

PRESIDENT: You want to discuss the committee amendments first and then take up...

SENATOR NICHOL: Yes.

PRESIDENT: ...your amendment?

SENATOR NICHOL: Yes, if that is agreeable with you.

PRESIDENT: All right, that's agreeable.

SENATOR NICHOL: The committee amendments are comprised of amendments between the people appearing at the public hearing on this legislation. The amendments do become the bill. This rewrite was put together by the Nebraska State Bar Association, the City of Omaha, the City of Lincoln and the League of Nebraska Municipalities. The current law provides that deeds to real property are void if such property has been subdivided improperly. May I repeat that. This is the thrust of the bill. The current law provides that deeds to real property are void if such property has been subdivided improperly. LB 235, as amended, is a curative act which would uphold the validity of these deeds as set forth in the bill. In 1963 the Legislature adopted statutes which made void deeds which did not receive the approval of the appropriate zoning jurisdiction before their being recorded. These dealt with parcels smaller than five acres. What we have currently is a situation where we are restricting the right of the owner of real estate to transfer the property to another party. This is a completely different concern than how the property is ultimately used. In other words, zoning and subdivision regulations are designed to control the development of a community. They are not designed to control who owns the property. The present statute tied together the problems of zoning and subdivision thus invalidating a number of conveyances. These redrafted amendments take into consideration both the desire for continued zoning regulation and at the same time allowing for a validation of transfer of property. I move for the adoption of the committee amendments.

PRESIDENT: Senator Nichol, did you want to...before we get into the discussion, did you want to take up your amendment to the amendments? Before we get into the discussion, let's take up your amendment then. So the amendment to the amendment...do you want to read it, Mr. Clerk?

CLERK: Mr. President, the amendment would read as follows, and I believe a copy has been placed on each member's desk. (Read amendment to the Standing Committee amendment as found