

March 20, 1980

LB 986

is giving the city just complete authority, going in and taking anybody's piece of property for whatever reason. And in this man's case now, with the passage of this bill, he has no chance, no recourse through the courts even though this particular piece of land which will be probably used for maybe a Holiday Inn or Best Western or whatever the case might be. With that, Mr. Chairman, I ask unanimous consent to withdraw my motion.

SPEAKER MARVEL: Hearing no objection, so ordered. The Clerk will now read on Final Reading LB 986. He withdrew his motion. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, then I have a motion to make and I will put it in writing but it is simple. I want to move to return 986 to Select File for a specific amendment and this specific amendment is at the top of page 6, strike the words "useful" and "or".

SPEAKER MARVEL: Do you want to write it out? Okay, the Clerk will read the motion.

CLERK: Mr. President, Senator Chambers moves to return LB 986 to Select File for specific amendment. On page 6 in the first line strike the language "useful or".

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I could use on Senator Venditte what he often uses and say I have heard no public clamor for this, that and the other but that is not the way to legislate. If nobody had brought this to anybody's attention and a member caught it, I think it is such a significant issue that it should be discussed. Now I have heard people come up to me and talk about certain resource districts having too much loose power when it comes to eminent domain. Now we have a situation where within a city all that would have to be established is that the purpose is useful. What does useful mean? Anything that a city council would want to say it means. It does not have to be necessary. It does not have to be essential for the public good. It could be useful because it is going to increase the value of property in which a council member has an interest or a friend of a council member has an interest. Since they went through on the previous page the trouble of itemizing various things that relate to the public good, at least you have an idea of what is involved when you are going to take this property. But then when you take a word like "useful" which can include everything, you can totally disregard the listing. That

8727