

would be before. Now I know Senator Wickersham, I don't know if you want to use a little bit of my time. I think you wanted to respond to that as well. Is this a convenient time? I would yield the rest of my time to Senator Wickersham.

SPEAKER WITHEM: Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Senator Bromm. I'll try to be brief. I concur in what Senator Bromm had to say in response to the points made by Senator Preister. There is no intent on my part, nor do I know of intent on the part of anyone to cause this bill to change actually what is the law with regard to what is compensable and what is not compensable in terms of regulations or takings of uses of property. And the hog confinement example, I did not propound that as one that I thought would be compensable. In fact, I think the state of the law is such that people do not have any constitutionally protected right to use their property in a way that is hazardous or injurious to their neighbors, that is simply not what the process would protect. I do want to make one brief point about points that Senator Chambers keeps raising about not having a definition of taking and not having a definition of property. And I would just simply refer you to the Nebraska Constitution,...

SPEAKER WITHEM: One minute.

SENATOR WICKERSHAM: ...Article I, Section 21, and it deals...that is the section of the Nebraska Constitution that deals with this issue, and it's just about two lines long. It says, the property, without any definition, Senator Chambers, the property of no person shall be taken, again without any definition, or damaged for public use without just compensation therefore. That's the simple language in the Nebraska Constitution. Those words, property and taken, or a variation of it, taking, appear in the bill before you. They are no more insidious or harmful than they are in the constitution as it now exists.

SPEAKER WITHEM: Senator Wickersham, your light is next. Senator Witek.

SENATOR WITEK: Question.

SPEAKER WITHEM: Question has been called. Do I see five hands?