

LEGISLATIVE BILL 1046

Approved by the Governor January 19, 1972

Introduced by William F. Swanson, 27th District

AN ACT to amend sections 14-113, 14-3,115, 14-562, and 14-1228, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to eliminate obsolete matter; to harmonize the provisions thereof with previous legislation; to clarify the meaning thereof; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,

Section 1. That section 14-113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-113. In each city of the metropolitan class the city council shall have power by ordinance to erect, establish and maintain an armory in said city, and may rent or lease such armory to the State of Nebraska or--to the-Nebraska-Armory-Board for the purpose of housing the National Guard and State Guard of the state, or any unit thereof, under such terms and conditions as it may deem proper.

Sec. 2. That section 14-3,115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-3,115. The city shall, when it creates an improvement district for paying paving, repaving, curbing, or guttering, or other improvements of like character, prepare an estimate of the cost of such improvement and shall thereafter advertise for and receive bids upon such material as may be designated by the city for such improvement. The advertisements, specifications for bids, and petitions designating materials shall contain such information and be worded in such language as the city may from time to time direct. All bids shall be received and opened at the same time as provided by ordinance except as otherwise provided in section 14-3,111. The city may reject any and all bids.

Sec. 3. That section 14-562, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-562. Whenever any municipal tax or taxes levied for any former year shall remain uncollected because of any defect, error or irregularity in either the power or manner of making the levy thereof, it shall be ~~unlawful~~ lawful for the council of such city to again levy a tax upon the property so delinquent in lieu of such former tax or taxes, and at the same rate, and upon the same assessment as such former tax or taxes were levied, and such tax or taxes shall be inserted in the tax list, and shall be collected in the same manner as other general taxes. The city council may, at any time, correct any error or defect, or supply any omission in the assessment or listing of any property subject to municipal tax made for the purpose of taxation for the then current fiscal year, and may require any and all persons to appear and answer under oath as to their possession or control of personal property subject to municipal taxation.

Sec. 4. That section 14-1228, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-1228. The commission is hereby authorized to prepare the necessary and proper plans and specifications for the construction of such bridges as may be designated by the governing body of the city, to select the location for same, determine the size, type and method of construction thereof, to plan and fix their boundaries and approaches, to make the necessary estimates of the probable cost of construction and the acquisition of the land and rights for the sites of the abutments and approaches and avenues or easements of access to the bridges in a manner hereinafter provided, to enter into the necessary contracts to build and equip the entire bridges and the approaches and avenues or easements of access thereto, to build the superstructures and substructures and all parts thereof, to obtain and exercise such consent or authority as may be necessary from the government of the United States and the approval of the Secretary of War the Army and Chief of Engineers, and to cause a survey and map to be made of all lands, structures, rights-of-way, franchises, easements or other interests in lands, including lands under water and riparian rights owned by any persons, corporation or municipality, the acquisition of which may be deemed necessary for the construction of such bridges, and to cause such map and survey to be filed in its office. The members of the commission, or its agents and employees, may enter upon such lands and structures and upon lands under water notwithstanding any interests in such lands or structures, for the purpose of making such surveys and maps; Provided, however, that the commission shall not

proceed to exercise or carry out any authority or power herein given it to bind said commission beyond the extent to which money has been provided.

Sec. 5. That original sections 14-113, 14-3, 115, 14-562, and 14-1228, Reissue Revised Statutes of Nebraska, 1943, are repealed.