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LB 158

project is completed or fails, as would be the case with Senator Kelly's amendment, because, in fact, there could easily be a holdout who just plain won't sell that property. Now to give the city the eminent domain power enables the city to put together the entire package. It removes the continued disincentives to investing in property. It makes certain that a package once initiated can be completed and it does not leave that area worse off after the project has failed than before it was when the project itself was initiated. Senator Kelly's amendment is not a good concept for this kind of measure. In fact if we are to do things with blighted and deteriorating sectors of our communities, and blight and deterioration is not confined solely to Omaha, we need to ensure that the cities at least have eminent domain authority to be able to acquire every parcel of ground set out in the area subject to the project. I would urge the body to reject the Kelly amendment.

SPEAKER MARVEL: Senator Kelly, do you wish to close on your amendment?

SENATOR KELLY: Yes, Mr. Speaker, I do, because I would like to answer Senator Koch's remarks and Senator Johnson's also. Condemnation and the right of eminent domain in political subdivisions and in the state is probably one of the most abused rights, Senator Koch, that government has today. It appears to me as we get ready to build a power plant, we condemn and take over three or four sections of land, build a power plant on one section, and we didn't know which one so we condemned all three. You think that doesn't happen. Oh, yes, it does. You think it won't happen under 158. Oh, yes, it will. The city will pick out, we have got to have everything in this area, and then when they get all through, they will condemn it and then they won't do anything with it. They will just have the land and those people will be moved. Oh, yes, it is an abused right, maybe one of the most abused rights that the government has today. Now 158 is set out in the constitutional amendment and sold to the people on the basis that it was going to do good for all. It was going to do good for those areas that were blighted and going to bring themselves up by their bootstraps. It was going to be good for industry and commerce because by our own bootstraps we could lift ourselves up and build and I agree with that and we can lift ourselves up with our bootstraps but we need not trample on individual private property rights to do so. That is not good for all. That is just good for the developer. And Senator Johnson gives an excellent example of what happens in a blighted area in Omaha on government work. A government