

the rest of you to yours, that there should be some reasonable restriction, I think 40 acres is reasonable. I oppose Senator Carpenter's amendment.

SPEAKER: Is there any further discussion of the Carpenter amendment to the Dickinson amendment? Question is shall the, Senator Carpenter, do you want to close on your amendment at all, any closing arguments on your amendment to the Dickinson amendment?

SENATOR CARPENTER: Well, if it only applied to Senator Dickinson's district, I would have no objection. It applies to every school district. All I'm saying is at first in the law as it now exists without condemnation, they can buy all the lands they want, is that so, Senator Dickinson?

SPEAKER: Senator Dickinson, do you care to respond to Senator Carpenter's question?

SENATOR CARPENTER: Can the school board today without condemnation, buy all the land they want to with the approval of the school board?

SENATOR DICKINSON: Oh, I am sure they can but I'm sure that the fact that they have people to answer to would restrict this to something within reason, Senator Carpenter. They're not going to go out and buy a section of land somewhere and be in the land development business or land speculation business.

SENATOR CARPENTER: You don't get the point. For example, as the law now is without condemnation, they can exercise the board's justice, is that right?

SENATOR DICKINSON: I'm sure this is correct.

SENATOR CARPENTER: All right, now, why should we restrict the board's judgment in the area of condemnation?

SENATOR DICKINSON: Because the word condemnation on a power of eminent domain as I indicated before, is repulsive to me. I recognize it as a necessary evil of certain branches of government. I think when it comes to this that we need some restrictions in order to maintain rapport with the citizens whom we represent.

SENATOR CARPENTER: Well, I don't want to argue about it but it seems to be inconsistent to say we give the school board the right to do whatever they want to where they can negotiate the purchase, but if they want to buy the same land which may be more than 40 acres, whatever it might be, you can't do it, you can't get any more than 40 acres by condemnation. It's the same principle as L.B. 197.

SENATOR DICKINSON: May I respond please?

SPEAKER: Senator Dickinson, do you care to respond?

SENATOR DICKINSON: One other thing, I think, that I have in mind I haven't mentioned in regard to eminent domain, you're talking about buying any amount of land that a school board may decide they want to buy, if they can reach a mutual agreement with the person from whom they're, or persons from whom they're buying it, but if you are ever on the other end of eminent domain, perhaps this owner doesn't want to sell this land and he recognizes as a citizen that if a school needs land, they have to have it. Will you come out and tell this man that you have a half section of land or whatever it may be and I'm going to make you sell to the school district even though we do not, we cannot show a need for it, I think this is unreasonable to the citizens that are subjected to the use of eminent domain.