

April 2, 1979

LB 176

SENATOR DeCAMP: Mr. President, members of the Legislature, I think I may favor the kill motion but for a completely different reason and I would like to ask a question so I can understand it. I think the bill does something different than what I am hearing and Senator Maresh or Senator Koch, correct me if I am wrong as I explain this. At the present time the law is, let's take this street up and down the road here and at the present time the law is if there are ten people on this side of the street, in other words, ten houses, and one house on the other side of the street, the ten houses because they have more numbers control the matter even though the one person over there owns only one house but he owns the whole footage up and down the street. The bill as I read it, completely changes, completely reverses this system so that now the man over there controls the whole situation even though there are ten people over here that vote for a change and I think that is what this bill does and it is complete departure from the present system and nonresident and a resident ownership is a peripheral or a minor matter. Am I right or wrong?

SENATOR MARESH: Senator DeCamp, do you realize that class 1 cities are...they function in this manner? The same thing could happen in a class 1 city but now this person with the one big frontage could divide it if you did use the present system, could divide and parcel the land out to several, say twenty people and outvote the ten people anyway. That is what happened in one of the towns in my area.

SENATOR DeCAMP: Okay, my point is, I guess this simple. You are completely changing the system. Is that correct with the bill?

SENATOR MARESH: To the same like class 1 cities. That is the way they operate now.

SENATOR DeCAMP: The present system is that numbers rather than front footage control. This changes it to ownership of front footage rather than numbers of owners. Is that right?

SENATOR MARESH: For this class of cities but for the class 1 cities if you want to get away from that you would have to amend the law to not allow class 1 cities to do this, to have frontage feet.

SENATOR DeCAMP: Okay, I just wanted to make it clear that