

from western Nebraska whose own property next to a lake all his life to want to take advantage financially of improvements around that property. I don't think it is a crime at all. I don't think there is anything wrong with this individual trying to take advantage of the fact that a lake has been created next to that property and I am not sure that the public is being denied the benefit of the public funds that have been spent in this area. They still have access to the great majority of the lake as far as the shore line is concerned and if you are familiar with water law you know they have access to almost the entire body of the lake itself. So the public is not being denied anything serious by one man who does not wish to contribute his property to the recreational benefit of others. The purpose of eminent domain should be exercised carefully. The purpose of eminent domain is to condemn property, private property for the benefit of the public at whole. The public still has the benefits from this project and they are not being denied them as a result of the refusal of this one individual to give his land to the public. Now Senator Haberman tells us that land in western Nebraska sells for \$200 an acre or less, wheat land. Well, Senator Haberman, you send me the legal description and willing sellers because I can find you a buyer for any wheat land that is selling for \$200 an acre. I can find a lot of buyers. We will be more than happy to purchase some of that kind of land. The fact is, in western Nebraska wheat land is selling for five and \$600 an acre and I have heard of some dryland wheat land selling for \$800 an acre. So I really challenge Senator Haberman's predictions as far as the value of this property is concerned. The real point that we are talking about here, however, is retroactivity and Senator Haberman and Senator Hoagland visiting with others earlier in talking about this bill has really objected to the fact that this bill was retroactive in nature. Now Senator Hoagland's 213 is retroactive in nature and he thinks that is very important, that the changes we make in the not guilty by reason of insanity statutes are retroactive so that they affect the Simants case and the Alvarez case and so do I because we are changing the public policy of the State of Nebraska and there is no reason why it should not be retroactive on LB 213 just says as it should be retroactive on LB 243. All we are asking is that the policy of the State of Nebraska be consistent, that projects with recreational value of less than 75% are projects that should not use the power of eminent domain. That is reasonable. That is logical. I have a tremendous amount of respect for Senator Kremer and I follow his lead on water issues...

SPEAKER MARVEL: You have forty-five seconds.