

SENATOR BERNARD-STEVENS: One minute.

SENATOR CHAMBERS: Some people have lived relatively easy lives, are able to say, I'm tired of this and I'll move onto something else and nothing is disturbed. Other people who have lived hard lives and had to battle are not so quick to throw up their hands and say, well the other side doesn't like it, we're all collegial, so I'll give them what they want. Not so. Senator Beutler's amendment is not hurting this bill at all, but it will improve it and I support his amendment.

SENATOR BERNARD-STEVENS: Thank you, Senator Chambers. Senator Jensen.

SENATOR JENSEN: Yes, thank you, Mr. President, members of the body. I haven't spoken really to this 168 until this time. But I think 168 does have some value. I think it has value in that it puts entities on notice that there are problems out there. There are problems not only in the farming community with wetlands, there are problems also that cities and other entities have taken to developers and builders, and frankly in many cases they have been decided in favor of the property owner. I think many of you might be familiar with the South Carolina Lucas case, or Lucas, South Carolina, in which South Carolina decided that there was a piece of property that a builder owned and that, by their legislation, the builder could not use that property anymore and it made it useless. The courts ruled that Lucas did have a...property did have value that South Carolina took away. They filed a suit in South Carolina, paid a million five for that property. There is the Lovelady's Harbor v. United States, a similar case, Dolan v. the City of Tigard, a similar case. And so entities have taken property through rules, regulations, sometimes by zoning whereby the property has been devalued or rendered no value whatsoever. And that is similar to what is happening in some of the cases in the rural community. I have no problem with Senator Beutler's amendment. I think that the language is redundant and so I would speak in favor of that. But I also am in favor of the bill itself. I think it puts on notice to the various communities, entities, whatever is out there that there are property rights and they need to be observed. And therefore I would urge, first of all, the adoption of the Beutler amendment and then of LB 168. And so my tooth now feels better. Thank you.