

January 22, 1974

PRESIDENT: The motion is lost, and we are back to considering 653 with the Cavanaugh amendment, and so far as the chair is concerned the Cavanaugh amendment is still under debate. Does anybody else want to be heard on the Cavanaugh amendment? The chair recognizes Senator Goodrich.

SENATOR GOODRICH: In just about 2 seconds, I'll have the motion up to the desk. I move to indefinitely postpone the bill.

PRESIDENT: All right. The motion is to indefinitely postpone... That's right a motion to amend does not yield to a motion to indefinitely postpone. They don't yield to each other. What is your pleasure regarding the Cavanaugh amendment?

SENATOR GOODRICH: I would strongly urge the defeat of the Cavanaugh amendment then and let me propose the motion that I just suggested.

PRESIDENT: Is there further discussion of the Cavanaugh amendment to LB 653. Does anybody else want to be heard on the issue. Senator Cavanaugh. Senator Chambers.

SENATOR CHAMBERS: Very briefly, I'm in favor of Senator Cavanaugh's motion. It ties into a package all of the things that we discussed here this morning. All it says is that even if an agency does not have the power of eminent domain it still must allow public notice and public hearing if it is going to acquire property for public purpose. That is what Senator Cavanaugh's motion says. I think is a valid motion. We ought to add it to the bill. Then keep the bill, and Senator Goodrich you will then have provided a vehicle to perform a great service for the state of Nebraska by making sure that all of the financial transactions of it's agencies are conducted under public scrutiny. And that I would like to thank you.

PRESIDENT: The chair recognizes Senator Fowler. Stand by, Senator Goodrich.

SENATOR FOWLER: I would like to agree with Senator Chambers. I think Senator Cavanaugh by his amendment corrects a situation that needs correcting. Here in the city of Lincoln, when the University got an expansionary mood a few years ago, they and the city more or less gutted a neighborhood. Most of this was willful sell. It wasn't to the use of eminent domain. But the average citizen felt intimidated by the power of the University and the city. And I think that we should be very conscious as we said with eminent domain, and do all we can to protect the citizen against these powers. So I would support the Cavanaugh amendment.

PRESIDENT: Senator Frank Lewis do you want to be heard on the issue. The motion before is the Cavanaugh amendment to 653.

SENATOR FRANK LEWIS: I certainly rise very briefly to support Senator John Cavanaugh for this motion too. And the reasons all have been pretty well stated that certainly land transactions particularly when we are talking about major expansions, that ought to be open and clear and set for everyone to know.