

LEGISLATIVE BILL 1481

Approved by the Governor March 29, 1972

Introduced by Richard Maresh, 32nd District, upon recommendation of the Governor

AN ACT to amend section 3-155, Revised Statutes Supplement, 1971, relating to the Department of Aeronautics; to add provisions for the sale of real property as prescribed; to repeal the original section; and to declare an emergency. Be it enacted by the people of the State of Nebraska,

Section 1. That section 3-155, Revised Statutes Supplement, 1971, be amended to read as follows:

3-155. The Department of Aeronautics is hereby authorized and directed to dispose of all real property held by the department and formerly used by the United States as army airfields, and which is not required for airport operational use purposes. The department shall seek approval from the Federal Aviation Administration to dispose of such property. The property may be platted and subdivided into lots or parcels to be sold separately so as to obtain the greatest total sale price.

The department shall dedicate the necessary roads for airport access and shall reserve such easements for access, utilities, drainage, and other purposes as may be necessary or convenient to maintain the airports as operational. The sales may be made subject to such terms, conditions, and restrictions as may be required by the deeds by which such property was conveyed to the State of Nebraska by the Federal Aviation Administration. When approval is received, the department shall have such property appraised by two noninterested appraisers qualified to make appraisals based on experience and who have professional status as appraisers of real property. The appraisers shall be selected by the department based on competitive bids received after three weeks' notice of invitation for bids has been published in at least two newspapers of general circulation throughout the state. The notice shall state that the selection shall be made of the lowest and best qualified bidders, and that the department reserves the right to reject any and all bids and to readvertise for further bids. Each appraiser's report shall contain (1) an opinion as to the fair market value of the lands appraised, showing a segregation of actual land value, elements and basis of damage, and depreciated in place value of buildings and improvements,

if any, (2) a report of income derived from the land in recent years, (3) the adaptability of the land, including the most profitable or highest and best use, (4) a report of a personal inspection of the lands appraised, including a detailed description of their physical characteristics and conditions, (5) the general history of the property and its environs, and a statement of the character of the area surrounding the land being appraised, indicating any of the favorable and unfavorable influences, (6) a listing of recent sales of similar property in the area, showing seller, purchaser, date of sale, selling price, acreage involved, buildings and improvements involved, if any, and an estimate of the value of such improvements, and if there is a difference in value between comparable sales and the property appraised, a discussion of the difference in value to be included, (7) a listing of recent offerings for sale of property in the same general area, including the property being appraised, if recently offered, and the prices quoted, if any, (8) a trend of land values in the area and current land or real estate market conditions, (9) the assessed valuation of real property in the community and the percentage of assessed value to real value, (10) the effective date of valuation, (11) a statement of the qualifications of the appraiser including a statement by the appraiser that he has no personal interest, present or prospective, in the land being appraised, and (12) the signature of the appraiser and date of report. Such property shall be sold to the highest bidder, but in no case shall such property be sold at less than the appraised value. Notice of such sale and time and place where the same will be held shall be given as provided in section 72-258. When the highest bid is less than the appraised value, the sale shall be canceled and the property offered for sale again within one year after the date of the previous offering, and a new appraisal of the property shall be made. Such property may be leased until such time as a sale may be completed, and when property is sold subject to a lease, the value of the lease shall be included in determining the appraised value of the property.

Sec. 2. That original section 3-155, Revised Statutes Supplement, 1971, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

LEGISLATIVE BILL 1485

Approved by the Governor March 29, 1972

Introduced by Government, Military, and Veterans Affairs, Terry Carpenter, 48th District, Chairman; P. J. Morgan, 4th District; John W. DeCamp, 40th District; Glenn A. Goodrich, 20th District; Donald Elrod, 35th District; Fred W. Carstens, 30th District; William F. Swanson, 27th District

AN ACT to amend sections 81-1428 and 81-1429, Revised Statutes Supplement, 1971, relating to the Nebraska Commission on Law Enforcement and Criminal Justice; to provide that the Law Enforcement Improvement Fund shall be a cash fund in the state treasury; to provide for disposition of fees collected as prescribed; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 81-1428, Revised Statutes Supplement, 1971, be amended to read as follows:

81-1428. There is hereby created a Law Enforcement Improvement Fund which shall be maintained by the State Treasurer as a ~~separate~~ ~~revoiving~~ cash fund, and from which there shall be appropriated such amounts as are available therefrom and as shall by the Legislature be considered appropriate for the improvement of law enforcement at the municipal and county levels.

Sec. 2. That section 81-1429, Revised Statutes Supplement, 1971, be amended to read as follows:

81-1429. A Law Enforcement Improvement Fund fee of one dollar shall be taxed as costs in each criminal proceeding including traffic violations filed in all courts of this state for violations of state law or city or village ordinance; Provided, that no such fee shall be collected for nonmoving traffic violations handled by a violations bureau established by a local governing body, and no such fee shall be collected in any proceeding in any court where the proceeding or defendant has been dismissed by the court. Such fee shall be paid to the State Treasurer Nebraska Commission on Law Enforcement and Criminal Justice on forms prescribed by him the State Treasurer within ten days of the close of each calendar quarter. The Nebraska Commission on Law Enforcement and

Criminal Justice shall pay the money into the state treasury and the State Treasurer shall credit the money to the Law Enforcement Improvement Fund.

Sec. 3. That original sections 81-1428 and 81-1429, Revised Statutes Supplement, 1971, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.