

May 15, 1979

LB 158

the fact that this is for the public good. It would appear to me that our standard procedures in willing seller, willing buyer should be very noticeable and prevalent as we would exchange private property from one private owner to another private owner. Imagine the situation where there "is a business that's operating that another business wants to have". Call it a blighted area and the looseness of 158 it would certainly be able to be done. The city council meet, or the county board meet, invoke the right of eminent domain, confiscate the property, raise it and turn the private property over to another private property development. That just doesn't ring very good with me and I hope with the members of this Legislature. A year ago when Senator Koch was carrying the constitutional amendment, if you will remember on the floor debate he said that it was his opinion that eminent domain would not be needed. Now Senator Johnson says that without eminent domain LB 158 won't work. If that be the case, if Senator Johnson you are correct, that 158 won't work without the force of government confiscating private property, there can't be a more condemning statement against 158 than what you make and that this will not work unless the government has the right to confiscate the property. I strongly oppose the right of eminent domain in LB 158 and I ask your support for Senator Warner's amendment.

SPEAKER MARVEL: Senator Koch, do you want to speak again before I recognize Senator Warner? Your light is still on.

SENATOR KOCH: I just put it back on, Mr. Speaker. I will apologize. Occasionally I do leave it on when I shouldn't. But it's interesting the letters I have received, and I think many of you have too. Particularly, I have one from Grand Island, which is the great city from which the fine senator is elected, and it's from Dick Stevens, the President of the Greater Grand Island Development Corporation. Grand Island was very actively involved in the construction of LB 158, and in this letter he says the Greater Grand Island Development Corporation represents downtown businesses, property owners concerned with the planning and development of the downtown Grand Island area. Having been there I can see where they could use it on the main street of Grand Island. He goes on to say, we want you to know we support 158 with the amendments that you have adopted. We believe it can be an important vehicle for downtown development in the great city of Grand Island and many Nebraska communities. It embraces the important ingredients of local control and providing private enterprise the opportunity