

April 9, 1979

LB 568, 457

a legitimate item in this instance?

SENATOR GOODRICH: That we would have to find out what the court said and then probably find out what the Eight Circuit Court said and then Eight Circuit Court would probably compare their decision with other Circuit Courts or other district courts that make this determination and, you know, it is all a guessing game. You being a lawyer you know it is a guessing game on how you are going to come out when you go into court.

SENATOR BEUTLER: Okay, thank you, Senator Goodrich.

SPEAKER MARVEL: Is there any further discussion? Senator Goodrich, are you going to close on the bill?

SENATOR GOODRICH: Just make two points, very quickly, one is that it is extremely rare that a public building is taken in this kind of a site acquisition or a right of way acquisition. The second point is that on the Spencer Homes project that Senator Johnson was talking about, for example, if the money is paid in for Spencer Homes without functional replacement, the money goes to the bonds. The units cannot be replaced. If we have functional replacement, we can replace the units and be done with it and not dump a bunch of people out on the street. I would wholeheartedly recommend that we advance the bill.

SPEAKER MARVEL: The motion is the advancement of LB 568 to E & R for review. All in favor vote aye, opposed vote no. We are voting on the advancement of LB 568 to E & R for review. Have you all voted? Have you all voted? Record.

CLERK: 26 ayes, 8 nays, Mr. President, on the motion to advance.

SPEAKER MARVEL: The motion is carried. The bill is advanced. We now move to LB 457.

CLERK: Mr. President, LB 457. Title read. The bill was first read on January 17th of this year. It was referred to the Miscellaneous Subjects Committee. The bill was advanced to General File. There are committee amendments pending by Senator Newell's Miscellaneous Subjects Committee.

SPEAKER MARVEL: The Chair recognizes Senator Simon on the committee amendments.

SENATOR SIMON: Mr. President, members of the body, Senator