

February 1, 1995 LB 197

discussion? Seeing none, Senator Hartnett, to close on the committee amendments. Closing is waived. The question is the adoption of the committee amendments to LB 197. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

SENATOR HALL: The committee amendments are adopted. Senator Maurstad, to open on the bill.

SENATOR MAURSTAD: Thank you, Mr. President, members of the Legislature. The purpose of 197, LB 197 is to give cities of the second class and villages more flexibility in the sale and purchase of small parcels of property. Under current law, in order to sell any personal property with a value over \$1,000 or any real property, the municipality must pass a resolution authorizing the sale, publish a notice in the paper once a week for three weeks, and wait 30 days to allow citizens to possibly protest before completing the sale. The sale of property will likely take at least 58 days from the initial public notice to final authorization, nearly 2 months and probably longer. Under current law the governing body of these smaller communities can authorize the sale of personal property with a value under \$1,000 by passing a resolution and posting a notice of the sale seven days prior to the sale. LB 197 would amend the law to allow the sale of real and personal property with a value under \$5,000 to be sold after the 7 days notice to the public. The sale must still be authorized by the governing body at a public meeting. LB 197 also amends the law regarding the purchase of property. Under current law, in order to purchase or construct a building a city of the second class or village must place a special notice in the newspaper and wait 30 days after agreeing to purchase or construct a building before it can finalize the purchase. LB 197 would provide an exception to the notice and 30-day waiting period if the property can be purchased below the fair market value and there is a willing seller and the purchase price is less than \$25,000. This would allow the purchase of certain parcels of land without the 30-day wait. Because of the wait, municipalities could lose the opportunity to purchase needed buildings. The municipality must still give notice and hold a hearing prior to the purchase. It was advanced from committee without adoption and no one testified in opposition to 197, and I would urge the body to advance LB 197.