

February 21, 1995 LB 830

SENATOR COORDSEN: ...the owners of that property can be compensated for in a manner that is commensurate with what its development value would be. So we have a tremendous disincentive to locate close to a city and a tremendous incentive insofar as land acquisition to go out and locate in someone's cornfield. Thank you.

PRESIDENT ROBAK: Thank you, Senator Coordsen. Mr. Clerk.

ASSISTANT CLERK: Madam President, Senator Bromm would move to amend the Coordsen amendment. (The Bromm amendment, FA43, appears on page 796 of the Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Bromm to open on the amendment.

SENATOR BROMM: Thank you, Madam President. I agree with the thrust of Senator Coordsen's proposed amendment because I think people should have notice when something like this is proposed to come into the area. On the other hand, I also understand some of Senator Withem's concerns about some of the technicalities and legalities that you can run into. So, as I listened to that and thought about it, I proposed to amend Senator Coordsen's amendment and I'm having it distributed. You should have it on your desks pretty quickly, if you don't already have it. And to strike Senator Coordsen's words that say, "such notice shall be by certified mail" and to insert the words as follows, "such notice shall be deemed given if mailed by U.S. Mail, postage prepaid, to the residents of such area and to those persons or entities receiving tax notices with respect to real estate located within the area." Legally, I think, although Senator Withem didn't go into detail, if you say that you must give notice to all landowners, you can run into questions about who really the owners are. Sometimes when you have estates or transfers of property to trusts, whatever, it's not readily possible to find out who all the owners are, and if you should fail to miss one, maybe you've got a defect that could come up to haunt you that you wouldn't expect. On the other hand, I think it's vital that with something as major as projects that could come in under this law are contemplated for an area, I think it's essential that people who pay taxes in that area, who own land, and people who reside in the area, perhaps who don't even own property but who have lived there a good long time should have...should have some notice. And I don't think that's out of line. I don't think that's an unfair