109. The hearings required under this section may be held in conjunction with the hearings required under section 18-2109.

Sec. 173. Section 18-2103, Revised Statutes Supplement, 2019, is amended to read:

18-2103 For purposes of the Community Development Law, unless the context otherwise requires:

(1) Area of operation means and includes the area within the corporate limits of the city and such land outside the city as may come within the purview of sections 18-2123 and 18-2123.01;

(2) Authority means any community redevelopment authority created pursuant to section 18-2102.01 and ~~any a city or village which has created a community development agency created pursuant to the provisions of section 18-2101.01 and does not include a limited community redevelopment authority;~~

(3) Blighted area means an area (a) which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land

that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01 shall not count towards the percentage limitations contained in this subdivision;

(4) Bonds means any bonds, including refunding bonds, notes, interim certificates, debentures, or other obligations issued pursuant to the Community Development Law except for bonds issued pursuant to section 18-2142.04;

(5) Business means any private business located in an enhanced employment area;

(6) City means any city or incorporated village in the state;

(7) Clerk means the clerk of the city or village;

(8) Community redevelopment area means a substandard and blighted area which the community redevelopment authority designates as appropriate for a redevelopment renewal project;

(9) Employee means a person employed at a business as a result of a redevelopment project;

(10) Employer-provided health benefit means any item paid for by the employer in total or in part that aids in the cost of health care services, including, but not limited to, health insurance, health savings accounts, and employer reimbursement of health care costs;

(11) Enhanced employment area means an area not exceeding six hundred acres (a) within a community redevelopment area which is designated by an authority as eligible for the imposition of an occupation tax or (b) not within a community redevelopment area as may be designated under section 18-2142.04;

(12) Equivalent employees means the number of employees computed by (a) dividing the total hours to be paid in a year by (b) the product of forty times the number of weeks in a year;

(13) Extremely blighted area means a substandard and blighted area in which: (a) The average rate of unemployment in the area during the period covered by the most recent federal decennial census or American Community Survey 5-Year Estimate is at least two hundred percent of the average rate of unemployment in the state during the same period; and (b) the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area;

(14) Federal government means the United States of America, or any agency or instrumentality, corporate or otherwise, of the United States of America;

(15) Governing body or local governing body means the city council, board of trustees, or other legislative body charged with governing the municipality;

(16) Limited community redevelopment authority means a community redevelopment authority created pursuant to section 18-2102.01 having only one single specific limited pilot project authorized;

(17) Mayor means the mayor of the city or chairperson of the board of trustees of the village;

(18) New investment means the value of improvements to real estate made in an enhanced employment area by a developer or a business;

(19) Number of new employees means the number of equivalent employees that are employed at a business as a result of the redevelopment project during a year that are in excess of the number of equivalent employees during the year immediately prior to the year that a redevelopment plan is adopted;

(20) Obligee means any bondholder, agent, or trustee for any bondholder, or lessor demising to any authority, established pursuant to section 18-2102.01, property used in connection with a redevelopment project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with such authority;

(21) Occupation tax means a tax imposed under section 18-2142.02;

(22) Person means any individual, firm, partnership, limited liability company, corporation, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other similar representative thereof;

(23) Public body means the state or any municipality, county, township, board, commission, authority, district, or other political subdivision or public body of the state;

(24) Real property means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise, and the indebtedness secured by such liens;

(25) Redeveloper means any person, partnership, or public or private corporation or agency which enters or proposes to enter into a redevelopment contract;

(26) Redevelopment contract means a contract entered into between an authority and a redeveloper for the redevelopment of an area in conformity with a redevelopment plan;

(27) Redevelopment plan means a plan, as it exists from time to time for one or more community redevelopment areas, or for a redevelopment project,

which (a) conforms to the general plan for the municipality as a whole and (b) is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements;

(28) Redevelopment project means any work or undertaking in one or more community redevelopment areas: (a) To acquire substandard and blighted areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of such substandard and blighted areas; (b) to clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and to install, construct, or reconstruct streets, utilities, parks, playgrounds, public spaces, public parking facilities, sidewalks or moving sidewalks, convention and civic centers, bus stop shelters, lighting, benches or other similar furniture, trash receptacles, shelters, skywalks and pedestrian and vehicular overpasses and underpasses, enhancements to structures in the redevelopment plan area which exceed minimum building and design standards in the community and prevent the recurrence of substandard and blighted conditions, and any other necessary public improvements essential to the preparation of sites for uses in accordance with a redevelopment plan; (c) to sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or for public use or to retain such land for public use, in accordance with a redevelopment plan; and may also include the preparation of the redevelopment plan, the planning, survey, and other work incident to a redevelopment project and the preparation of all plans and arrangements for carrying out a redevelopment project; (d) to dispose of all real and personal property or any interest in such property, or assets, cash, or other funds held or used in connection with residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or any public use specified in a redevelopment plan or project, except that such disposition shall be at its fair value for uses in accordance with the redevelopment plan; (e) to acquire real property in a community redevelopment area which, under the redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitate the structures, and resell the property; (f) to carry out plans for a program of voluntary or compulsory repair, rehabilitation, or demolition of buildings in accordance with the redevelopment plan; and (g) in a rural community or in an extremely blighted area within a municipality that is not a rural community, to carry out construction of workforce housing;

(29) Redevelopment project valuation means the valuation for assessment of the taxable real property in a redevelopment project last certified for the year prior to the effective date of the provision authorized in section 18-2147;

(30) Rural community means any municipality in a county with a population of fewer than one hundred thousand inhabitants as determined by the most recent federal decennial census;

(31) Substandard area means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare; and

(32) Workforce housing means:

(a) Housing that meets the needs of today's working families;

(b) Housing that is attractive to new residents considering relocation to a rural community;

(c) Owner-occupied housing units that cost not more than two hundred seventy-five thousand dollars to construct or rental housing units that cost not more than two hundred thousand dollars per unit to construct. For purposes of this subdivision (c), housing unit costs shall be updated annually by the Department of Economic Development based upon the most recent increase or decrease in the Producer Price Index for all commodities, published by the United States Department of Labor, Bureau of Labor Statistics;

(d) Owner-occupied and rental housing units for which the cost to substantially rehabilitate exceeds fifty percent of a unit's assessed value; and

(e) Upper-story housing.

Sec. 174. Section 18-2109, Revised Statutes Cumulative Supplement, 2018, is amended to read:

18-2109 (1) An authority shall not prepare a redevelopment plan for a redevelopment project area and the governing body of the city in which such area is located shall not approve a redevelopment plan unless the governing body of the city in which such area is located has, by resolution adopted after the public hearings required under this section, declared such area to be a substandard and blighted area in need of redevelopment.

(2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is substandard and blighted and shall submit the question of whether such area is substandard and blighted to the planning commission or board of the city for its review and recommendation. The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. ~~Such notice shall include a map of sufficient size to show the area to be declared substandard and blighted or information on where to find such map and shall provide information on where to find copies of the substandard and blighted study or analysis conducted pursuant to this subsection.~~ The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

(3) Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing required under subsection (2) of this section, the governing body shall hold a public hearing on the question of whether the area is substandard and blighted after giving notice of the hearing as provided in section 18-2115.01. ~~Such notice shall include a map of sufficient size to show the area to be declared substandard and blighted or information on where to find such map and shall provide information on where to find copies of the substandard and blighted study or analysis conducted pursuant to subsection (2) of this section.~~ At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may make its declaration.

(4) Copies of each substandard and blighted study or analysis conducted pursuant to subsection (2) of this section shall be posted on the city's public web site or made available for public inspection at a location designated by the city.

Sec. 175. Section 18-2115, Revised Statutes Cumulative Supplement, 2018, is amended to read:

18-2115 (1) The planning commission or board of the city shall hold a public hearing on any redevelopment plan or substantial modification thereof after giving notice of the hearing as provided in section 18-2115.01. ~~Such notice shall specifically identify the area to be redeveloped under the plan, shall include a map of sufficient size to show the area to be redeveloped or information on where to find such map, and shall provide information on where to find copies of any cost-benefit analysis conducted pursuant to section 18-2113.~~

(2) After the hearing required under subsection (1) of this section, the governing body of the city shall hold a public hearing on any redevelopment plan or substantial modification thereof after giving notice of the hearing as provided in section 18-2115.01. ~~Such notice shall specifically identify the area to be redeveloped under the plan, shall include a map of sufficient size to show the area to be redeveloped or information on where to find such map, and shall provide information on where to find copies of any cost-benefit analysis conducted pursuant to section 18-2113.~~ At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed redevelopment plan.

(3) For purposes of this section, substantial modification means a change to a redevelopment plan that (a) materially alters or reduces existing areas or structures otherwise available for public use or access, (b) substantially alters the use of the community redevelopment area as contemplated in the redevelopment plan, or (c) increases the amount of ad valorem taxes pledged under section 18-2150 by more than five percent, if the amount of such taxes is included in the redevelopment plan.

Sec. 176. Section 18-2115.01, Revised Statutes Supplement, 2019, is amended to read:

18-2115.01 (1) For any hearing to be held pursuant to section 18-2101.02, 18-2109, or 18-2115:

(a) The notice of hearing shall:

(i) Be published at least once a week for two consecutive weeks in a legal newspaper in or of general circulation in the community;

(ii) Be given to any neighborhood association which is registered under subsection (2) of this section and whose area of representation is located in whole or in part within a one-mile radius of the area to be declared extremely blighted under section 18-2101.02, the area to be declared substandard and blighted under section 18-2109, or the area to be redeveloped in the redevelopment plan or substantial modification thereof under section 18-2115; and

(iii) Be given to the president or chairperson of the governing body of each county, school district, community college area, educational service unit, and natural resources district that includes the real property to be declared extremely blighted under section 18-2101.02, the real property to be declared substandard and blighted under section 18-2109, or the real property subject to the redevelopment plan or substantial modification thereof under section 18-2115;

(b) The time of the hearing shall be at least ten days from the last publication of notice under subdivision (1)(a)(i) of this section;

(c) The notice of hearing described in subdivision (1)(a)(ii) of this section shall be given at least ten days prior to the hearing, shall be sent in the manner requested by the neighborhood association, and shall be deemed given

on the date it is sent to the neighborhood association. The notice of hearing described in subdivision (1)(a)(iii) of this section shall be given at least ten days prior to the hearing, shall be sent by certified mail, return receipt requested, to the president or chairperson of the governing body, and shall be deemed given on the date it is mailed by certified mail to the president or chairperson; and

(d) The notice of hearing shall include the following information:

(i) The time, date, place, and purpose of the hearing;

(ii) A map of sufficient size to show the area to be declared extremely blighted under section 18-2101.02, the area to be declared substandard and blighted under section 18-2109, or the area to be redeveloped in the redevelopment plan or substantial modification thereof under section 18-2115, or information on where to find such map;

(iii) For a hearing held pursuant to section 18-2101.02, information on where to find copies of the study or analysis conducted pursuant to subsection (2) of section 18-2101.02;

(iv) For a hearing held pursuant to section 18-2109, information on where to find copies of the study or analysis conducted pursuant to subsection (2) of section 18-2109; and

(v) For a hearing held pursuant to section 18-2115, a specific identification of the area to be redeveloped under the plan and information on where to find copies of any cost-benefit analysis conducted pursuant to section 18-2113.

~~(1) Public notice of any hearing required under section 18-2101.02, 18-2109, or 18-2115 shall be given by publication at least once a week for two consecutive weeks in a legal newspaper in or of general circulation in the community. The time of the hearing shall be at least ten days from the last publication.~~

~~(2)(a) Notice of any hearing required under section 18-2101.02, 18-2109, or 18-2115 shall be given to neighborhood associations that have registered under subsection (5) of this section as follows:~~

~~(i) For a hearing under section 18-2109, notice shall be given to each registered neighborhood association whose area of representation is located in whole or in part within a one-mile radius of the area to be declared substandard and blighted;~~

~~(ii) For a hearing under section 18-2101.02, notice shall be given to each registered neighborhood association whose area of representation is located in whole or in part within a one-mile radius of the area to be declared extremely blighted; and~~

~~(iii) For a hearing under section 18-2115, notice shall be given to each registered neighborhood association whose area of representation is located in whole or in part within a one-mile radius of the area to be redeveloped.~~

~~(b) Notice under this subsection shall be given at least ten days prior to the hearing in the manner requested by the neighborhood association. The notice shall be deemed given on the date it is sent.~~

~~(3)(a) Notice of any hearing required under section 18-2101.02, 18-2109, or 18-2115 shall be given to political subdivisions as follows:~~

~~(i) For a hearing under section 18-2109, notice shall be given to the president or chairperson of the governing body of each county, school district, community college area, educational service unit, and natural resources district in which the real property to be declared substandard and blighted is located;~~

~~(ii) For a hearing under section 18-2101.02, notice shall be given to the president or chairperson of the governing body of each county, school district, community college area, educational service unit, and natural resources district in which the real property to be declared extremely blighted is located; and~~

~~(iii) For a hearing under section 18-2115, notice shall be given to the president or chairperson of the governing body of each county, school district, community college area, educational service unit, and natural resources district in which the real property subject to the redevelopment plan or substantial modification thereof is located.~~

~~(b) Notice under this subsection shall be given at least ten days prior to the hearing by certified mail, return receipt requested. The notice shall be deemed given on the date it is mailed by certified mail.~~

~~(4) All notices given under this section shall describe the time, date, place, and purpose of the hearing.~~

~~(2) (5) Each neighborhood association desiring to receive notice of any hearing required under section 18-2101.02, 18-2109, or 18-2115 shall register with the city's planning department or, if there is no planning department, with the city clerk. The registration shall include a description of the area of representation of the association, the name of and contact information for the individual designated by the association to receive the notice on its behalf, and the requested manner of service, whether by email, first-class mail, or certified mail. Registration of the neighborhood association for purposes of this section shall be accomplished in accordance with such other rules and regulations as may be adopted and promulgated by the city.~~

Sec. 177. Section 18-2117.02, Revised Statutes Cumulative Supplement, 2018, is amended to read:

18-2117.02 On or before May 1 of each year, each authority, or such other division or department of the city as designated by the governing body, shall compile information regarding the approval and progress of redevelopment projects that are financed in whole or in part through the division of taxes as

provided in section 18-2147 and report such information to the governing body of the city and to the governing body of each county, school district, community college area, educational service unit, and natural resources district whose property taxes are affected by such division of taxes. The report shall include, but not be limited to, the following information:

(1) The total number of active redevelopment projects within the city that have been financed in whole or in part through the division of taxes as provided in section 18-2147;

(2) The total estimated project costs for all such redevelopment projects;

(3) A comparison between the initial projected valuation of property included in each such redevelopment project as described in the redevelopment contract and the assessed value of the property included in each such redevelopment project as of January 1 of the year of the report;

~~(4) The number of such redevelopment projects for which financing has been paid in full during the previous calendar year and for which taxes are no longer being divided pursuant to section 18-2147;~~

(4) ~~(5)~~ The number of such redevelopment projects approved by the governing body in the previous calendar year;

(5) ~~(6)~~ Information specific to each such redevelopment project approved by the governing body in the previous calendar year, including the project area, project type, amount of financing approved, and total estimated project costs; ~~and~~

(6) The number of redevelopment projects for which financing has been paid in full during the previous calendar year and for which taxes are no longer being divided pursuant to section 18-2147; and

(7) The percentage of the city that has been designated as blighted.

Sec. 178. Section 18-2117.03, Revised Statutes Cumulative Supplement, 2018, is amended to read:

18-2117.03 (1) A redevelopment project that includes the division of taxes as provided in section 18-2147 shall not provide for the reimbursement of costs incurred prior to approval of the redevelopment project, except for costs relating to:

(a) ~~(1)~~ The preparation of materials and applications related to the redevelopment project;

(b) ~~(2)~~ The preparation of a cost-benefit analysis conducted pursuant to section 18-2113;

(c) ~~(3)~~ The preparation of a redevelopment contract;

(d) ~~(4)~~ The preparation of bond and other financing instruments;

(e) ~~(5)~~ Land acquisition and related due diligence activities, including, but not limited to, surveys and environmental studies; and

(f) ~~(6)~~ Site demolition and preparation.

(2) This section shall not be construed to require the reimbursement of legal fees incurred prior to approval of the redevelopment project.

Sec. 179. Section 18-2142.05, Revised Statutes Cumulative Supplement, 2018, is amended to read:

18-2142.05 Prior to approving a redevelopment project that expressly carries to carry out the construction of workforce housing, a governing body shall (1) receive a housing study which is current within twenty-four months, (2) prepare an incentive plan for construction of housing in the municipality targeted to house existing or new workers, (3) hold a public hearing on such incentive plan with notice which complies with the conditions set forth in section 18-2115.01, and (4) after the public hearing find that such incentive plan is necessary to prevent the spread of blight and substandard conditions within the municipality, will promote additional safe and suitable housing for individuals and families employed in the municipality, and will not result in the unjust enrichment of any individual or company. A public hearing held under this section shall be separate from any public hearing held under section 18-2115.

Sec. 180. Section 19-612, Revised Statutes Supplement, 2019, is amended to read:

19-612 City council members in a city under the city manager plan of government shall be nominated and elected as provided in section 32-538. The number of city council members shall be determined by the class and population of the city. In cities having one thousand or more but not more than forty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, there shall be five members, and in cities having more than forty thousand but less than two hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, there shall be seven members, except that in cities having between ten thousand and forty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, the city council may by ordinance provide for seven members. The terms of office of all such members shall commence on the first regular meeting of such city council in December following their election.

Sec. 181. Section 19-927, Revised Statutes Supplement, 2019, is amended to read:

19-927 The planning commission of a city of the first class, city of the second class, or village shall elect its chairperson from its members and create and fill such other of its offices as it may determine. The term of the chairperson shall be one year, and he or she shall be eligible for reelection. The commission shall hold at least one regular meeting in each calendar

quarter, except as provided in this section. ~~The~~ the city council or village board of trustees may require the commission to meet more frequently and the chairperson of the commission may call for a meeting when necessary to deal with business pending before the commission. If no business is pending before the commission, the chairperson may cancel a quarterly meeting, but no more than three quarterly meetings may be cancelled per calendar year. The commission shall adopt rules and regulations for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record.

Sec. 182. Section 19-5205, Revised Statutes Cumulative Supplement, 2018, is amended to read:

19-5205 (1) If a land bank is created by a single municipality, the board of such land bank shall meet the following requirements:

(a) The board shall consist of:

(i) Seven voting members appointed by the mayor of the municipality that created the land bank and confirmed by a two-thirds vote of the governing body of such municipality;

(ii) The planning director of the municipality that created the land bank or his or her designee, as a nonvoting, ex officio member;

(iii) One member of the governing body of the municipality that created the land bank, appointed by such governing body, as a nonvoting, ex officio member; and

(iv) Such other nonvoting members as are appointed by the mayor of the municipality that created the land bank;

(b) The seven voting members of the board shall be residents of the municipality that created the land bank;

(c) If the governing body of the municipality creating the land bank has any of its members elected by district or ward, then at least one voting member of the board shall be appointed from each such district or ward. Such voting members shall represent, to the greatest extent possible, the racial and ethnic diversity of the municipality creating the land bank;

(d) The seven voting members of the board shall have, collectively, verifiable skills, expertise, and knowledge in market-rate and affordable residential, commercial, industrial, and mixed-use real estate development, financing, law, purchasing and sales, asset management, economic and community development, and the acquisition of tax sale certificates;

(e) The seven voting members of the board shall include:

(i) At least one member representing a chamber of commerce;

(ii) At least one member with experience in banking;

(iii) At least one member with experience in real estate development;

(iv) At least one member with experience as a realtor;

(v) At least one member with experience in nonprofit or affordable housing; and

(vi) At least one member with experience in large-scale residential or commercial property rental; and

(f) A single voting member may satisfy more than one of the requirements provided in subdivision (1)(e) of this section if he or she has the required qualifications. It is not necessary that there be a different member to fulfill each such requirement.

(2) If a land bank is created by more than one municipality pursuant to an agreement under the Interlocal Cooperation Act, the board of such land bank shall meet the following requirements:

(a) The board shall consist of:

(i) An odd number of voting members, totaling at least seven, appointed by the mayors of the municipalities that created the land bank, as mutually agreed to by such mayors, and confirmed by a two-thirds vote of the governing body of each municipality that created the land bank;

(ii) The planning director of each municipality that created the land bank or his or her designee, as nonvoting, ex officio members;

(iii) One member of the governing body of each municipality that created the land bank, appointed by the governing body on which such member serves, as nonvoting, ex officio members; and

(iv) Such other nonvoting members as are appointed by the mayors of the municipalities that created the land bank, as mutually agreed to by such mayors;

(b) Each voting member of the board shall be a resident of one of the municipalities that created the land bank, with at least one voting member appointed from each such municipality;

(c) If the governing body of the largest municipality creating the land bank has any of its members elected by district or ward, then at least one voting member of the board shall be appointed from each such district or ward. Such voting members shall represent, to the greatest extent possible, the racial and ethnic diversity of the largest municipality creating the land bank;

(d) The voting members of the board shall have, collectively, verifiable skills, expertise, and knowledge in market-rate and affordable residential, commercial, industrial, and mixed-use real estate development, financing, law, purchasing and sales, asset management, economic and community development, and the acquisition of tax sale certificates;

(e) The voting members of the board shall include:

(i) At least one member representing a chamber of commerce;

(ii) At least one member with experience in banking;

(iii) At least one member with experience in real estate development;

(iv) At least one member with experience as a realtor;

(v) At least one member with experience in nonprofit or affordable housing; and

(vi) At least one member with experience in large-scale residential or commercial property rental; and

(f) A single voting member may satisfy more than one of the requirements provided in subdivision (2)(e) of this section if he or she has the required qualifications. It is not necessary that there be a different member to fulfill each such requirement.

(3) The members of the board shall select annually from among themselves a chairperson, a vice-chairperson, a treasurer, and such other officers as the board may determine.

(4) A public official or public employee shall be eligible to be a member of the board.

(5) A vacancy on the board among the appointed board members shall be filled not later than six months after the date of such vacancy in the same manner as the original appointment.

(6) Board members shall serve without compensation.

(7) The board shall meet in regular session according to a schedule adopted by the board and shall also meet in special session as convened by the chairperson or upon written notice signed by a majority of the voting members. The presence of a majority of the voting members of the board shall constitute a quorum.

(8) Except as otherwise provided in subsections (9) and (11) of this section and in sections 19-5210 and 19-5214, all actions of the board shall be approved by the affirmative vote of a majority of the voting members present and voting.

(9) Any action of the board on the following matters shall be approved by a majority of the voting members:

(a) Adoption of bylaws and other rules and regulations for conduct of the land bank's business;

(b) Hiring or firing of any employee or contractor of the land bank. This function may, by majority vote of the voting members, be delegated by the board to a specified officer or committee of the land bank, under such terms and conditions, and to the extent, that the board may specify;

(c) The incurring of debt;

(d) Adoption or amendment of the annual budget; and

(e) Sale, lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

(10) Members of a board shall not be liable personally on the bonds or other obligations of the land bank, and the rights of creditors shall be solely against such land bank.

(11) The board shall adopt policies and procedures to specify the conditions that must be met in order for the land bank to give an automatically accepted bid as authorized in sections 19-5217 and 19-5218. The adoption of such policies and procedures shall require the approval of two-thirds of the voting members of the board. At a minimum, such policies and procedures shall ensure that the automatically accepted bid shall only be given for one of the following reasons:

(a) The real property substantially meets more than one of the following criteria as determined by two-thirds of the voting members of the board:

(i) The property is not occupied by the owner or any lessee or licensee of the owner;

(ii) There are no utilities currently being provided to the property;

(iii) Any buildings on the property have been deemed unfit for human habitation, occupancy, or use by local housing officials;

(iv) Any buildings on the property are exposed to the elements such that deterioration of the building is occurring;

(v) Any buildings on the property are boarded up;

(vi) There have been previous efforts to rehabilitate any buildings on the property;

(vii) There is a presence of vermin, uncut vegetation, or debris accumulation on the property;

(viii) There have been past actions by the municipality to maintain the grounds or any building on the property; or

(ix) The property has been out of compliance with orders of local housing officials;

(b) The real property is contiguous to a parcel that meets more than one of the criteria in subdivision (11)(a) of this section or that is already owned by the land bank; or

(c) Acquisition of the real property by the land bank would serve the best interests of the community as determined by two-thirds of the voting members of the board. In determining whether the acquisition would serve the best interests of the community, the board shall take into consideration the hierarchical ranking of priorities for the use of real property conveyed by a land bank established pursuant to subsection (5) of section 19-5210, if any such hierarchical ranking is established.

Sec. 183. Section 19-5305, Revised Statutes Cumulative Supplement, 2018, is amended to read:

19-5305 (1) Following the creation of a district under section 19-5304, the mayor, with the approval of the city council, shall appoint a riverfront development authority to oversee and manage the district. The authority shall consist of five or more members who collectively shall have skills, expertise,

and knowledge in residential, commercial, and mixed-use real estate development, financing, law, asset management, economic and community development, and tourism promotion.

(2) The members of the authority shall select annually from among themselves a chairperson, a vice-chairperson, a treasurer, and such other officers as the authority may determine.

(3) A public official or public employee shall be eligible to be a member of the authority.

(4) A vacancy on the authority shall be filled not later than six months after the date of such vacancy in the same manner as the original appointment.

(5) Members of the authority shall serve without compensation.

(6) The authority shall meet in regular session according to a schedule adopted by the authority and shall also meet in special session as convened by the chairperson or upon written notice signed by a majority of the members.

(7) Two or more cities which have a contiguous riverfront along the same river may enter into an agreement pursuant to the Interlocal Cooperation Act to create a single authority to jointly oversee and manage the districts created in such cities. An agreement entered into under this subsection shall contain the information required by section 19-5304.

(8) An authority which oversees and manages a district bordering another state may enter into an agreement pursuant to the Interlocal Cooperation Act with a political subdivision, public agency, or quasi-public agency in such other state to jointly oversee and manage the district and any similar district or districts in such other state.

(9) Each authority created pursuant to the Riverfront Development District Act shall be deemed to be a public corporation acting in a governmental capacity and a political subdivision of the state and shall have permanent and perpetual duration until terminated and dissolved in accordance with section 19-5317.

Sec. 184. Section 32-538, Revised Statutes Supplement, 2019, is amended to read:

32-538 (1) In a city which adopts the city manager plan of government pursuant to the City Manager Plan of Government Act, the ~~number of city council members shall be nominated at the statewide primary election and elected at the statewide general election, determined by the class and population of the city. In cities having one thousand or more but not more than forty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, there shall be five members, and in cities having more than forty thousand but less than two hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, there shall be seven members, except that in cities having between twenty-five thousand and forty thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, the city council may by ordinance provide for seven members. Council~~

(2) City council members shall be elected from the city at large unless the city council by ordinance provides for the election of all or some of the city its council members by wards, the number and boundaries of which are provided for in section 16-104. City council ~~Council~~ members shall serve for terms of four years or until their successors are elected and qualified. The city council members shall meet the qualifications found in sections 19-613 and 19-613.01.

(3) The first election under an ordinance changing the number of city council members or their manner of election shall take place at the next statewide primary and general elections regular city election. City council ~~Council~~ members whose terms of office expire after the election shall continue in office until the expiration of the terms for which they were elected and until their successors are elected and qualified. At the first election under an ordinance changing the number of city council members or their manner of election, one-half or the bare majority of city council members elected at large, as the case may be, who receive the highest number of votes shall serve for four years and the other or others, if needed, for two years. At such first election, one-half or the bare majority of city council members, as the case may be, who are elected by wards shall serve for four years and the other or others, if needed, for two years, as provided in the ordinance. If only one city council member is to be elected at large at such first election, such member shall serve for four years.

~~(2) Commencing with the statewide primary election in 1976, and every two years thereafter, those candidates whose terms will be expiring shall be nominated at the statewide primary election and elected at the statewide general election.~~

Sec. 185. Section 71-1599, Reissue Revised Statutes of Nebraska, is amended to read:

71-1599 All vacancies shall be filled for the unexpired terms. A vacancy shall be filled not later than six months after the date of such vacancy by the same authority and in the same manner as the previous commissioner whose position has become vacant was appointed.

Sec. 186. Section 84-304, Revised Statutes Supplement, 2019, is amended to read:

84-304 It shall be the duty of the Auditor of Public Accounts:

(1) To give information electronically to the Legislature, whenever required, upon any subject relating to the fiscal affairs of the state or with

regard to any duty of his or her office;

(2) To furnish offices for himself or herself and all fuel, lights, books, blanks, forms, paper, and stationery required for the proper discharge of the duties of his or her office;

(3)(a) To examine or cause to be examined, at such time as he or she shall determine, books, accounts, vouchers, records, and expenditures of all state officers, state bureaus, state boards, state commissioners, the state library, societies and associations supported by the state, state institutions, state colleges, and the University of Nebraska, except when required to be performed by other officers or persons. Such examinations shall be done in accordance with generally accepted government auditing standards for financial audits and attestation engagements set forth in Government Auditing Standards (2011 Revision), published by the Comptroller General of the United States, Government Accountability Office, and except as provided in subdivision (10) of this section, subdivision (16) of section 50-1205, and section 84-322, shall not include performance audits, whether conducted pursuant to attestation engagements or performance audit standards as set forth in Government Auditing Standards (2011 Revision), published by the Comptroller General of the United States, Government Accountability Office.

(b) Any entity, excluding the state colleges and the University of Nebraska, that is audited or examined pursuant to subdivision (3)(a) of this section and that is the subject of a comment and recommendation in a management letter or report issued by the Auditor of Public Accounts shall, on or before six months after the issuance of such letter or report, provide to the Auditor of Public Accounts a detailed written description of any corrective action taken or to be taken in response to the comment and recommendation. The Auditor of Public Accounts may investigate and evaluate the corrective action. The Auditor of Public Accounts shall then electronically submit a report of any findings of such investigation and evaluation to the Governor, the appropriate standing committee of the Legislature, and the Appropriations Committee of the Legislature. The Auditor of Public Accounts shall also ensure that the report is delivered to the Appropriations Committee for entry into the record during the committee's budget hearing process;

(4)(a) To examine or cause to be examined, at the expense of the political subdivision, when the Auditor of Public Accounts determines such examination necessary or when requested by the political subdivision, the books, accounts, vouchers, records, and expenditures of any agricultural association formed under Chapter 2, article 20, any county agricultural society, any joint airport authority formed under the Joint Airport Authorities Act, any city or county airport authority, any bridge commission created pursuant to section 39-868, any cemetery district, any community redevelopment authority or limited community redevelopment authority established under the Community Development Law, any development district, any drainage district, any health district, any local public health department as defined in section 71-1626, any historical society, any hospital authority or district, any county hospital, any housing agency as defined in section 71-1575, any irrigation district, any county or municipal library, any community mental health center, any railroad transportation safety district, any rural water district, any township, Wyuka Cemetery, the Educational Service Unit Coordinating Council, any entity created pursuant to the Interlocal Cooperation Act, any educational service unit, any village, any service contractor or subrecipient of state or federal funds, any political subdivision with the authority to levy a property tax or a toll, or any entity created pursuant to the Joint Public Agency Act.

For purposes of this subdivision, service contractor or subrecipient means any nonprofit entity that expends state or federal funds to carry out a state or federal program or function, but it does not include an individual who is a direct beneficiary of such a program or function or a licensed health care provider or facility receiving direct payment for medical services provided for a specific individual.

(b) The Auditor of Public Accounts may waive the audit requirement of subdivision (4)(a) of this section upon the submission by the political subdivision of a written request in a form prescribed by the auditor. The auditor shall notify the political subdivision in writing of the approval or denial of the request for a waiver.

(c) Through December 31, 2017, the Auditor of Public Accounts may conduct audits under this subdivision for purposes of sections 2-3228, 12-101, 13-2402, 14-567, 14-1805.01, 14-2111, ~~15-1017~~, 16-1017, 16-1037, 19-3501, 23-1118, 23-3526, 71-1631.02, and 79-987.

(d) Beginning on May 24, 2017, the Auditor of Public Accounts may conduct audits under this subdivision for purposes of sections 13-2402, 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 18-814, 71-1631.02, and 79-987 and shall prescribe the form for the annual reports required in each of such sections. Such annual reports shall be published annually on the web site of the Auditor of Public Accounts;

(5) To report promptly to the Governor and the appropriate standing committee of the Legislature the fiscal condition shown by such examinations conducted by the auditor, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts. The report submitted to the committee shall be submitted electronically. In addition, if, in the normal course of conducting an audit in accordance with subdivision (3) of this section, the auditor discovers any potential problems related to the effectiveness, efficiency, or performance of

state programs, he or she shall immediately report them electronically to the Legislative Performance Audit Committee which may investigate the issue further, report it electronically to the appropriate standing committee of the Legislature, or both;

(6)(a) To examine or cause to be examined the books, accounts, vouchers, records, and expenditures of a fire protection district. The expense of the examination shall be paid by the political subdivision.

(b) Whenever the expenditures of a fire protection district are one hundred fifty thousand dollars or less per fiscal year, the fire protection district shall be audited no more than once every five years except as directed by the board of directors of the fire protection district or unless the auditor receives a verifiable report from a third party indicating any irregularities or misconduct of officers or employees of the fire protection district, any misappropriation or misuse of public funds or property, or any improper system or method of bookkeeping or condition of accounts of the fire protection district. In the absence of such a report, the auditor may waive the five-year audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the auditor. The auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver of the five-year audit requirement. Upon approval of the request for waiver of the five-year audit requirement, a new five-year audit period shall begin.

(c) Whenever the expenditures of a fire protection district exceed one hundred fifty thousand dollars in a fiscal year, the auditor may waive the audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the auditor. The auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver. Upon approval of the request for waiver, a new five-year audit period shall begin for the fire protection district if its expenditures are one hundred fifty thousand dollars or less per fiscal year in subsequent years;

(7) To appoint two or more assistant deputies (a) whose entire time shall be devoted to the service of the state as directed by the auditor, (b) who shall be certified public accountants with at least five years' experience, (c) who shall be selected without regard to party affiliation or to place of residence at the time of appointment, (d) who shall promptly report to the auditor the fiscal condition shown by each examination, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts, and it shall be the duty of the auditor to file promptly with the Governor a duplicate of such report, and (e) who shall qualify by taking an oath which shall be filed in the office of the Secretary of State;

(8) To conduct audits and related activities for state agencies, political subdivisions of this state, or grantees of federal funds disbursed by a receiving agency on a contractual or other basis for reimbursement to assure proper accounting by all such agencies, political subdivisions, and grantees for funds appropriated by the Legislature and federal funds disbursed by any receiving agency. The auditor may contract with any political subdivision to perform the audit of such political subdivision required by or provided for in section 23-1608 or 79-1229 or this section and charge the political subdivision for conducting the audit. The fees charged by the auditor for conducting audits on a contractual basis shall be in an amount sufficient to pay the cost of the audit. The fees remitted to the auditor for such audits and services shall be deposited in the Auditor of Public Accounts Cash Fund;

(9) To develop and maintain an annual budget and actual financial information reporting system for political subdivisions that is accessible online by the public;

(10) When authorized, to conduct joint audits with the Legislative Performance Audit Committee as described in section 50-1205; and

(11) Unless otherwise specifically provided, to assess the interest rate on delinquent payments of any fees for audits and services owing to the Auditor of Public Accounts at a rate of fourteen percent per annum from the date of billing unless paid within thirty days after the date of billing. For an entity created pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act, any participating public agencies shall be jointly and severally liable for the fees and interest owed if such entity is defunct or unable to pay.

Sec. 187. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, and 190 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 188. Original sections 13-2102, 14-1813, 15-103, 15-104, 15-105, 15-106, 15-106.01, 15-106.02, 15-108, 15-110, 15-111, 15-112, 15-113, 15-115,

15-116, 15-117, 15-118, 15-201, 15-201.01, 15-204, 15-205, 15-207, 15-208, 15-209, 15-210, 15-212, 15-215, 15-216, 15-217, 15-218, 15-219, 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228, 15-229, 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01, 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243, 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258, 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01, 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308, 15-309, 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317, 15-322, 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501, 15-502, 15-701, 15-701.01, 15-701.02, 15-702.01, 15-702.02, 15-702.03, 15-702.04, 15-708, 15-717, 15-720, 15-724, 15-725, 15-726, 15-727, 15-728, 15-729, 15-734, 15-735, 15-751, 15-752, 15-753, 15-754, 15-807, 15-808, 15-809, 15-810, 15-811, 15-812, 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821, 15-822, 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01, 15-845, 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104, 15-1105, 15-1106, 15-1201, 15-1204, 15-1205, 15-1305, and 71-1599, Reissue Revised Statutes of Nebraska, sections 3-502, 15-102, 15-202, 15-211, 15-241, 15-268, 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017, 15-1202, 15-1203, 17-105, 18-2109, 18-2115, 18-2117.02, 18-2117.03, 18-2142.05, 19-5205, and 19-5305, Revised Statutes Cumulative Supplement, 2018, and sections 13-2705, 16-401, 18-2101.02, 18-2103, 18-2115.01, 19-612, 19-927, 32-538, and 84-304, Revised Statutes Supplement, 2019, are repealed.

Sec. 189. Original section 17-405.01, Revised Statutes Cumulative Supplement, 2018, is repealed.

Sec. 190. The following sections are outright repealed: Sections 15-730, 15-731, 15-732, and 15-733, Reissue Revised Statutes of Nebraska.

Sec. 191. Since an emergency exists, this act takes effect when passed and approved according to law.