

January 31, 1974

SENATOR SIMPSON: Mr. President then I would have it clear that if this notice of Public Hearing would go in a newspaper for general circulation with the county, but that it not be in the Daily Record which is not in my estimation a general circulation in this county because it is very occasional that I would even see it. And I'm sure the general public would not know of this if they were allowed to put this in the Daily Record in Lincoln, Nebraska, and I'm concerned that there might be a considerable amount of public hearing being here, and so I want it definitely clear that it's going to be in a paper of general circulation and not in the Daily Record.

PRESIDENT: Is..Senator Simpson the Chair has to inquire, is your inquiry directed at the amendment as such, because there really had before the body at this time just Senator Cavanaugh's amendment, and was this part of the amendment your speaking...

SENATOR SIMPSON: No this is, yes, this is the Goodrich amendment which has been amended by the Cavanaugh Amendment and it is corrected to that, yes.

PRESIDENT: All right, thank you. Senator Whitney we are still discussing the Cavanaugh Amendment. Excuse me the Goodrich amendment.

SENATOR WHITNEY: Yes, Mr. President as I understand it, we've accepted the Cavanaugh amendment and now we're talking on the Goodrich amendment.

PRESIDENT: Yes, it is found on page 447. But now as amended by the Cavanaugh amendment.

SENATOR WHITNEY: Right. Now that's why I wanted to know so I would be on the subject. I want to ask Senator Cavanaugh a question.

PRESIDENT: Senator Cavanaugh yield?

SENATOR WHITNEY: Senator Cavanaugh now after you have had all these amendment put on. Is it correct to say that the public will be informed whether or not there is a willing buyer and a willing seller.

SENATOR CAVANAUGH: O.K., basically what will happen now under the bill is that under any transaction to acquire property under any circumstances by the State or any state agency, a public hearing after public notice is required. What is not required now, what would not be required with the Goodrich amendment is that in the case of a willing buyer, willing seller or voluntary gift or transfer not under threat of eminent domain, is that you would not have to notify the donor, transferor or whatever the case might be, 90 days before commencing negotiations. So that the individual who is a willing seller or a donor would not..it would not be required by the state agency to send him a notification 90 days before you started talking to him about the transfer. It would exempt that kind of transaction from that kind of specific notice to the seller or the donor.

SENATOR WHITNEY: What I was thinking of was..

SENATOR CAVANAUGH: They would still require the public hearing.

SENATOR WHITNEY: Let's take the Games and Parks Department. They may be a willing buyer and they may find a willing seller. Now would they have to inform the public that they are going to buy certain property.