

LEGISLATIVE BILL 441

Approved by the Governor February 15, 1994

Introduced by Warner, 25

AN ACT relating to political subdivisions; to amend section 25-2501, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to acquisition of private property for public use; to harmonize provisions; and to repeal the original section.
 Be it enacted by the people of the State of Nebraska,

Section 1. A city of the metropolitan, primary, first, or second class or village acquiring an interest in real property by purchase or eminent domain shall do so by ordinance.

Sec. 2. That section 25-2501, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-2501. It is the intent and purpose of sections 25-2501 to 25-2506 ~~and 70-301~~ to establish a uniform procedure to be used in acquiring private property for a public purpose by the State of Nebraska and its political subdivisions and by all privately owned public utility corporations and common carriers which have been granted the power of eminent domain. Such sections ~~PROVIDED, that sections 25-2501 to 25-2506 and 70-301~~ shall not apply to:

(1) Water transmission and distribution pipelines and their appurtenances, ~~and common carrier pipelines and their appurtenances;~~

(2) Public ~~or to public utilities and cities of all classes and villages~~ when acquiring property for a proposed project involving the acquisition of rights or interests in ten or fewer separately owned tracts or when the acquisition is within the corporate limits of any city or village;

~~(2)~~ (3) Counties and municipalities which acquire property through the process of platting or subdivision or for street or highway construction or improvements;

~~(3)~~ (4) Common carriers subject to regulation by the Federal Railroad Administration of the United States Department of Transportation; or

~~(4)~~ (5) The Department of Roads when acquiring property for highway construction or improvements.

Sec. 3. That original section 25-2501, Reissue Revised Statutes of Nebraska, 1943, is repealed.