

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

April 11, 2006 LB 1113

CLERK: Mr. President, at this time, I have nothing further to the bill.

SENATOR CUDABACK: We are debating the motion to...Senator Flood, make a motion on the floor, first, then we'll debate it.

SENATOR FLOOD: Mr. President, I move the advancement of LB 1113 to E & R for engrossing.

SENATOR CUDABACK: You've heard the motion. Now we will discuss the motion on the floor. Senator Mines.

SENATOR MINES: Thank you, Mr. President, colleagues. I think there's been a heads-up that an amendment has been drafted and due to the collegiality of Senator Schrock and the willingness of all parties to come together, we have come to an agreement and I'll let Senator Schrock speak about it as well. And it should be here any moment and we will ask you to trust us in what we are saying and doing. The amendment would still ensure that if public funds are used to create a facility, a recreational-type facility, that the public would have access. However, and this is quite reasonable, if the public funds account for less than 20 percent of the total cost of the project, whether it be a lake or a municipal park or any public recreational purpose, then the public does not have right to recreational use of the facility, unless the natural resources district or the council allows them to do so. So what it does, in my mind, and I think it's a reasonable compromise that unless there's a significant participation by the public, and we chose a number of 20 percent participation, then there is not the right for recreational access to a facility, whether it be a lake or a park or any other purpose. And that amendment is being crafted as we speak, will be down here for your consideration very soon, and I would ask Senator Schrock if he has comments. I would yield my time, Mr. President.

SENATOR CUDABACK: Thank you, Senator Mines. Senator Schrock.

SENATOR SCHROCK: Thank you, Mr. President. Thank you, Senator Mines. I've never been good at killing time, but I guess we're