

February 22, 1980

LB 773, 680

SENATOR KOCH: Mr. Speaker, as I said, 773 attempts to bring about intra-agency coordination, assessment of programs, definition of who is going to serve whom and I will present it to this body, to the Governor so we get a better handle and audit on just what they are doing and I think it is time that this is adopted. It is efficient and I hope that it serves us better than what we are being served now. I ask for LB 773 as amended to be advanced to E & R Initial. Thank you.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor vote aye, opposed vote no. Have you all voted? We are voting on the advancement of LB 773 to E & R for review. Record.

CLERK: 27 ayes, 0 nays on the motion to advance.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now if you will turn over the page, we are prepared to go to LB 680.

CLERK: Mr. President, LB 680 is a bill introduced by the Ag and Environment Committee and signed by the members thereof. (Read title.) The bill was read on January 10, referred to the Judiciary Committee. The bill was advanced to General File. There are committee amendments by Senator Nichol's Judiciary Committee.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, the committee amendment changes one word in the bill to add clarity. The word being replaced is "necessity". It has no clear definition and will lead to litigation to determine its meaning. The committee amendment would replace this word with "public purpose" which is clearly defined through the prior court decisions. Mr. Chairman, I move for the adoption of the committee amendment.

SPEAKER MARVEL: Senator Warner, do you wish to speak on the committee amendments? Okay.

SENATOR WARNER: Mr. President, I guess maybe a question first, Senator Nichol. Public purpose has, as you indicated, a legal definition which is quite a broad definition, as I recall, and I have a problem with if there is something significant about the change other than that, the thing that occurs to me that public purposes, you know, recreation is automatically a public purpose. I forget the...there is a whole list of things and I would have some concern, maybe, if we are strengthening