

March 21, 1980

LB 885, 887

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. The Clerk will now read on Final Reading LB 885.

CLERK: Final Reading of LB 885.

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 885 on Final Reading. Have you all voted? Record the vote.

CLERK: Record vote read. (See page 1385, Legislative Journal.) 38 ayes, 4 nays, 5 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. I thought I had announced but maybe I haven't that we would try to work until two o'clock today and then follow the same routine on Friday that we'd followed before. The Clerk will read on Final Reading LB 887.

CLERK: Mr. President, I have a motion on the desk. Senator DeCamp moves to return LB 887 to Select File for specific amendment.

SENATOR DeCAMP: Mr. President, members of the Legislature, I am offering it at this time on this particular bill in the interest of saving time. It is one of those amendments that is fairly significant but at the same time it either has the votes or it doesn't. I am sure that both sides on this particular subject have contacted each and every Senator one way or another, expressed their opinion, and you probably have an attitude. All it does or what it does, not all, is to say that Natural Resource Districts would not have the right of eminent domain, in other words, condemnation and taking of private property for recreational and park purposes and I guess I personally believe this right of eminent domain is literally one of the most sacred and powerful things that government can have. Maybe in many ways, you could compare it to the death penalty. If government can say to you, Senator Carsten, or to Johnny DeCamp, look, we have this overwhelming public purpose and that purpose is so great that we are going to simply take your property, Senator Carsten, we are going to take your farm or whatever and we are going to use it for this public purpose. This is necessary. It is a power of government that has to exist. All I am saying is it should be somewhat limited and I am afraid from some of the information I have been getting that it has been used or stands to be used maybe