

February 27, 1991 LB 247

Journal.)

PRESIDENT MOUL: Senator Ashford.

SENATOR ASHFORD: Thank you, Madam President. LB 247 was brought to me by Councilman Anzaldo from the Omaha City Council. It is a bill which is really intended to put a little teeth in our Landmarks Heritage Preservation Act, which applies only to Omaha. The amendment which I have drafted is an amendment which was worked out with Omaha City Attorneys Office or legal office, and I'm just going to read the...very quickly read the amendment. It says, "Within a landmark heritage preservation district a city of the metropolitan class shall not exercise its power of eminent domain to acquire property for the purpose of demolition and reconveyance for private use. This subsection shall not be applicable to any eminent domain action filed by such city prior to the effective date of this act." The intent of this amendment is to reflect the current Park-E Street Development Plan, which was adopted by ordinance, the City of Omaha City Council. In the Park-E Street Development plan, the City Council has said that the city's eminent domain authority to assemble sites for large scale private development should not be used with respect to properties within the redevelopment area, which have been designated as landmark heritage sites by the Omaha City Council. So this amendment is intended to make mandatory what the City Council has put in its development plan. It applies to areas such as the Old Market, other areas. As I said, the City Attorney's Office signed off on the language. And, with that, I would just move the amendment, Madam President.

PRESIDENT MOUL: Thank you, Senator Ashford. Senator Pirsch.

SENATOR PIRSCH: Senator Ashford, if you would yield. Would this, if this were in place, would that mean then that those warehouses down...which...what is now the Riverfront Development, would not be able to be torn down?

SENATOR ASHFORD: The...no. The...in the case of the canon, which is now the ConAgra project, that district was not a landmark district that I know...the only landmark district in that area, that I know of, is the Old Market. And the Old Market area is that four block area between 10th and 12th...

SENATOR PIRSCH: Surely.