

Senator Koch put it very well when we debated it the last time when he said "you'll be back". If it were not for the fact that I'm worried and concerned about litigation, litigation, litigation, I'd support this bill. I, too, have trouble with the power of eminent domain. Some of us are going to have to sacrifice, do for Nebraska what is going to have to be done. Ladies and gentlemen of the Legislature, stay with us and defeat this bill. If we don't, I can see nothing but problems in the future. We are going to have to store water and we are going to have to recharge this tremendous underground supply that we have. I said before, I want to repeat, if we do the sensible thing, the right thing, it is my conviction that Nebraska will have enough water to last us indefinitely. If we don't, if we do not store some water it is going to be in trouble, we are heading for trouble. Thank you very much.

SPEAKER MARVEL: Senator Sieck.

SENATOR SIECK: Mr. President, members of the body, we just advanced an amendment which I don't feel is going to help one iota as far as holding down litigation. Yes, if the Board of Directors find that the structure that they want to build is going up to 75%, yes, they will come to the Legislature for approval. That isn't too bad. But, what happens between the 75% and zero when the individual wants to prove that it is 75% and that is what we are talking about, litigation that will go on proving that it is less than 75%. This is what I am fearful of. We need many, many projects in the Upper Blue area, many projects. We are going to do it, but I'm sure that we are going to have to use some eminent domain. But, it will not be used haphazardly. I can assure you this. Invisiting with many, many people that are now on the Board of Directors and people that live within the area but they understand that it has to be used occasionally. Another item that was brought to your attention the last time we debated this that sometimes eminent domain is used for a purpose to save on capital gains tax. If you recall that item and our people will occasionally want to use this to benefit themselves and I feel that they should, because when you force an individual off his land he should take every advantage that he can. I want them to do this. Any time an individual that has a problem in this area, I can assure you that I will do everything in my power to help that individual to get the best price and the best arrangement for him.