

April 10, 1975

SENATOR KEYES: This doesn't mandate that he spends the emergency fund money. Let me read what it says to him.

SENATOR MARSH: I have it right in front of me. It says the Legislature emphatically recommends and requests that the Governor take immediate action using all the resources available to him.

SENATOR KEYES: Yeah. Do you what I think some his resources are? First of all, I think he can get some of the water commissions that we have in the State of Nebraska. We've got too many of them. I think Ronald Regan did a good job in California when he put them under one head. We've got them under several heads. EPA . . . I think you can . . . with the Corps of Army Engineers, the military and everybody else and get some funds together, because this is private people. I can't see where he might be able to work with them. If you go down and talk to Mr. Eske . . . many things. Immediately he should take some steps to correct it so it doesn't become a catastrophe.

SENATOR MARSH: Thank you.

SPEAKER: Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, there's been a lot of discussion here this morning. I recognize that Senator Keyes and the other gentlemen have a really serious problem here. I would suggest, and I know that it's an emotional one. I know that the problem is real and that the problem is going to become complicated one of these days if and when the river rises. The river usually rises in Nebraska in the Spring. I've traveled the length of that Platte River from Plattsmouth to Scotts Bluff and I can assure you that there are not only one or two, but dozens literally maybe even hundreds or areas where we might find encroachment on the river in a similar manner. I can repeat an instance that occurred to me just last Spring, I believe it was, when a gentleman called me from the North Platte area and said I want the state to do something about this. The river is running the West door of my barn and out the East door. I said, well has it ever happened before. He said, no I only built the barn last year. Now the point I want to make is this, we have allowed and it has been referred to here this morning, we have allowed encroachment upon land and property that should never have been encroached upon by homeowners and builders. I'm sympathetic with this resolution and I will probably vote for it. I want to point out the precedent that we are establishing when we do this. The State of Nebraska is going to go upon private property and establish a dike again for the benefit of private property owners. Once we have established that precedent we have said that the State of Nebraska has an interest. Now I agree that the state should be interested in stabilization of the banks of the river. I think that's a responsibility that we want to assume, rather than to turn it over to the Federal government. Because I do not believe that the Corps of Engineers is going to do the job the way we want it done. I'd suggest that perhaps we should check the Governor's disaster fund. I just made a call to the Fiscal Office. As nearly as I can tell, perhaps Senator Marvel knows more about this than I do, but I am not sure