

LEGISLATIVE BILL 557

Approved by the Governor March 16, 1971

Introduced by William F. Swanson, 27th District

AN ACT to amend section 23-822, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide election procedures; to provide for the power of eminent domain; and to repeal the original section.

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

Section 1. That section 23-822, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-822. To carry out the purposes set forth in section 23-820, the county board of any county is authorized to hire such employees as it deems necessary, and to appoint a park and recreation board of not less than three members to serve without compensation and to issue bonds for such purposes; provided, that no such bonds shall be issued until the question of issuing the same shall have been submitted to the electors of the county at a general election therein, or at a special election called for such purposes, and a majority of electors voting at such election shall have voted in favor of issuing the bonds. Notice of such election shall be given by publication once each week for three successive weeks prior thereto in a legal newspaper published in or of general circulation in such county. Such bonds shall be payable in not less than five nor more than twenty years from the date of issuance thereof, and shall bear interest not exceeding the rate of six per cent per annum, payable annually, with interest coupons attached to the bonds.

Whenever five per cent of the registered voters voting in the county at the last general election and residing in such county shall file a petition in the office of the county clerk of such county requesting the county board of such county to submit the question of issuing bonds to the electors at the next general election or at a special election; or to submit to such electors the question of levying a park and recreation tax, as authorized by section 23-820, or both such questions, the county clerk shall determine and certify whether such petition has been signed by at least five per cent of the registered voters voting in the county in the last general election, and who appear to reside

in such county. He shall then present such petition to the county board at its next regular meeting. The county board shall thereupon cause such question of the issuance of bonds or levying such tax or both such questions, according to such petition, to be submitted to the electors of such county at the next general election, or special election called for such purpose if requested in such petition.

Sec. 2. If a majority of the electors voting thereon vote in favor of such question or questions submitted, such county board shall proceed accordingly.

To acquire property for the purposes set forth in section 23-820, each county shall have the power of eminent domain which shall be exercised by the county board of each county in the manner provided in sections 76-704 to 76-724.

Sec. 3. That original section 23-822, Reissue Revised Statutes of Nebraska, 1943, is repealed.