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FLOOR DEBATE

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community?

SENATOR FRIEND: Well, I would say the answer to that is no, and Senator Beutler's original bill as far as the easements are concerned and the concerns that the city of Omaha and, for all intents and purposes, if I remember right, city of Lincoln and others brought up. I mean, they...that's exactly their reason for seeking that statutory language, that they don't have the authority now.

SENATOR ENGEL: Okay. Thank you very much.

SENATOR FRIEND: You're welcome.

SENATOR SCHIMEK: Thank you, Senators Engel and Friend. The Chair recognizes Senator Janssen.

SENATOR JANSSEN: Thank you, Senator Schimek. Members of the Legislature, when we heard this bill in Urban Affairs, you know, I could understand, I think it was a year or two years ago when the city of Omaha had some problems. They could not vacate an alley and they came in and asked for the right to do so. Listening to Senator Friend give his report on the amendments, he did mention the fact that where there is an alley going between a block and that alley is to be vacated...if I'm misquoting here, Senator Friend, you please rebut me, but I believe that when that alley is vacated, the adjoining property owners take control of that portion of the alley. It's divided down the middle if there are...if there are homes on each side of that alley. Is that correct?

SENATOR FRIEND: That is, that's correct, and that is the testimony that we had heard as to how a lot of these cities were approaching that, and they considered it a problem.

SENATOR JANSSEN: Now, if there is infrastructure, such as a water line, sewer line, so on and so forth, then the governing body--the city, village or that board--does reserve that right then to go in and maintain, repair that piece of infrastructure that's in that alley?