



Ninety – Sixth Legislature – First Session – 1999
Introducer's Statement of Intent
LB 462

Chairperson: Senator D. Paul Hartnett
Committee: Urban Affairs
Date of Hearing: 02/23/99

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

Current Nebraska law requires a municipality to give one-year notice before taking over, or displacing, waste hauling services from a private hauler. In addition to the one-year notice, LB 426 would require the municipality to exercise the power of eminent domain and justly compensate the private hauler for the displacement. The bill contains exceptions for the following situations: (a) competition between the municipality and private hauler; (b) nonrenewal of a contract; (c) protection of public health, safety and welfare, (d) material breaches of the hauling contract; or (e) entering into a contract with another private company as long as there is no displacement. Under the bill, just compensation means the value of the business taken and the injury to any part of the business not taken. The procedures for eminent domain would be those currently provided in Chapter 76.

Principal Introducer: _____
Senator Elaine R. Stuhr