

to you in part. "Whereas the application of eminent domain is increasingly jeopardizing the rights of private landowners and the preservation of agricultural land and whereas the potential for serious conflict is increasing between those agricultural or private property interests and those who might use the power of eminent domain for their own profit and whereas private landowners are concerned about the continued viability for their agricultural operations as sections of their land increasingly are taken through eminent domain proceedings."

SPEAKER MARVEL: You have forty-five seconds.

SENATOR SCHMIT: "And whereas private landowners and condemnors generally are concerned about the overall process used in the taking of their land by means of eminent domain, therefore, the State of Montana has suggested that an appropriate interim committee be assigned to study all the aspects of Montana's laws regarding eminent domain." I think, ladies and gentlemen, that indicates a fair analysis of the project. Nebraska is not the only state where we are concerned with eminent domain. I would ask you to vote against the Haberman amendment and to advance the bill.

SPEAKER MARVEL: Before we continue, in the North balcony from Senator Lamb's district we welcome 19 sixth grade students and 7 adults from Sandhills Public School, Dunning, Nebraska, Kay Fruedenburg the teacher, and I assume that white haired gentleman up there is also an exteacher. Senator Newell, do you wish to speak? Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I rise to oppose the Haberman amendments. I want to oppose them vigorously. No one or very few members of this Legislature have supported the Natural Resource Districts as strong and as vigorously and as consistently as I have over the past five years but I have to split from the association of Natural Resource Districts now on LB 243 and if I had been more aware of the project which Senator Haberman mentions in western Nebraska I probably would have been very much upset with them in the past. I think it is unwise for us to be spending public funds in the fashion that they were expended in western Nebraska and maybe we ought to take a much harder closer look at the way that these funds have been spent on water projects in the past. There are many, many flood control projects and important water projects that need to be funded in the State of Nebraska and it is unfortunate that we have funded a recreational project in western Nebraska not far from my own territory when there are many projects of much more significance that have not been funded throughout the State of Nebraska including in the Omaha and Lincoln areas. Senator Haberman makes it sound like a crime for an individual