

SENATOR JONES: Madam President and members of the body, I rise in opposition of the Bernard-Stevens amendment. It treats the taking different than the other agencies and I don't think that's right. His amendment just picks out this one agency and I think that if we're going to do that we need to treat all of them the same, so I just don't think that's right, so I rise in opposition of this amendment. Thank you.

PRESIDENT ROBAK: Thank you, Senator Jones. Senator Dierks.

SENATOR DIERKS: Madam President, members of the body, I just wanted to stand in opposition to this amendment of Senator Bernard-Stevens. I think that we need to address a fairness issue there and I don't think this is a fair way to treat this particular issue. I'm not sure how many of you are aware of the takings that goes on around the state. We've seen this happen for some time and I could probably startle some people by saying that I'm not in favor of the peaceniks, and have not even defined who they are coming through and taking this property for their own particular uses, but this is happening and it has happened in the past. It has happened up on the Niobrara River and it's going to happen again. And I think we need to be very careful about how we address those issues and I think that Senator Jones has come with a very viable, very important issue to most of us who have a feeling for people taking property from us. But the particular issue before us now is Senator Bernard-Stevens' amendment and I do not support that. And, Senator Beutler, I'd give you the rest of my time if you'd like to have it to continue your discussion.

PRESIDENT ROBAK: Thank you, Senator. Senator Bernard-Stevens, excuse me, Senator Beutler.

SENATOR BEUTLER: Senator Dierks, thank you very much. Just to pick up very quickly. I know we're taking a lot of time on this bill already, but I did want to indicate that I think a proper theory of democracy and action in America, in Nebraska, the way we operate is through our Legislature, through our elected representatives and through our elected Governor. And if we all here make a decision that we want a particular law and if there is some question with regard to the constitutionality of that law we should be aware of that. But we should also properly from time to time fulfill the role of testing the limits of the constitution. And there are dangers in doing that in different areas, but that's the public decision. That's the public