

April 2, 1974

PRESIDENT: Senator Carpenter, do you want the floor. Senator Nore.

SENATOR NORE: Mr. President, and fellow members. I'm not against building this road, recreational road, but I think every town and village and community in Nebraska would like to have a similar bill. I don't think it's quite equitable to come in the back door with something like this. We could all have...I could have five or six or them in my district. And introduce them here, but why did they bring it to committee, because it wouldn't get anyplace. Because it wouldn't be equitable to pick out some particular area. I think we should leave this up with the Game Commission and their committee.

PRESIDENT: Senator Whitney.

SENATOR WHITNEY: Mr. President and members of the Legislature. I'm presently speaking for the Budget Committee. Senator Waldron brought this amendment to the committee, and we looked on page 12, of the constitution. It says there in Section 18, that the Legislature shall not pass local or special laws in any of the following cases, that is to say, laying out opening altering, or working roads, or highways. Therefore, the Budget Committee said we cannot legally accept Senator Waldron's amendment. And since it's unconstitutional, then we had to turn it down. And since it's unconstitutional, so I have to vote against this amendment.

PRESIDENT: Senator Frank Lewis.

SENATOR FRANK LEWIS: Mr. Chairman, those who are familiar with that area will note that Lake Maloney out there is at least a regional recreational spot. It's a great deal of use of that road, I'm very familiar with the location, having fished there many times. I think that's going to be a real advantage to the state as one of the really many fine reservoir systems that we have for those kind of activities, and I certainly support Senator Waldron on his motion.

PRESIDENT: Any further discussion? Are you ready for the question Senator Waldron, you may close.

SENATOR WALDRON: Mr. President, and members of the Legislature. Senator Nore, I couldn't do this in the proper procedure going through the budget committee, for various reasons. I'm not trying to sneak through the back door. I can't think of anything more open than coming before all 49 members of the Legislature and asking for it right here in front of the full press and everyone. This is not in no way can be considered trying to sneak through the back door, Senator Nore. Senator Whitney, we, as I know you voted against it last time too, but we just adopted a amendment a little while ago that was probably unconstitutional and I think this one has as much chance as that amendment, and so I hope that that does not be a deterrent to those who wish to support this needed recreational road. A gain I'd like to call upon my friends to help me put this money in the Budget Committee, or in the Budget Bill so that we can build this road. And so if it's declared unconstitutional, then so be it. We have done the best we can for this area, and the area of North Platte. But let's at least give it a try. Thank you.

PRESIDENT: Senator Waldron has closed. The question is, shall we adopt the Waldron amendment to LB1055. All those in favor