

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 28, 2000 LB 1394

questions, I'd be glad to try and answer them. Senator Beutler, you can have what little remaining time is left, if you want it.

SPEAKER KRISTENSEN: Senator Beutler, there's about 40 seconds. (Visitors introduced.) Senator Bruning.

SENATOR BRUNING: Mr. Speaker, members of the Legislature, I rise in opposition to Senator Beutler's motion to place LB 1394 on General File. When the Natural Resources Committee looked at this particular piece of legislation and ultimately decided, on a 7 to 1 vote, to indefinitely postpone the legislation. One of the...one of the things we looked at was how do other NRD directors feel about it around the state. We've got this problem in Cass County, with the Lower Platte South. How do...how do these other NRDs feel? There are, I don't know, I want to say 20 NRDs across the state of Nebraska; I don't know the exact number, it's...22. At a meeting of directors of natural resources districts they voted 75 to 42 to oppose this piece of legislation. This has not been a problem with other NRDs in other counties. For some reason this particular NRD has not taken the time to educate the Cass County commissioners, has not taken the time to sufficiently sketch out the project so that Cass County is comfortable with it. And in my mind we can't, as a Legislature, make law to fix a problem that one NRD has with one county. It's taking a bazooka to kill a fly. When one particular NRD isn't doing things the way they ought to do things, I become concerned if this Legislature has to...has to give them the solution. This bill was testified against by the Farm Bureau, this bill was testified against by dozens of individuals who came in and think not that the NRD should get more eminent domain power, they think the NRD has too much eminent domain power the way it is. That's what we heard from the individuals, from the landowners who came in and said they were already concerned with the amount of power the NRD has now. And to give the NRD more power, to give NRDs more power was completely beyond what the committee was willing to do. This particular bill allows NRDs the power of eminent domain with regard to a fairly limited area, county roads only. But certainly when we give the NRDs the power to trump, so to speak, what the county boards are deciding, that is a very major decision and one that this committee was not willing to make based on this particular circumstance. So I would argue that