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using. It does provide that in certain situations the smaller communities may contract with the county for implementation, in other words for enforcement.

SENATOR STULL: One more question. With this bill then, the authority would lay with the local subdivisions of government for the planning?

SENATOR BEREUTER: Yes sir. There is no change on that, whatsoever.

SENATOR STULL: OK. Thank you very much.

SPEAKER: The Chair recognizes Senator Mills.

SENATOR MILLS: Senator Bereuter...Mr. President, I would like to address a question to Senator Bereuter, please.

SPEAKER: Senator Bereuter, do you yield?

SENATOR BEREUTER: Yes.

SENATOR MILLS: Senator Bereuter, I apologize to you that I am not more familiar with your bill. These bills have come fast this afternoon and I didn't get to read this. I have had a lot of letters from constituents of mine very concerned over land use planning and would you tell me, and I am sure you said it and there happened to be a lot of conversation back here, and again I apologize I didn't hear your answer. Would you tell me, does this affect every municipality in the state of Nebraska?

SENATOR BEREUTER: It affects every municipality in one way or another, I believe, except two, Lincoln and Omaha, and I don't believe it does affect them. It does not change the basic enabling legislation for any, though.

SENATOR MILLS: But Senator Bereuter, I thought I heard you say that this put all of the emphasis with those local elected officials, is that correct?

SENATOR BEREUTER: Senator Mills, that is where it is now. The state has a direct involvement in land use only in one area and that is in flood plain zoning, if the municipalities don't act so the basic responsibility remains with them. The only involvement now of a state agency is for the state agency to insure that they are living with the state law that tells the political subdivision how they must exercise land use legislation and, basically, that has been on the books in the current form since 1967 but it does not look at how...the techniques they are using. It does not look at the constitutionality of the procedures they are using. That is specifically identified as being outside of their area of review and, Senator Mills, I know we have talked about this briefly and I think the major concern some of your constituents are expressing are in relationship to a bill which bears almost the same number, 357, which is also my bill and which is before the Ag and Environment Committee yet.

SENATOR MILLS: And is more far reaching?

SENATOR BEREUTER: It's a statewide land use study committee