

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 584

Introduced by Avery, 28.

PURPOSE: This study will examine the authority and execution of eminent domain and condemnation proceedings as authorized by sections 76-701 to 76-726. The inquiry shall include, but not be limited to:

1. Historical authority and use of eminent domain and condemnation proceedings in Nebraska;

2. The definition and role of public purpose in eminent domain and condemnation proceedings;

3. Review and analysis of the use of eminent domain and condemnation proceedings by cities of the primary and metropolitan classes;

4. Review and analysis of the use of eminent domain and condemnation proceedings by other agencies, commissions, districts, utilities, transportation authorities, political subdivisions, and school districts; and

5. Review and analysis of oil and petroleum pipeline land acquisition proceedings in other states.

Based upon these findings, the Judiciary Committee shall make recommendations with respect to authority and use of eminent domain and condemnation proceedings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.