

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 715**

Introduced by Avery, 28.

Read first time January 06, 2010

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska State Capitol Environs  
2 District; to amend section 90-304, Reissue Revised  
3 Statutes of Nebraska; to authorize projects in a  
4 specified portion of the district by the State of  
5 Nebraska, the city of Lincoln, or the county of Lancaster  
6 as prescribed; and to repeal the original section.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 90-304, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           90-304 (1) The State of Nebraska, acting through  
4 the Department of Administrative Services, is hereby empowered  
5 to expend appropriations authorized by the Legislature and to  
6 otherwise participate fully in the planning, construction, and  
7 maintenance of all manner of special lighting, landscaping,  
8 decorative walkway, fountain, and any other beautification projects  
9 in the Nebraska State Capitol Environs District as an individual  
10 governmental entity, including the portion of the district  
11 described in subdivision (1)(d) of section 90-303, or in similar  
12 projects which are jointly initiated and financed with the city of  
13 Lincoln or the county of Lancaster or both governmental bodies in  
14 the Nebraska State Capitol Environs District.

15           (2) The city of Lincoln and the county of Lancaster are  
16 hereby empowered to expend their respective funds to participate  
17 singly, with each other, and with the State of Nebraska, in the  
18 planning, construction, and maintenance of all manner of special  
19 lighting, landscaping, decorative walkway, fountain, and any other  
20 beautification projects in the Nebraska State Capitol Environs  
21 District, including the portion of the district described in  
22 subdivision (1)(d) of section 90-303. Construction and maintenance  
23 projects authorized in this section shall only be implemented on  
24 the street and alley rights-of-way in the Nebraska State Capitol  
25 Environs District, as such district is defined by subsection (2)

1 of section 90-303, and on real estate within the Nebraska State  
2 Capitol Environs District which is owned singly by the State  
3 of Nebraska, the city of Lincoln, the county of Lancaster, by  
4 these three governmental bodies jointly or by any two of such  
5 governmental bodies.

6 (3) Neither the State of Nebraska, the city of Lincoln,  
7 or the county of Lancaster is authorized to utilize eminent domain  
8 powers to accomplish the purposes of sections 90-301 to 90-305,  
9 except ~~PROVIDED~~, that nothing in sections 90-301 to 90-305  
10 shall prevent the exercise of eminent domain by any governmental  
11 entity so empowered to acquire public rights-of-way. ~~AND PROVIDED~~  
12 ~~FURTHER~~, that ~~this~~ This prohibition shall not be construed as  
13 deterring any one of the three governmental bodies from utilizing  
14 any existing powers it has on projects it undertakes singly.

15 Sec. 2. Original section 90-304, Reissue Revised Statutes  
16 of Nebraska, is repealed.