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FLOOR DEBATE

March 30, 2005 LB 22, 92, 161

SENATOR SCHIMEK: Thank you. Are there further amendments?

CLERK: Madam President, Senator Price would move to amend with AM0978. I'm sorry, Senator Friend, this is your amendment, Senator. I'm sorry. Senator Friend, AM0978. (Legislative Journal pages 1034-1036.)

SENATOR FRIEND: Thank you.

SENATOR SCHIMEK: Senator Friend.

SENATOR FRIEND: Thank you, Madam President. Members of the Legislature, think I'm on the right page now and if certain members of the Legislature would cut me some slack, we can move on without further ado. This amendment consists of the provisions of two other bills heard and approved by the Urban Affairs Committee. Section 4 of the amendment, starting on page 2, line 22, consists of the provisions of LB 22, as amended by the proposed committee amendments. That bill was advanced to General File with committee amendments by the committee, with 6 favorable votes, 1 member absent. This deals with the authority to require sidewalk construction, repair, and maintenance in second-class cities and villages. The changes would provide parallel authority for these municipalities to that currently granted to first-class cities. Basically, the bill provides the authority for a city and village not only to do the construction or repair work itself and assess the costs to neighboring landowners, but also to cause the work to be done by the property owners in the manner determined to be appropriate by the city council or village board of trustees. A new subdivision (2) is added to the amended statute which specifically provides that if the city or village orders the owner of the abutting property to undertake the work and the owner fails to do so within the time provided and in the manner specified by the municipal authorities, the mayor and the council or board of trustees may cause the construction or repair to be done and the costs assessed against the property. Section 1, starting on page 1, line 2, and Section 5, starting on page 3, in line 20, consist of the provisions of LB 92, as amended by the proposed committee amendments. That bill was