

March 29, 1973

SENATOR CLARK: If they appraise it at value the same as the land, they can forget it and keep them and there won't be any road going by there with federal secondary money. That's the whole idea of this thing.

SENATOR SYAS: Well, the only thing is, I gave you a, quite some time ago, a federal Supreme Court case on similar circumstances where I think in that federal Supreme Court, United States Supreme Court said you couldn't do this. Isn't that what they did?

SENATOR CLARK: What do you mean, you couldn't do it?

SENATOR SYAS: Well, I mean you had to give the full price to the children on these school lands.

SENATOR CLARK: That's right.

SENATOR SYAS: Well, then, how can you then turn around and say, if we have to pay the full price we won't do it.

SENATOR CLARK: Well, we won't. We wouldn't be able to.

SENATOR SYAS: But the court said you have to do it. Now...

SENATOR CLARK: What I'm saying is, in all fairness, see we've got 41,000 acres in our county. I realize you don't have anything in Douglas county...

SENATOR SYAS: Sarpy does, though. Go ahead.

SENATOR CLARK: Go ahead.

SENATOR SYAS: But I wish you'd let us have some of it in Douglas. Go ahead.

SENATOR CLARK: I wish you did, too.

SENATOR SYAS: You just let them buy it and I'll be glad. I hope they get a lot of it.

SENATOR CLARK: What we are trying to do is get these lands deeded to the counties for one reason only. Is to put federal secondary money on the roads, in order to improve the roads. Now, if we would go through and they are more than willing to let us go in and improve the roads at the present time. The trouble is, if we try to pave those roads later with federal secondary money, we cannot get any federal secondary money because we did not comply at the present time with having the lands deeded to the county. That's all this does.

SENATOR SYAS: I understand that. I think I understand it perfectly. All I am trying to say is that in face of the United States Supreme Court decision coupled with the idea that you say you are not paying full price, I merely asked you if you thought you could do this.

SENATOR CLARK: Emory Burnett seems to think so.

SENATOR SYAS: Well, I...I'd rather take the ruling of the United States Supreme Court, frankly.

SENATOR CLARK: Well, I checked with our Attorney General, He thinks so.

SENATOR SYAS: Did he give it to you in writing.

SENATOR CLARK: No, I haven't checked with the Supreme Court either, of our state or anyone else.

SENATOR SYAS: I'd like to have you get that...I'm not going