

May 1, 1975

SENATOR SAVAGE: May I interrupt at this time to introduce, in the North balcony from Senator Eugene Mahoney's area, 14 eighth grade students from Saint Francis School in Omaha with 4 adults and the principal Sister Mary Celine. Would you please stand and be recognized. Chair recognizes Senator Schmit for the second time.

SENATOR SCHMIT: Mr. President, members of the Legislature, I want to thank Senator Bereuter for his kind words. I do remember one time he came to my office early in the morning and we spent most of the time solving a problem I had with the Budget Committee, rather than with land use, which we were supposed to be discussing. Perhaps if it had not been for that we would have discovered a couple of these problems which I'd like to point out now. I didn't have it really pinpointed but it is in the first section of the bill, Senator Bereuter. I think irregardless of whatever else is done, you need to change . . . you need to strike, on line 24, the word "municipality" and add the words "zoning jurisdiction". If you do not do that the very area in which you are most concerned about, the preferial area around the cities which seems to cause most of the problem, is not going to be included in the authority that's vested with the counties if the cities of the first and second class fail to act. Because of the fact that that area, in the case of the second class cities it amounts to one mile. In the case of the first class cities it amounts to a two mile area surrounding those cities will not be effectively covered by the act. I'm sure that you do not intend for that to be so. If I'm in error then I would like to have it pointed out to me. The other concern of mine which I am most concerned about is the . . . are the three words in line 19 which say "to be adequate". I think those words are very dangerous. I think they imply confidence on our part in behalf of the office of Planning and Programming, which I would like to have in that office, but which I do not have at this time, and which I do not think we can justify in the future. I think for us to . . . we have done many foolish things on this floor. We will do some more. I would hope that we would be not so foolish as to buy a blank check and say that we will accept, from the office of Planning and Programming, rules and regulations which they determine to be adequate, and only they determine to be adequate and from which there is no appeal. So again if I have done nothing more I hope that those two areas, even those of you who are sincerely concerned about the passage of the bill, if you want the bill, if you think the bill is necessary then for it to be effective in that area where you need it most you need to do something about those two sections which I have discussed. I would hope that you would return the bill.

SENATOR SAVAGE: Senator Frank Lewis.

SENATOR F. LEWIS: Mr. Chairman, I think we ought to debate bills that haven't been passed yet. I think we've had enough on one that's already passed. I move the previous question.