

AMENDMENTS TO LB 134

Introduced by Natural Resources.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 2-3234, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 2-3234 Each district shall have the power and authority
6 to exercise the power of eminent domain when necessary to carry
7 out its authorized purposes within the limits of the district
8 or outside its boundaries, except that a district shall obtain
9 the consent of the Legislature before using the power of eminent
10 domain for the development or management of recreational trails
11 or corridors unless associated with a flood control structure.

12 Exercise of eminent domain shall be governed by the provisions
13 of sections 76-704 to 76-724, except that whenever any district
14 seeks to acquire the right to interfere with the use of any
15 water being used for power purposes in accordance with sections
16 46-204, 70-668, 70-669, and 70-672 and is unable to agree with
17 the user of such water upon the compensation to be paid for such
18 interference, the procedure to condemn property shall be followed
19 in the manner set forth in sections 76-704 to 76-724 and no other
20 property shall be included in such condemnation. No district shall
21 contract for delivery of water to persons within the corporate
22 limits of any village, city, or metropolitan utilities district,
23 nor in competition therewith outside such corporate limits, except

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1 by consent of and written agreement with the governing body of such
2 political subdivision. A village, city, or metropolitan utilities
3 district may negotiate and, if necessary, exercise the power of
4 eminent domain for the acquisition of water supply facilities of
5 the district which are within its boundaries.

6 Sec. 2. Original section 2-3234, Reissue Revised Statutes
7 of Nebraska, is repealed.

8 Sec. 3. Since an emergency exists, this act takes effect
9 when passed and approved according to law.