

May 19, 1989

LB 781

SENATOR SMITH: They would have the authority that they have for any kind of police powers in the county, presently in the way they cooperate and work with cities.

SENATOR HARTNETT: Yeah, I guess I'm with the word...you just have simply...we just have the word "ordinance" is all.

SENATOR SMITH: He says we've covered it in a section dealing with resolutions.

SENATOR HARTNETT: Okay. Page 4, Senator Smith, if I could continue with another...this is more for legislative intent.

SENATOR SMITH: Yes, I'm glad, because I really wasn't finished when...I was getting ready to continue on with what I was going to do in my explanation. So now what we're doing here is actually doing that.

SENATOR HARTNETT: Yeah. On page 4 of the amendment, in lines 17 to 22, it's stated, nothing in the fact shall be construed or interpreted to limit the power of local governing bodies to regulate and govern the conduct of licensed premises. I think that is what it says on lines 17 and 22. Last year, Senator Smith, we adopted LB 932, which extended the police power of the first class cities to all areas within two miles of the corporate limits of that city, permitting the cities to extend, by ordinance, police powers to the area cities. Is there a conflict? Do you see a conflict, if the police powers of the city go out two miles, who has the right, if there is in that particular jurisdiction? Is it the county can issue a license in two miles, or is it the city? I just want more for...

SENATOR SMITH: As far as...I...

SENATOR HARTNETT: ...legislative intent.

SENATOR SMITH: ...I will have to find out to make sure.

SENATOR HARTNETT: Okay.

SENATOR SMITH: If I tell you wrong, maybe I should just find out positively first. But my interpretation is that what we have in law regarding the right of cities, the police powers of the cities to go out to their bounds should carry with this