

April 10, 1975

PRESIDENT: There's a motion to raise the Call. Record your vote. Record.

CLERK: 27 ayes to raise the Call.

PRESIDENT: The Call is raised. Report the vote.

CLERK: 25 ayes, 6 nays, remainder not voting.

PRESIDENT: Motion carries. The bill is advanced. Senator Stoney asks that the Chair announce the presence of 85 8th graders from St. Roberts School in Omaha. We are very happy to have you students with us today. Also, Senator Dworak has some 11th grade students here from Genoa, Nebraska. We are very happy to have both you student groups with us today and come again.

CLERK: Mr. President, LB 317 introduced by Senator Bereuter. Bill read. The bill was first considered on April 9, at that time the committee amendments were adopted. There are no further amendments, motions or other observations.

PRESIDENT: Senator Bereuter.

SENATOR BEREUTER: Mr. President, colleagues, I'd like to pick up with the debate, we're now on the bill, as amended. The bill as amended affects the city of Omaha and Lincoln by exempting them from section 1 and it also provides that the Zoning Board of Adjustment, the Zoning Board of Appeals in the case of Lincoln, very strange creature could provide certain services on a contract basis to municipalities within this county. This, I would like to emphasize, is an omnibus bill. Therefore, if you have specific objections or questions, please look at them in that light. In other words, the sections are largely detachable. I believe there is merit in all of them. I'll try to justify that to you. The first section I'd like to call your attention to is section 1, and specifically, if I could have the attention of Senator Warner and Senator Keyes and Senator Murphy and Senator Dickinson, and potentially Frank Lewis but probably not. Especially since he's not here. You are the only people whose districts are affected by section 1, because section 1 relates only to counties who are designated as SMSAs and specifically only to those parts of the counties that might have villages or cities of the second class that are not now exercising land use regulations. I've talked to Senator Murphy about it. All of his villages are in the situation where they can easily meet the purposes of the law. Senator Dickinson may have a village or two that does not meet it at the moment but they would have 20 months to either decide to go through a land use planning program or turn over the responsibility to the county. Senator Warner has communities in the same condition and I have been assured that if these cities do desire to participate in a program, there will be technical assistance available to them, and financial aid. There maybe one, or even two communities in Senator Keyes' district. What we're trying to do is isolate those situations in the state that are subject to intense urbanization and therefore intense land use conflicts. That is achieved by specifying those four counties. County government in those four counties already have adequate programs. There should be no problem there. Section 2 relates only to those counties that have located within them, cities of the first class. That's basically cities over 5,000 population but smaller than Lincoln or Omaha. According to the the State Office of Planning and Programing, there are only four counties that do not now meet