

March 6, 1980

LB 680

RECESS

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Have you all recorded your presence? Do you want to record the vote?

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: The first order of business today, we are still on Select File, is LB 680. We are going to take a couple of these and then we will come back to Special Order.

CLERK: Mr. President, LB 680, title read. There are no E & R amendments. However, Senator Schmit has an amendment that is on page 691 and 692 of the Journal.

SENATOR SCHMIT: (Mike off) Legislature, this is the amendment that I had intended to offer on General File but withdrew at that time in order to keep the bill moving on consent calendar. This amendment adds the emergency clause and it also adds some new language which says that if it is found that the condemnor did not negotiate in good faith or if there was no public purpose for the taking of the property involved that the condemnor cannot institute proceedings again for a period of two years. I think the amendment is self-explanatory. The reason behind this is that if it has been found that there is no reason for taking this property in the first place or no reason for instituting the action in the first place, I do not think that it should be possible to again start a frivolous proceeding at taxpayer expense to instigate condemnation proceedings. I move for adoption of the amendment.

SPEAKER MARVEL: The motion before the House is the adoption of the Schmit amendment to LB 680 as spelled out in the Journal, pages 691 and 692. Senator Schmit, are you ready to take up your amendment? Okay. Senator Sieck, do you wish to be recognized on the Schmit amendment? Okay, go ahead. Senator Schmit has explained the amendment. He has explained it.

SENATOR SIECK: Mr. Speaker, members of the body, I don't feel that Senator Schmit has explained it thorough enough. I am a little in the dark on it.

SPEAKER MARVEL: Okay, do you have some questions you would like to ask?