

May 4, 1981

LB 561

SENATOR V. JOHNSON: Mr. Speaker, members of the body, I rise because I have gotten mixed signals from persons in this body about what to do on this particular amendment. Now I look over the amendment, I look over the chart here of water resource development projects and discover that of the nine projects on the list, at least seven of the projects have recreational benefits ascribed to them and this particular amendment as being advanced by Senator Schmit and Senator Kremer and yet only several weeks ago I heard about the unpropriety of exercising an eminent domain powers to acquire land for water development projects which had recreational benefits. And the same persons that support this particular amendment supported LB 243 which would seriously limit Natural Resource District ability to acquire land for such projects. So it would seem to me, and I frankly felt that the arguments that both Senator Schmit and Senator Kremer made several weeks ago on behalf of 243 particularly in condemning the continued taking of important agricultural and farm land for water projects are really quite meaningful. Simply speaking the senators suggested that we too quickly and too glibly give Natural Resource Districts the power to acquire our land for recreational purposes and yet in a sense they have put us in the same position of appropriating dollars so that those very same projects can be funded and so that the same farmland can be taken, though this time of course it won't be taken through the eminent domain aspect if 243 were to pass but rather would be taken through a simple purchase and sale agreement assuming persons could come to terms. Now it seems to me in trying to work myself through this dilemma of receiving mixed signals, maybe the better part of discretion is to vote against this particular amendment because dollars are involved and then wait to see exactly how 243 does fare on the floor of the Legislature because it is quite silly for us to pass a bill which will curb the discretion so to speak or tie the hands of the Natural Resource Districts in acquiring the land for the very projects that we are going about funding. It is for that reason that I have decided that I will oppose the amendment.

SPEAKER MARVEL: Senator Sieck. The question has been called for. Do I see five hands? All those in favor of ceasing debate vote aye, opposed vote no. Record.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator Kremer, do you wish to close on your motion?

SENATOR KREMER: Yes, sir, I do. In amending this amendment to LB 561 we have tried to be realistic. I would be