

February 7, 1991 LB 247

SPEAKER BAACK: Senator Ashford, will you respond?

SENATOR ASHFORD: Yes. Thank you, Senator Warner. Basically, what the law says now, we give...we create landmark heritage preservation districts and we give to the city the power to use eminent domain in those districts.

SENATOR WARNER: To acquire them?

SENATOR ASHFORD: No, not to...well, to maintain or preserve lands, buildings or areas in the district. All I am saying is concerning the word "only" so that in effect they couldn't come in and...into a landmark district and there are only a few of them in the city, the Old Market is the primary one, and actually...and condemn out buildings that are there unless it was to preserve or maintain the district. That's basically all I'm saying. Obviously, if you needed to widen a roadway or something in a district, that would be to maintain...I would think would be to maintain the district. But it wouldn't allow a city or Omaha to come in and take out areas of the district with the purpose of not maintaining or preserving the district.

SENATOR WARNER: They couldn't put up a new shopping center...

SENATOR ASHFORD: Right.

SENATOR WARNER: ...or something.

SPEAKER BAACK: Thank you, Senator Warner. Any further discussion on the Ashford amendment? Senator Ashford, do you wish to close?

SENATOR ASHFORD: No, I think it's been covered. All we're simply doing is clarifying the law to make sure that a city of the metropolitan class, the City of Omaha, cannot use the power of eminent domain to do anything other than preserve or maintain a heritage district.

SPEAKER BAACK: We will now proceed to vote on Senator Ashford's amendment. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Ashford's amendment.