

notify those people whose property is about to be taken. It is a very rare case where you have a willing buyer and a willing seller and where you do, you probably shouldn't have. Now what this bill says, and this is all the new matter in the bill, it strikes out when no authority exists to exercise eminent domain proceedings. Well there is authority in this book for example and the law to set forth the proceedings. But as I understand the stricken matter and I hope that Senator Goodrich would elaborate on it, it eliminates the necessity through the notices and it just does away with that last paragraph which I think is highly important. Will the Senator please advise us of the stricken matter.

SENATOR GOODRICH: Yes, what this boils down to Terry is that we are not, and I repeat we are not, changing the eminent domain proceedings one bit. All we are saying is that if you have a willing buyer and a willing seller you don't have to go through the public hearing and notice. For example if we have a property owner next to the University or next to any other political subdivision as far as that goes where they have established that the University needs it, the owner says fine, I don't care, I'll sell it, we agree on a price of \$15,000. Why then, for example should the University have to publish notice and then go through a public hearing procedure

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procedure just literally to tell the guy that they have been talking too, that we have got to notify you, we have to go through a public procedure here, a public hearing procedure before we can buy your house. Now, lets assume for a second that this man was not a willing seller and that they were going to exercise the right of eminent domain to purchase the property. Then they go through the full formal procedure. There is nothing that hinders the seller in this bill relative to eminent domain whatsoever. He still has his full rights if he is not an absolute seller.

PRESIDENT: Next to speak is Senator Cavanaugh, Chambers, and then Snyder.

SENATOR CAVANAUGH: I pass.

PRESIDENT: Your passing? All right. Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature I would like to make a couple of observations. First of all, whenever a public body enters into a financial transaction that transaction is of concern not only to the board of directors or employees of that public body, but to the public at large. It is possible for there to be collusion and other activities which are improper even when you wind up with what you call a willing buyer, which is the property owner, the body which is to acquire the property and a willing seller. In Omaha they seen that certain wealthy people have had evaluations placed on their property which were far below what they ought to be. Then when time comes to sell this land to something else, that is when it comes out to how much the property is actually worth and how much should have been levied in terms of evaluation for the purpose of taxation. I think that whenever a public body is going to make a purchase of property that transaction is effective with a public