

LEGISLATIVE BILL 78

Approved by the Governor May 8, 1993

Introduced by Hudkins, 21; Avery, 3; Bernard-Stevens, 42; Beutler, 28; Bromm, 23; Coordsen, 32; Crosby, 29; Landis, 46

AN ACT relating to political subdivisions; to amend section 15-201, Reissue Revised Statutes of Nebraska, 1943; to permit cities of the primary class and other political subdivisions to exchange services as prescribed; to harmonize provisions; and to repeal the original section.

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

Section 1. That section 15-201, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

15-201. Cities of the primary class shall be bodies corporate and politic and shall have power:

(1) ~~to~~ To sue and be sued; ;

(2) ~~to~~ To purchase, lease, or otherwise acquire as authorized by their home rule charters or state statutes real estate or personal property within or without the limits of the city for its use for a public purpose; ;

(3) ~~to~~ To purchase real or personal property upon sale for general or special taxes or assessments and to lease, sell, convey, or exchange such property so purchased; ;

(4) ~~to~~ To sell, convey, exchange, or lease real or personal property owned by the city in such manner and upon such terms and conditions as shall be deemed in the best interests of the city as authorized by its home rule charter, except that real estate owned by the city may be conveyed without consideration to the State of Nebraska for state armory sites or, if acquired for state armory sites, shall be conveyed in the manner strictly as provided in sections 18-1001 to 18-1006; ;

(5) ~~to~~ To make contracts and do all acts relative to the property and concerns of the city necessary or incident or appropriate to the exercise of its corporate powers, including powers granted by the Constitution of Nebraska or exercised by or pursuant to a home rule charter adopted pursuant thereto and including the power to execute such bonds and obligations on the part of the city as may be required in judicial proceedings; ;

(6) ~~to~~ To purchase, construct, and otherwise acquire, own, maintain, and operate public service and public utility property and facilities within and without the limits of the city and to redeem such property from prior encumbrance in order to protect or preserve the interest of the city therein and to exercise such other and further powers as may be necessary or incident or appropriate to the powers of such city, including powers granted by the Constitution of Nebraska or exercised by

or pursuant to a home rule charter adopted pursuant thereto. If the public service or public utility property or facility is located outside the limits of the city but within the zoning jurisdiction of another political subdivision, the city and the other political subdivision may by interlocal agreement provide or exchange services, including utility services, relating to the property or facilities; and ~~and~~

(7) ~~to~~ To receive grants, devises, donations, and bequests of money or property for public purposes in trust or otherwise.

The powers shall be exercised by the mayor and council of the city except in cases otherwise specified by law. The mayor and council shall adopt a corporate seal for the use of any officer, board, or agent of the city whose duties require an official seal.

Sec. 2. That original section 15-201, Reissue Revised Statutes of Nebraska, 1943, is repealed.