

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB152

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: January 30, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 152 seeks to balance the rights of Nebraska private property owners with the need for infrastructure.

As related to eminent domain, when condemnation is necessary, the owner of such property should be given complete and accurate information regarding the purpose of the condemnation. The courts should consider the purpose for which the property will be used when assessing damages, that the purpose is unchanged after property is condemned, and that property is not condemned for projects that may never come into existence.

LB 152 requires a present plan and a present public purpose prior to using the power of eminent domain. Such plan and purpose must have been approved by all agencies required, and all necessary permits have been granted.

Principal Introducer: _____

Senator Annette Dubas