

March 27, 1974

PRESIDENT: Senator Keyes. Senator Barnett is passing.

SENATOR KEYES: Senator Cavanaugh, now I want to get this straight. In other words, what you are going to do with an ISD District is, after it has gone to bond, when 40% of the development...of the district is developed, or 4 years. Is that the way you want it? Is that basically what you want?

SENATOR CAVANAUGH: No, just after 4 years.

SENATOR KEYES: Senator Cavanaugh. After 4 years, and it goes to bond, or after 4 years from when?

SENATOR CAVANAUGH: 4 years from the date of creation.

SENATOR KEYES: Well, Senator Cavanaugh, now that could be very very confusing and very very bad. Because an SID District if it hasn't progressed in four years very far, and it could only have, as some of them, a half a dozen or so, maybe 6 or 7 people in there, and then they would come in, and we have to protect the developer, and I'm the last man in the world who is going to protect the man that's making a million dollars out of this. But we have to give him a reason to go ahead and develop it. If you would say 40% completed after it goes to bond, or 40% of the lots. For 4 years.

SENATOR CAVANAUGH: Well, Senator Keyes, I tampered with that idea, and I checked this with various attorneys in Omaha who knew SID work. They thought that they could live with it the way it is, and I thought to provide a percentage of development would be too great a loop hole for the developers to slip by and very difficult to enforce. To what point that particular SID was 40% developed. Very often they have a rough land or undeveloped land that may remain undeveloped for years and by design just simply because the land is incorporated within the ISD, but there may be no real intention to develop it. And there are some very large SID's wherein you could have hundreds of families and the SID may not yet be 40% developed, and then so there would be no way to protect those individuals. You may have a small er SID that would be 40% developed with 50 families and they would...they may have the protection and an SID with three or four hundred families, those individuals would have no protection. So I felt it was unworkable. I discussed it with various attorneys who are in engaged with SID work. They agreed that that probably would happen. That that would be a tremendous loophole, and that most likely, most SID's could live within the 4 years limits to begin giving individual resident property owners the vote.

SENATOR KEYES: Well, Senator Cavanaugh, if they will go with you on it. I certainly will. But I think it is one of the things that's going to slow down, speed up, or else it's going to cut out the development of our eastern Nebraska SID's. I can tell you this much. If an SID is formed and approved, and construction starts, and you start laying out the streets and grading the hill. And that gets done in the summer, you wait all winter and then you come the next year and you put in your water and sewer lines, etc. That's two years gone by. And then the next year when it gets a very few houses in there in four years, and if they don't like it, five or six or ten people can out vote the developer. Are going to be able to shut it down. I hope that the lawyers know what they are talking about.