

PRESIDENT: Senator Kahle, your remarks I think are sufficient, at least, to set the stage for a motion now to suspend the rules, then you can discuss it further.

SENATOR KAHLE: Okay. So I ask, in the urgency of this deal as it's taken place, that we suspend the rules and try to get a resolution passed.

PRESIDENT: Any discussion on the suspension of the rules? Senator Duis.

SENATOR DUIS: Mr. President, Senator Kahle. I have no objection to your resolution, don't misunderstand me. But I wonder if you've checked completely as to the ability of the fish and game to acquire this property under any circumstances, or dispose of it, either one because a number of years ago these rail road right of ways came up and we were very definite in what we allowed the fish and game department to do. I wanted to be sure that you were on the right track and had sufficient knowledge. I don't mean it that way, but whether or not you've inquired so that this resolution will take care of any objection that may come up later.

SENATOR KAHLE: I think so. We have an Attorney General's opinion. I've also been with the Governor and with his assistant, and with the Game and Parks Commission for a number of times in the last few days.

SENATOR DUIS: Well I thank you. I'll certainly vote for your resolution, but I wanted to be sure because we have had great, great difficulty with the Fish and Game Department on rail road right of ways because of their disposition of especially not going back to land owners.

SENATOR KAHLE: This is correct. This is the reason I'm here asking for this, because we have to have permission of the Legislature and also the Governor's okay before we can acquire any of this property. You're absolutely right.

SENATOR DUIS: Well my question is then whether or not your wording in your legislative resolution is sufficient. As I glanced over it, and believe me this is just off the top of my head, it merely had the Governor in there. I didn't note where it asked for permission of the Legislature.

SENATOR KAHLE: The Attorney General's opinion is on file. I have a copy of it here, Senator, if you'd like to look at it. According to all the people that have looked at it, the Game and Parks, the attorneys here in the Bill Drafting office and the Governor's staff have all decided that this was sufficient. I hope it is.

PRESIDENT: The question before us is the suspension of the rules. Senator Bereuter.

SENATOR BEREUTER: Mr. President, I have several questions for Senator Kahle before I'm willing to consider a suspension of the rules. My first question would be, are you aware of the fact that this year we had a bill introduced to authorize the Game and Parks Commission to acquire the Great Plains Rail Road right of way?