

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

January 20, 2000 LB 289

failing to file with the Secretary of State your zoning regulations? The bill doesn't say anything about that. Does it invalidate your zoning regulations, or was it not intended to invalidate them, but simply to be a courtesy filing? Well, if it was intended to invalidate, that should be made clear in the bill, it seems to me, because that's very important then to the counties, isn't it. If it's not intended to invalidate and there's no penalty for not filing, then I suggest to you that the counties are not going to be very good about filing. They have to file every time they amend their zoning regulations as well as the initial regulations. And what will happen over time, if there's no penalty and no reason and no consequence for not filing, is that they will haphazardly file. And if that becomes the case, then what attorney is going to rely upon the filings at the Secretary of State's Office to give advice to anybody? You're not going to do that. You're going to go directly to the county and get the zoning regulations up-to-date from the county. You're not going to rely on the haphazard filings with the Secretary of State. So, I guess what I'm getting to or suggesting is that, if the nonfiling has a consequence, we should know that, because that's adding a new burden to the counties, making effective zoning laws. If it's not intended to be...to have any mandatory requirement, then will they really be filed, and will it really serve its purpose, or is it just going to be a courtesy thing that is sometimes done and sometimes not, that ends up serving no purpose and costing us \$14,000 a year? This is not a big deal, but sometimes these small deals are important in terms of reflecting a cautious attitude about adding expenses. Thank you.

SPEAKER KRISTENSEN: (Doctor of the day introduced.) Senator Cudaback. He waives off. Senator Wehrbein.

SENATOR WEHRBEIN: Mr. Speaker and members of the body, I've been a little ambivalent on how I was going to vote on this. I see the value of having probably some form of state centralized location of the zoning rules and regulations that counties have. And I know some people would like to peruse those occasionally, perhaps to get ideas and things like that. On the other hand, this does create a burden in some...in the minds of some counties. I would like to ask Senator Schimek a question. And I know you're going to be repeating, Senator Schimek, I think