

SENATOR HALL: Senator Maurstad, to open on the bill.

SENATOR MAURSTAD: Thank you, Mr. President, members of the Legislature. The purpose of LB 196 is to amend the statutes on street improvements for cities of the first class, for cities of the second class and villages. LB 196 amends Section 16-615 which provides procedures for street improvements when a change in the established grade is required in the cities of the first class. Under current law if a change in grade is required for street improvement the city must get the consent of a majority of the landowners prior to the beginning of the improvement and must reimburse the landowners for any damage caused by the change of grade. LB 196 removes the requirement that the consent be obtained by the city prior to the beginning of the improvement. It retains the requirement that the change not be made until the damages to the neighboring property owners resulting from the change in grade have been determined as provided in the eminent domain procedure statutes. If damages results, landowners would still be reimbursed. Under current law Section 16-20 a majority of the landowners would still have the opportunity to object and stop a street improvement district under the existing petition process, and as amended by the committee would receive notice of hearing. LB 196 also amends Section 17-509 and 17-511 regarding street improvements for cities of the second class and villages. The current language in the statute has caused confusion regarding the requirements for street improvements. The bill makes it clear that improvement district need only be created in the event that the proposed project is to be financed by means of a levy of special assessments. If the current statutes could be read to require that the special assessment districts had to be created even if the paving...even if the project was not financed through a special assessment district. Some smaller cities have expressed concern that they have to go through the additional paperwork and expense to create an assessment district for street improvements and maintenance when the property is not being assessed. LB 196 was passed out of committee without any dissenting votes and I would ask for your vote for passage to Select File.

SENATOR HALL: Thank you, Senator Maurstad. Senator Wesely, on the advancement of the bill.

SENATOR WESELY: Thank you, Mr. President, members of the