

May 26, 1981

LB 243

It just amazes me how often LB 243 crops up at the head of the agenda constantly. When we had bills like 512 which I feel and many of the body feel is of great importance to our consumers, even though I was on the opposing side of LB 512 I feel that this bill has a lot of merit and needs to be considered and yet here we are debating 243 again. I am going to give you my thoughts as to why I still stand opposed to LB 243 and again I want to impress upon you that LB 243 in its present form is going to cause a lot of litigation among the Natural Resource Districts with their many structures and they are going to have difficulty to build and on no matter what percentage a recreational cost benefit is in that structure. We constantly hear from Senator Schmit that he will not and that he has amended it now so that the board of directors will make that choice but I can assure you that if you go to that landowner and there is a recreational development in the structure he is going to try if at all possible to stop it. He does not want the structure. If he is opposed to it he is going to fight it. I have had enough experience in this field to know that this is true. I also realize that when you have this authority that people you are dealing with and are going to go negotiate on a reasonable basis and very very seldom do you actually have to use it. But their knowing that it is there, they will try to negotiate and come up with a reasonable demand and a reasonable solution. I am sure that every Natural Resource District that I know of in the state are prone to listen to their people and they do not... they will be voted out at the next election. Why do I feel this way? Maple Creek is a project that was with us at least fifteen years. The people objected to it because of the recreational potential and that in the several structures there. They went to their board of directors and their board of directors dropped the project. We also had the Stevens-Callahan and Low Platte South and I am personally acquainted with these projects. They had three project designs in the preliminary stages for the Stevens-Callahan but it did have considerable recreation in it but was way under 75% but yet this project was dropped because the local support was not there. Now they are going to try to accomplish the project by other means. So this tells me that the board of directors of our Natural Resource District are concerned about the use of eminent domain. I will not use it unless absolutely necessary. There have been rumors going around that this bill is not for the Oliver project but it is simply to deny the right of eminent domain over the recreation for over 75%. This bill came about because of Oliver project for no good reason. We would not have

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