

March 21, 1980

LB 887

and you have to state your primary purpose. If they couldn't prove it in the court, then they couldn't condemn it.

SPEAKER MARVEL: Senator Cope. Senator Cope and then Senator Goodrich.

SENATOR COPE: Mr. President and members, I think we had better take a pretty close look at this. This is pretty vague. I look at it this way. Let's say that an NRD District decide on a flood control, this water, of course, used to keep the underground water supply up because of the water seeping into the ground helping but say there is five hundred acres in this body of water. Now with a few more acres that can be used for recreational purposes and the way this could read, and it is vague, you couldn't use this for recreational purposes. Sure, primary is exactly what Senator Dworak was asking and it does seem a shame not to utilize water such as this for more than one purpose. I don't believe that NRD Districts do use any funds for strictly recreational purposes. They use them in conjunction with the primary purpose of flood control and so forth and this could really tighten down and do a great deal of damage. Unless this is a lot better defined and have a lot more statistics on this and more opinions, I certainly can not vote for it and I don't believe in eminent domain at all, only in extreme cases, but I also believe that in NRDs and I would hate to see their hands tied.

SPEAKER MARVEL: Senator Goodrich and then Senator Simon and then Senator Kremer.

SENATOR GOODRICH: Mr. President, members of the body, this particular thing makes me nervous so for that reason I am going to oppose it. What, for example, I am concerned with is if we have got tremendous underground water problems, the water table going down, we need to store water on the surface just for the recharge of the underground system and the only visible, the only visible use for that water is the recreational benefit. However, the real reason for that project or that water sitting there is nothing but to recharge the underground system and I think we are getting into difficulty with this kind of an amendment that is not...that if we do not have a chance to have a public hearing on and really get the experts in and take a good solid look at it, I would have to oppose it. Sorry about that, John, but I do have to oppose your amendment.

SPEAKER MARVEL: Senator Simon.

8796