

Digest of New Laws Enacted for Nebraska

Bills Passed at Forty-Second Session of State Legislature Summarized Briefly.

Following is a digest of all bills passed by the 42d session of Nebraska's legislature:

- H. R. 121—Normal schools, state university and normal schools to collect tuition fees from students outside Nebraska, but such fees may be waived if other states admit Nebraska students free or for scholarship.
- H. R. 29—Exempts children of Christian Science parents from medical examinations at school upon written objections but not from physical examination by the teacher, to determine eye, ear or teeth defects, nor to infectious or contagious diseases.
- H. R. 8—Declares open season on beaver from November 1 to January 31 inclusive, and permits land owners to kill them during August, September and October where damage is being done by the animals, hides to be the property of the land owner.
- H. R. 136—Enables cities of 2,000 to 5,000 population to adopt compact form of government.
- H. R. 197—Raises maximum levy for county high schools from 1.6 mills to 2 mills.
- H. R. 256—Provides for the sale of brigaded school lands under lease, in tracts of forty acres or multiples thereof.
- H. R. 216—Provides for recording assignments of school leases or contracts, and specifies procedure for foreclosure.
- H. R. 270—Makes possession of an automobile with engine number removed or mutilated prima facie evidence of theft or receiving stolen property.
- H. R. 166—Accept federal aid under Sheppard-Towner act for maternity and infancy.
- H. R. 238—Makes it a felony to alter or deface any brand on live stock; penalty one to five years, in the penitentiary.
- H. R. 301 to 307, inclusive—Minor election law changes applying to Douglas county.
- H. R. 534—Appropriates \$15,000 from hunting and fishing license revenue to propagate and distribute pheasants, quails and partridges.
- H. R. 449—Increases salary Lancaster county assessor from \$1,200 to \$1,800 and allows one assistant at \$1,500.
- H. R. 461—Gives threshermen a lien on grain and secure payment for services, which may be foreclosed in the same manner as chattel mortgages; penalty for selling grain covered by lien, fine not exceeding \$100 or 90 days in jail, or both.
- H. R. 288—Appropriates \$10,000 to eradicate scabies in cattle.
- H. R. 319—Appropriates \$10,000 for relief of Mrs. Nettie McCumber and Mrs. Mary Rogers, widows of North Platte police officers, killed in gun fight with Mexicans; each to receive \$5,000.
- H. R. 411—Appropriates \$5,000 for relief of Pearl and James Taylor, children of Robert L. Taylor, penitentiary guard, killed by convict, Elmer King; each to receive \$2,500, emergency.
- H. R. 33—Police magistrates in cities of first and second classes to be elected at spring elections.
- H. R. 108—Joint resolution memorializing congress to repeal Esch-Cummings law.
- H. R. 724—Reduces oil inspection fee from 6 cents to 3 cents per barrel, in conformity with recent supreme court decision.
- H. R. 204—Holds liable for injury to livestock in shipment unless they can prove not due to own negligence.
- H. R. 237—Authorizes state trade and commerce secretaries to grant written permits to banks allowing bills payable to be issued in excess of capital stock and surplus, and to issue permits. Provides that assets of an insolvent bank shall not be sold if owners are able to show to court that there is a reasonable probability of the becoming solvent within one year.
- H. R. 408—Forbids advertising signs in public highways within 200 feet of railroad crossings or public cross roads.
- H. R. 638—Authorizes regents of state university to permit construction of dormitories with private capital and pay \$2 per cent interest thereon for use of such building. Authorizes their acceptance of gifts and bequests, subject to reservation by donor covering the income during his life.
- H. R. 232—Reduces petition requirement for county inspection of livestock from three to two owners of cattle or horses; allows appointment of more than one inspector; makes all cattle shipped from such county points outside Nebraska subject to inspection provision.
- H. R. 219—Puts cost of paving street intersections on entire municipality in cities of 5,000 to 25,000 population and provides for payment in 20 year bonds at maximum rate of 6 per cent.
- H. R. 341—Allows owner or occupant of lands in territory where kind act applies to erect motor vehicle crossings, stockyards and gates across public highways.
- H. R. 348—Appropriates \$1,801.65 to pay former Lieut. Gov. J. A. Barrows for acting as governor while Governor McKelvie was absent from the state.
- H. R. 196—Requires railroads to provide shelter for cattle at shipping yards, as ordered by railway commission.
- H. R. 172—Permits condemnation of city lots in Omaha to complete site for Joslyn art institute donated to city.
- H. R. 192—Corrective act governing sewer construction in second class cities and villages.
- H. R. 414—Requires bids for road work and public improvements to be opened at specified hour in presence of bidders. Penalty for prior opening in disclosing information to rival bidder by any officer, fine of \$25 to \$250.
- H. R. 58—Appropriates \$3,500 for legislative expenses and \$15,000 for printing house and senate journals and 1923 session laws.
- H. R. 463—Puts entire expense of constructing private farm crossing upon railroad companies, up to \$700, and provides that land owner shall pay half of any amount exceeding that sum.
- H. R. 74—Allows filing of liens by United States government to enforce collection of internal revenue taxes.
- H. R. 45—Appropriates \$2,000 for Mrs. Stella Dann and \$583.33 for Mrs. C. E. Chowins, widows of deceased state university faculty members, to cover the balance of their salaries for the school year; emergency.
- H. R. 129—Recognizes the Benevolent Patriotic Order of Dons and the Nebraska Press association as incorporated bodies.
- H. R. 57—Authorizes constructive service to be given in divorce suits.
- H. R. 164—Reduces county treasurer's fee for collecting paving, sewerage and special improvement taxes from 2 per cent to 1 per cent.
- H. R. 157—Allows one justice of the

- peace for each part of a city or village having a population of 100 or more and lying in two counties.
- H. R. 133—Requires minimum bond of \$50 given by the plaintiff in attachment suit, to cover damages, and to be at least twice the amount of the claim.
- H. R. 138—Requires three-fourths majority to carry internal improvement bonds in cities of second class, and for the resumption of a defeated proposition within six months.
- H. R. 212—Lowers strength requirement of county bridges from 20 to 15 tons and 10 tons, but requires all bridges to be capable of supporting a weight of 100 pounds per square foot.
- H. R. 509—Validates \$30,000 bond issue of the First Farmers' Elective District of Saunders county.
- H. R. 3—Changes open season on fur-bearing animals to begin Nov. 15 and end Feb. 28, as to mink, muskrat, foxes and others, and from Nov. 1 to Feb. 15 as to raccoons and opossums.
- H. R. 278—Special act to govern paving of Bellevue boulevard in Sarpy county.
- H. R. 130—Requires three-fourths majority to carry special tax levy for county buildings and forbids resubmission of a defeated proposition for one year.
- H. R. 247—Changes date of state primary election from third Tuesday in July to second Tuesday in August, beginning in 1926; and in presidential years from that to the second Tuesday in April.
- H. R. 582—Makes it prima facie evidence of guilt where any person is found in possession of any bottle, dwelling, or where he breaks bottles or containers, or throws them away or pours out contents, when about to be arrested for violation of prohibitory law.
- H. R. 478—Brings under the jurisdiction of the state railway commission supervision of the stock and other property of all public utility service corporations whether domestic or foreign by all public service corporations whether domestic or foreign under control of interstate commerce commission.
- H. R. 35—Repeals special tax levy for rural paving in Lancaster county, which only an accrued balance of \$119,000 and future receipts from its inheritance tax to pay for such paving hereafter. Cuts proportion of paving cost to be paid by adjacent land owners from 50 per cent to 10 per cent in territory two miles out of the city limits of Lincoln. Requires petition representing 53 per cent taxable land before paving can be done.
- H. R. 135—Doubles inheritance tax when the beneficial interests pass to an uncle, aunt, niece, nephew or their lineal descendant.
- H. R. 518—Creating a work and labor lien upon personal property or for money or material advanced in carrying out contract.
- H. R. 598—Prohibiting establishment and enforcement of minimum rates by public regulatory bodies and providing that only minimum rates be established for services performed.
- H. R. 509—Making the boundary line of school districts extend to center of streets between states, and particularly to permit the schools of South Sioux City to take the Missouri river bridge at that place to the center of the stream.
- H. R. 232—Permits sheriff of Douglas county to appoint 21 deputies if he deems that number necessary.
- H. R. 544—Permits municipal judges to accept surety bonds for recognizances the same as other courts for appearances in court of persons charged with crimes.
- H. R. 280—Opens up the field of chiropractic practice in Nebraska to graduates of all reputable schools. Provides that waste-examining boards shall consist of three persons, no two of whom shall be graduates of the same school. Penalty for false practice, \$50 to \$200 fine or 30 days to one year in jail.
- H. R. 435—Empowers governor to suspend county attorney, sheriff, police judges, police officers, mayors or other officials holding office, on complaint of the people, pending of ouster proceedings in court, and to make temporary appointments in their places.
- H. R. 484—Permits incorporation of new bank at Octavia with capital of \$15,000.
- H. R. 267—Allows county treasurer a fee of one-half of 1 per cent for collecting taxes due irrigation districts, and permits him to retain one-fourth of such fees as additional salary, not to exceed \$500.
- H. R. 447—Increases time allowed for filing exceptions from lower judgment from 15 to 40 days.
- H. R. 626—Prohibits sale of filled milk or milk products containing any fat or oil other than butterfat. Federal standards fixed as a minimum for condensed or evaporated milk, sterilized, condensed, evaporated or powdered skimmed milk forbidden in containers of less than 16 pounds. Violation punishable by 20 to 60 days in jail, or \$50 to \$100 fine, or both.
- H. R. 67—Allows cities and villages in counties under township organization one-half of road taxes on territory within their corporate limits to be used in maintaining streets and alleys.
- H. R. 578—Increases period within which defendant must appear to the judgment of a court for 24 hours to 10 days and provides that the recognizance shall have the force and effect of a confessed judgment.
- H. R. 428—Permits relocation of Nebraska home for dependent children adjacent to the city of Lincoln and restricts the neglected children to be received to those who are of sound mind.
- H. R. 218—Enables the city of Columbus to purchase a private sewer system at a cost not to exceed \$200,000.
- H. R. 586—Provides that where a consolidated school district has been formed by the annexation of additional territory an election to dissolve the district shall be called by the county superintendent upon petition of 25 per cent of the electors of the portion outside of the original district, and shall be dissolved if at the election 51 per cent of the electors in the consolidated district shall so vote, provided also that where a consolidated district has been established by the annexation of territory it may be dissolved and the various parts reconstructed by majority vote.
- H. R. 371—Exempts boy scout council and scoutmaster from liability for damage to a scout while employed patrolling streets or maintaining order at public gatherings.
- H. R. 511—Permits separation of two school districts which have been joined by order of the county superintendent to be separated upon petition of two-thirds of the electors of the two districts.
- H. R. 629—Authorizes railway commission to make an order tapping oil pipe lines at or near refineries.
- H. R. 171—Requires two-thirds vote to carry municipal bond for parks and public grounds in second class cities and villages, and forbids resubmission of defeated proposition within 1 year.
- H. R. 319—Simplifies law for recovering from sureties on forfeited recognizance bonds.
- H. R. 320—Includes within perjury statute the maker of any false affidavit connected with undertakings, bonds or recognizances.
- H. R. 336—Makes conveyer of real estate a guarantor of the title, where the purchaser is damaged by defective title, if the deed states that the grantor is lawfully seized of the property.
- H. R. 425—Allows members of council board in any county of less than

- 50,000 population to act as highway commissioners, at \$2 per day, but with a restriction that total salary and expenses of such member shall not exceed \$1,500 per year. Reduces pay of county highway commissioner, not a member of the board, from \$8 to \$7 per day.
- H. R. 326—Validates of H street railway in Lincoln to handle building materials for new state capitol.
- H. R. 441—Makes railroads liable for personal injuries suffered by employees through use of unsafe tools or appliances furnished by foremen or other bosses.
- H. R. 518—Authorizes formation of county foundations and community trusts of all counties except Douglas, same to be under supervision of state trade and commerce department. Such organizations to be administered by five trustees. They are authorized to handle funds contributed by the county or from private sources to be used in charitable, benevolent or uplift activities. County treasurer to act as treasurer.
- H. R. 351—Making it an offense punishable by a fine of \$5 to \$25 for any automobile dealer to sell "seconds" without so stamping designation on outside and recommending it as a "seconds" vehicle.
- H. R. 215—Prohibiting telephone companies operating more than 10 exchanges from abandoning or removing to another city or village an existing exchange without the written consent of 80 per cent of the patrons who have been taking service for six months. Requires an order of the railway commission.
- H. R. 199—Requires all railway companies to maintain facilities for watering livestock at all shipping points. Such stock is loaded on cars.
- H. R. 71—Penalizing the drivers of conveyances transporting pupils to school, and also drivers of all interurban bus lines who do not bring vehicle to a complete stop before crossing a railroad track.
- H. R. 482—Correcting an absurdity in the absent voter law and providing sufficient time for county clerk to prepare ballots.
- H. R. 430—Strikes from the statutes the provision relating to qualifications of foreign-born voters so that it will conform with the new constitutional provisions.
- H. R. 282—Reduces from two miles to four-tenths of one mile the levy in cities of the second class for the maintenance and repair of sewers and makes all taxable property subject, instead of real estate only, as at present.
- H. R. 116—Permits executive officer of any religious body to go into any county and convene a meeting for the purpose of transacting church business.
- H. R. 630—Appropriating \$50,000 out of the hunt and fishing license revenue to purchase and improve lakes and swamps by sinking flowing wells to prevent freezing of the water.
- H. R. 137—Requiring a 50 per cent vote to carry county or city bond issue and prohibiting resubmission of proposition within a period of six months.
- H. R. 125—Adds to the disqualification of county judge by providing that it may now be in a case where one of the attorneys is a partner of his father, son or brother.
- H. R. 290—Provides for the extension of \$100,000 state aid funds for construction of approaches to the proposed Missouri river bridge at Yankton. (Bill made ineffective by failure to secure appropriation.) A later bill by implication carries this bill by amending the same section.
- H. R. 318—Accepting the tender of Arbor Lodge as a gift for use as a state park and pledging \$5,000 per year for its maintenance.
- H. R. 284—Permits counties to use state aid money for the purchase of land for school purposes and also permits them to charge toll until they have been reimbursed for their share of the cost of bridge.
- H. R. 136—Reduces from 15 to 12 per cent any interest on tax sale certificates and provides for the foreclosure of such certificates by any school district, town, drainage or irrigation district or any other municipal subdivision or corporation immediately after their purchase, in addition to counties, cities and villages empowered by the present law to buy and foreclose.
- H. R. 261—Reduces fees for testing dairy herds for tuberculosis to 31 cents for the first five animals, 50 cents each for the next 20 and 25 cents each for all above that number.
- H. R. 12—Requires new lessee of state school land to pay his predecessor the appraised price for building fences, wells, windmills, pumps, tanks, irrigation improvements and cost of labor expended in breaking clods and reducing land to cultivation.
- H. R. 6—Exempts rural telephone lines and farmers' mutual telephone companies having not over \$5,000 capitalization from making annual reports to state railway commission.
- H. R. 429—Requires counties or relatives to contribute \$40 per year for clothing of inmate of Beatrice institute for feeble-minded who is transferred there from another institution.
- H. R. 32—Makes state treasurer's bond cover American Legion relief fund.
- H. R. 37—Appropriates \$117,000 for salaries of state senators and representatives.
- H. R. 156—Fixes \$2 fee to be paid members of coroner's jury.
- H. R. 127—Changes official name of Girls Industrial school at Geneva to "Girls Training School."
- H. R. 48—Removes protection of game laws from sparrows, crows and hawks.
- H. R. 117—Directs governor to tender to federal government land

- revision bill, abolishing appointive code secretaries and distributing the departments among six constitutional elective state officers. Allows lieutenant governor \$2,500 per year additional salary for acting as head of agriculture department.
- H. R. 359—Changes law governing attendance of nonresident pupils in districts adjoining their own.
- H. R. 1—Reducing salaries of appointive code secretaries. (No appropriation made for salaries of these officials).
- H. R. 589—Allows any person to contest result of a county seat removal election or any other proposition submitted to a vote of the people.
- Senate Files.
- S. F. 65—Provides that where any instrument relating to real estate has been a matter of record for 10 years, all defects and irregularities therein shall be held to have been cured.
- S. F. 61—Makes it a misdemeanor for any person to tap gas or water main or use gas or water without putting it through a meter.
- S. F. 40—Requires residuary legatees to make inventories along with all other executors and administrators who give bonds.
- S. F. 17—Provides that any person injured in any way by reason of sale or traffic in intoxicants whether by imbibing it himself or through the intoxication of another shall have a right of action for damages against any person who illegally sold, supplied or in any way furnished the liquor that caused or contributed to the injury.
- S. F. 58—Changes the requirements for general manager of the Omaha metropolitan utilities district, heretofore listing technical knowledge, so that any one of business training, executive experience and knowledge of development and operation of utilities.
- S. F. 154—Validates regardless of technical defects all deeds by representatives of estates that have been on record for 15 years.
- S. F. 6—Authorizes county boards outside of Douglas county to transfer clerks and assistants in county offices from one office to another when most needed.
- S. F. 7—Allows county boards to enter into a contract for a public building when 70 per cent of the levy has been collected and after completion may issue warrants up to 85 per cent of the levy.
- S. F. 68—Amends the present law by permitting railroads to issue free transportation to ministers of religion, traveling secretaries railroad Y. M. C. A., inmates of hospitals, charitable and almsgiving institutions, and persons exclusively engaged in eleemosynary work.
- S. F. 130—Requires the giving of notice to foreign consulates by county judges of the administration of estates in which foreign subjects are or may be interested.
- S. F. 106—Favoring assessments in cities of the second class and villages to be spread over 10 years period instead of 20, including those now due.
- S. F. 109—Reduces interest rates on school bonds in the city of Omaha from 6 per cent to 5 per cent per annum.
- S. F. 97—Providing for reciprocity between high school districts in counties contiguous to the boundary line and those across state line. (Continued on Page Seven, Column Four.)

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