

around because I think it's such a simple amendment and it does not insert anything that I could just tell you what it does. At the top of page 2, it would strike the words "with or without compensation". Then we would have this language, and I'm just going to sketch out Senator Withem's attachment, if the proposed rule, et cetera, may constitute or allow a taking of property, an analysis of any potential takings of property under the proposed rule or regulation, including, and then it goes on and lays it out. There is no purpose served by the words "with or without compensation" and the only reason I can see it being designed to try to get some kind of uniformity throughout the country and the forces pushing for this legislation want to say that all these bills are the same, as was the case with something else that we dealt with not many days ago. I don't see the rationality of requiring an agency to undertake an analysis of the kind mentioned in this legislation in the first place. But I would like to have somebody tell me how property would be taken without compensation under the laws and Constitution of this country and even this state. So I will ask Senator Jones that since it's his bill and he's working with organizations that brought it.

SENATOR JONES: Yes.

SENATOR CHAMBERS: Senator Jones, what property do you know of, whether it's personal, real, tangible, intangible, possessory, nonpossessory, present or future interest, what property do you know of that the state can take without giving compensation for it?

SENATOR JONES: I can give you a real good example between a landowner and federal that would be when the...in the rules and regulations that they had at that time.

SENATOR CHAMBERS: Senator Jones, we're talking about the State of Nebraska, nothing we put in this law is going to impinge on what...or limit what the federal government can do. Give me an example where the State of Nebraska or a political subdivision is authorized to take property without compensation.

SENATOR JONES: Yes, I could think maybe of a...maybe a hog operation would be too close to town or something, but I think Senator Brown has got an example too that you might want to listen to, but the ones I was thinking about would be maybe too