

March 15, 1982

LB 751, 875

PRESIDENT: Any further discussion? All those in favor then of advancing the bill vote aye, opposed nay, the advancement of LB 751 to E & R initial. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries. LB 751 is advanced to E & R initial. LB 458 has been laid over by the Speaker. We will go on to LB 875, Mr. Clerk.

CLERK: Mr. President, LB 875 offered by Senator Remmers. (Read title.) The bill was read on January 18 of this year, referred to Urban Affairs for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending.

PRESIDENT: The Chair recognizes Senator Landis for purposes of the committee amendments. Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, LB 875 was brought to the Urban Affairs Committee by Senator Wiley Remmers and it indicates that in second class cities and villages there shall be the power to take private property for public use for the purpose of electrical distribution facilities and this is simply to make the grant of authority clearer as to when condemnation can be used and for what public purposes. The existing language indicates that water works, gas works, power plants, electric or other light works and such plants are covered but they do not make it explicit that electrical distribution facilities are covered and of course I think we would all intend for those definitions to include that situation. The committee agreed with Senator Remmers as to the need for the bill and also searched the statutes to find that first class cities did not have this kind of explicit language in its provisions. So rather than taking second class cities this year and then perhaps be faced with making the same change a year or two down the road for first class cities, the committee adopted the rule that this should apply for first class cities as well. The committee amendments extend the provision for this act to first class cities as well and that is without objection from any known party. The League of Municipalities at the hearing, when asked about the amendment, the proposed amendment, agreed fully with it and it has the acquiescence of all parties to the bill that I know of.

PRESIDENT: Senator Remmers, do you wish to discuss the committee amendments?

SENATOR REMMERS: Mr. Speaker, members of the Legislature,