

May 22, 1981

LB 243

CLERK: 25 ayes, 9 nays, Mr. President, on adoption of Senator Schmit's amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted.

CLERK: Mr. President, the next amendment I have is offered by Senator Haberman. Senator, this is the one that you had had published in the Journal earlier. Is that the one you want to take now?

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Nebraska Unicameral, my amendment says that should LB 243 become law that the provisions in 243 are not retroactive. That means that any projects that have started or have been funded are not affected by this project. The reason that I am putting this amendment on is I personally feel that there are parts of this bill, and the bill had been changed, that directly points to the Oliver Reservoir out in Kimball, Nebraska. To give you some background, back in 1974 the Kimball Irrigation District voted to abandon the irrigation district. The dam and the lake had deteriorated and it was kind of a mess. So the local people decided rather than to let this be tore down, let's fix it up and make it into a recreation area for all of the people. So they started having cookie sales, cake sales, I passed a sheet of paper around to show you where the Volunteer Fire Department raised \$1,200, and the local people raised \$300,000 of their own money to put into this project. The Resources Development District or fund put in another \$891,386 and they put in \$300,000 of federal funds for a total of \$1,500,000 and they decided to go along with the project. Now the local NRD Board was responsible for the resources funds and the federal fund and they had the vote to condemn some land. This board is made up of fourteen people, thirteen of whom are farmers and the vote to condemn a particular parcel of land belonging to a man by the name of Singleton was nine to four to condemn this land, not the rumored four to three that has been going around the floor. So these people said we are going to condemn this man's land. So they went to District Court and they lost and this man had been offered \$84,000 or \$491 an acre for this land that had been used for cow pasture. It was worthless, just for cow pasture, because you could buy good wheat land out there that averages twenty-five bushels per acre for anywhere from \$180 to \$225 an acre but no, they said we are going to give you \$491 an acre for your land. So they went to court and this man lost. So then his attorney decided to take it to a higher court and that is where it is now. Now what happens to this project if