

LEGISLATIVE BILL 1048

Approved by the Governor January 19, 1972

Introduced by William F. Swanson, 27th District

AN ACT to amend sections 23-343.31, 23-361, 23-2101, and 23-2106, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to clarify the meaning thereof; to remove obsolete matter; to correct internal references; and to repeal the original sections.

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

Section 1. That section 23-343.31, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.31. A petition seeking the withdrawal of land from such district, signed by the legal voters in the area proposed for withdrawal equal in number to ten per cent of the number of votes cast for Governor at the last general election, may be filed with the board of directors. If the board finds that the portion of the district that would remain after such proposed withdrawal would have a minimum assessed valuation of three million dollars, it shall submit the question of withdrawal of such area to the legal voters of the district at the next annual hospital district election. If a majority of those voting on the question in the area sought to be withdrawn and a similar majority in the remaining portion of the district vote in favor of such withdrawal, the board of directors shall declare such area withdrawn and certify the altered boundaries of the district to the county board of the county in which the annexed withdrawn area is located and of the county in which the greater portion of the district is located.

Sec. 2. That section 23-361, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-361. In order to provide additional means for carrying on a program for eradication of coyotes and other predatory animals destructive of sheep, county boards are hereby authorized to levy in any year a tax of not to exceed twenty cents per head on sheep on the following conditions:

(1) That a petition to the county board requesting such levy, signed by the owners of at least

seventy-five per cent of the sheep assessed in the county for that year, be filed with the board on or before July 1; and

(2) That a planned program for eradication of such predatory animals be approved by the county board each year in which such levy is to be made. Such planned program may include ~~a temporary increase in the bounty, provided by section 23-604~~; entry in the control program authorized by section 23-358, or any other program approved by the board and designed to control or eradicate such predatory animals. The proceeds of such levy shall be placed in a separate fund and shall be applied exclusively to carrying out the program adopted. For each year in which such a levy is deemed necessary, a petition shall be presented to the county board for approval as provided in this section.

Sec. 3. That section 23-2101, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-2101. Sections 23-2101 to ~~23-2407~~ 23-2106 shall be known and may be cited as the Nebraska Emergency Seat of Local Government Act.

Sec. 4. That section 23-2106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-2106. The provisions of sections 23-2101 to ~~23-2407~~ 23-2106, in the event they shall be employed, shall control and take precedence over any provision of any other law, charter, ordinance, or regulation to the contrary or in conflict therewith; Provided, that nothing herein shall be construed as contravening, suspending, or otherwise affecting any provision of the Constitution of Nebraska or laws of this state, or of any local charter or other corporate articles or instrument of the political subdivision concerned, relating to the permanent relocation of any local seat of government.

Sec. 5. That original sections 23-343.31, 23-361, 23-2101, and 23-2106, Reissue Revised Statutes of Nebraska, 1943, are repealed.