

March 26, 1979

LB 250

committee to General File. Then it was one of those bills when we ran out of time, we couldn't consider it any more. LB 250 is the same bill. That might help some former committee members of the Urban Affairs Committee. Again, on page 2 it changes resident owners to owners of record title. On page 4, that is section 1, line 4, has to do with gap paving. Section 4 on page 4 really solves only a problem that so far always had to be solved in court. If you are assessed that assessment has to show benefits and it has happened too often that people were assessed or corporations or organizations were assessed where a benefit could not be shown and then the subsequent action simply was a court action and court action usually resulted in the fact that these projects couldn't be carried on. On page 5, we have come to an agreement between the cities represented by the League of Municipalities and the railroads that whenever a street project has to be widened across railroad tracks, that the expenses will be shared fifty-fifty. Again this would be an improvement because invariably these kind of actions also resulted in court action and resulted in long delays of those necessary widenings. We are talking here for an example about a two lane road within city limits that a city feels has to be a four lane and certain railroad equipment has to be moved and the sharing of the cost fifty-fifty I think is a good compromise and I hope that you all agree to that. Any other questions, I will be glad to answer them.

SPEAKER MARVEL: Senator Johnson, do you wish to be recognized? We have about nine and a half minutes on the bill.

SENATOR JOHNSON: Yes, Mr. President, members of the body, I do have a question of Senator George.

SPEAKER MARVEL: Senator George.

SENATOR JOHNSON: Something like this, if the Senator would yield, and that is this. As I read the bill with the amendments that we just approved, if a railroad has a right-of-way on one side of a street, I take it that that railroad by virtue of being an owner of right-of-way on one side of the street has the ability to vote for or against the improvement and if it has the ability to vote for the improvement it can do so. On the other hand because the railroad owns right-of-way, the bill goes on to state that that right-of-way owner shall not be deemed to be benefitted by the improvement and therefore will pay no part of the assessment for the widening of that street. Thus, it would seem to me, as I read the bill, and that is what I really want to ask you