

March 9, 1983

LB 125

brought me this bill, they were concerned about one owning a large parcel of land located within the city and he decides to develop the land into a housing project. Because he is the owner of all the property being developed, he is able under the present statutes to petition the council to create utility and street improvement district to develop his property. The council board can assess the entire cost to the property, however. The owner has 50 days to pay the assessment. If he does not, the assessment becomes a lien on the property. If the property does not sell, it probably will remain a lien until foreclosed. In the meantime the city is forced to be a banker. All the citizens are forced, in effect, to be bankers for the project. The developer has some investment in the land. Expense of the streets and utilities are major part of the cost. The elected city officials feel that they are responsible for the interest of the city or village residents. They should have a decision to make the authority in this area. They should not be forced to make the city or village the banker. Although this is a concern of Wayne, the same circumstances can arise in other communities. I urge your support of LB 125 to move off of General File. I must say to you Senators that the Cities of Omaha and Lincoln are already exempt from this. We are just trying to bring the cities in the rest of the state in line with what the City of Omaha already have.

PRESIDENT: Is there further discussion on the bill? Senator Wagner. An amendment on the desk.

CLERK: Mr. President, Senator Wagner would move to amend the bill.

SENATOR WAGNER: This is a technical amendment and I should have probably stuck it on a little bit ago. Essentially what it talks about is when a mayor or city council shall have a discretion to approve, and later on down below there it talks about denying, and my amendment just essentially after "approve" puts "or deny", and it is a technical thing. It clears it up. They can do either one, approve or deny, so I would encourage the adoption of that amendment.

PRESIDENT: Is there further discussion of the Wagner amendment? If not, all those in favor of the amendment please vote aye, those opposed vote no. We are voting on the Wagner amendment to LB 125. Please record your vote if you care to vote. Have you all voted? The Clerk will record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Wagner's amendment.