

LEGISLATIVE BILL 999

Approved by the Governor May 12, 1971

Introduced by Harold T. Moylan, 6th District

AN ACT to amend section 23-120, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to increase the amount of appropriation for county buildings permitted in counties having in excess of two hundred fifty thousand inhabitants without a vote of the people; and to repeal the original section.

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

Section 1. That section 23-120, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-120. The county board shall erect or otherwise provide a suitable courthouse, jail, and other necessary county buildings, and for that purpose borrow money and issue the bonds of the county to pay for the same. The board shall keep the said buildings in repair and provide suitable rooms and offices for the accommodation of the several courts of record, compensation court or any member thereof, the Commissioner of Labor for the conduct and operation of the state free employment service, the county board, clerk, treasurer, sheriff, clerk of the district court, county superintendent, county surveyor, county agricultural agent, and county attorney, if the county attorney shall hold his office at the county seat, and provide suitable furniture therefor. All such courts who shall desire such accommodation shall be suitably housed in the courthouse. No appropriation exceeding (1) ~~two-hundred-fifty-thousand~~ one million dollars in counties having in excess of two hundred fifty thousand inhabitants, (2) one hundred fifty thousand dollars in counties having in excess of one hundred fifty thousand inhabitants and not in excess of two hundred fifty thousand inhabitants, (3) fifty thousand dollars in counties having in excess of thirty thousand inhabitants and not in excess of one hundred fifty thousand inhabitants, or (4) twenty-five thousand dollars in all other counties shall be made within a one-year period for the complete erection or repair of any county building, except as hereinafter provided, without first submitting the proposition to a vote of the people of the county at a general election or a special election ordered by the board for that purpose, and the same is

ordered by a majority of the legal voters thereon; Provided, that the county board of any county in this state is hereby authorized and empowered, when requested so to do by petition signed by at least fifty-five per cent of the legal voters in the county, based on the average vote of the two preceding general elections, to make an annual levy not exceeding five mills on the dollar upon the assessed value of all the taxable property in the county, except intangible property, for the purpose of providing a fund for the erection of a courthouse or jail, said fund to be used only in the construction of a courthouse or jail or to pay the expenses of tearing down an existing courthouse or jail or making improvement thereon; and provided further, the total estimated amount to be raised by such special levy shall not exceed the sum of two hundred thousand dollars and said levy may be spread over a term of years, not exceeding twenty, to produce such sum. In counties having no bonded indebtedness, the county board, without the filing of such petition, may levy a tax of not to exceed one and one half mills on the dollar upon the assessed value of all the taxable property of the county, except intangible property, per year for not exceeding ten years for the purpose of providing a fund for the erection or repair of a jail or courthouse and procuring a site therefor, but in no case shall the levy of taxes made by the county board for all purposes, including the taxes levied herein provided for the erection or repair of a courthouse or jail, exceed in any one year the sum of fifty cents on every one hundred dollars of the actual value of all the taxable property of the county, except intangible property; Provided, that in the event any county has on hand funds accumulated by a general levy for courthouse purposes, sale of county property, or otherwise, the limitations on appropriations made within a one-year period contained in this section shall not apply.

Sec. 2. That original section 23-120, Reissue Revised Statutes of Nebraska, 1943, is repealed.