

only your own expenses in pursuing a fair price for your property, that's your expert witness fees, your attorney's fees, your court costs, under the current law you have to pay the cities or the subdivisions of governments attorney's fees, their expert witness fees and their court costs. So that \$22,000 that you thought you were going to get, even on appeal when that award came down, it will be reduced by the amount of expenses, court costs, attorney's fees and expert witness fees that that subdivision of government had expended. So you could be out not the 20,000 that you originally started at, I mean you couldn't be...you wouldn't be at that level, you wouldn't be at the 22,000 that you got on appeal, you'd be at 15 if the expenses were \$7,000. So, in other words, you roll the dice every time, as the landowner, that you decide to appeal hoping like heck that you are going to get above that 15 percent threshold. All 222 does is it says, you still got to, you go in, you still got to get above the 15 percent threshold, but the only expense you are going to have is the court costs. You are not going to be saddled with attorney's fees and expert witness fees, as the landowner. That says, look, if you've got a legitimate argument on the price of your property, and the \$20,000 example is not that far out of whack, I mean in terms of a piece of property that might be condemned, and 15 percent above that would be the \$3,000. If you can get above that, then you get,...

SPEAKER WITHEM: One minute, Senator Hall.

SENATOR HALL: ...you get your money, and you are not subject to paying anybody else's costs. Under the present law, if you don't get above that threshold, and when you get into higher pieces of property, higher cost of property, it is going to be tougher and tougher for those folks to hit that 15 percent threshold or be concerned about the fact that by challenging and appealing the award that they may not only lose what the award originally was or what anything they might gain on appeal, they may be absolutely far down below that depending on the costs associated with the suit on the part of the condemner. LB 222 is a fair proposal for landowners who find themselves with the subdivision of government coming in saying we are going to take your property. I would urge the advancement to E & R Initial.

SPEAKER WITHEM: Thank you, Senator Hall. Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, when the Constitution was first being put together, the Preamble