

Senator Jones had a calf who had a sliver in its neck and it was bleeding that Senator Jones would deal with the sliver and he would prevent the bleeding. He would not put a tourniquet on the neck of the calf and end up killing the calf in the process of removing and trying to help it. I think legislation like this, takings legislation is exactly like putting a tourniquet on the State of Nebraska's neck because it will in effect take care of zoning regulations and environmental laws that we currently have that are for the best interest of all the people. When we have a wound he put a band-aid on it if it's a small one. We don't put a tourniquet on it and do far more reaching things than we would need to do in the pursuit of creating a resolution. I say a tourniquet because I think that what will eventually happen is we could expose the state to far greater liability and far greater lawsuits than I think Senator Jones in his well-intentioned pursuit of this bill has envisioned. In making that case I would bring to your attention that the Uniform Property Act, Section 76-101 to 76-123, give the term, definition of property and it means, and I quote, "one or more interests either legal or equitable possessory or nonpossessory, present or future in land", which is what Senator Jones' interest is, "or in things other than land". The term "future interest" is applicable equally to property interest in land and in things other than land. Certainly, property rights under law include jobs, contract rights, licenses, other things, of course, too. But when we talk about licenses let's use the case of U.S. Ecology, for an example. They're in the process of trying to site a low-level radioactive waste site in Boyd County and Senator Dierks has certainly been a champion of opposition to that and so has the Governor, for which I thank both of them. If that license is denied to U.S. Ecology and U.S. Ecology now has an investment of \$70 million in a site that they can't license and we put in statute a takings law in the State of Nebraska, do you think that the attorneys for U.S. Ecology are going to ignore that takings statute and say, no, we're not going to use this in a court of law; no, we're not going to use this as a takings; no, we're just going to pretend this doesn't even pertain to our license and...

PRESIDENT ROBAK: One minute.

SENATOR PREISTER: ...pertain to the fact that we just were not granted this license. Of course, they're not going to do that. They're going to use every available tool that they can and they're certainly going to file a suit against the State of