

March 20, 1980

LB 986

see five hands. I see five hands. The motion is, shall debate cease? All those in favor vote aye, opposed no. The motion before the House is shall debate cease. Record the vote.

CLERK: 26 ayes, 8 nays on the motion to cease debate, Mr. President.

SPEAKER MARVEL: Debate has ceased. Senator Venditte, do you want to close on your motion?

SENATOR VENDITTE: Yes, Mr. Chairman, since this bill had left E & R Final and has gone to Final Reading, something has happened within the City of Omaha that I think should be called to the attention of the Legislature. As most of you know, river front development within the downtown area of the City of Omaha is something that has been going on for quite some time and the city has been acquiring property roughly speaking from the river to the downtown area in the City of Omaha and one gentleman who owns a particular piece of property and who owns a business there and operates a business twenty-four hours a day there was approached last week by a person from private industry and this individual person said we want to buy your piece of property and the owner said I am not interested in selling. So the private developer said, well, under those circumstances, we are going to the city council and they will get your property through eminent domain and we don't think that would be in your best financial interest. Call it what you want but in my opinion that is a scare tactic. Sure, it is perhaps a possibility that the city could come in and take his particular piece of property only as current law says now that if that particular piece of property would be used in the best interest of the public or public use, and I shouldn't say, in the public interest because that is not what the law says. The law says if it is for public use. In other words, if it is going to be operated by the city, then that would be the only time that the city could actually utilize eminent domain and take this piece of property over. Now with the passage of this bill here today, you are telling the city, city, go ahead and take this piece of property and use it for whatever you want. This man is not being frightened by any private man, any private industry coming in and saying, look, we are going to take it whether you like it or not. He is going to stay there. Now with the passage of this bill he has literally no chance now and I don't think this is what we want. So in essence, ladies and gentlemen of the Legislature, what we are doing here