

Section 2 a procedure whereby that same procedure could be followed with the Board of Educational Lands and Funds. If the Board of Educational Lands and Funds has no problem with the easement being asked, if the price of the easement can be agreed upon between the two public bodies, then the condemnation process would not have to be followed. The purpose behind this, or the philosophy behind this is that since both the entity asking for the easement and the entity owning the property are owned by the public, that it is a rather silly procedure it would seem to me to force the two public bodies to go through the expensive legal condemnation process if an agreement can be reached by the two public bodies on the amounts for the easement without it. This does not take away the ability of the Public Board of Educational Lands and Funds to insist on the condemnation process or neither does it take away the right of the body asking for the easement. If they can't agree under Section 2, if an agreement isn't reached, a mutual agreement, then the condemnation process under Section 1 falls back into play. I think I should also point out for those of you that might be concerned that this does nothing to the lessee's right for reimbursement, the lessee being the person, the farmer, the rancher, that holds the lease on that Board of Educational Lands and Funds Land. Their rights are still protected just as they have been in the past for damages to anything done on their crops or their property. This only deals with the two public bodies, and I would urge the body's adoption.

SPEAKER MARVEL: Senator Wagner.

SENATOR WAGNER: Mr. Speaker, members, Senator Clark is going to fall off his chair this morning because I support Senator Vickers on this. It's not too often we can do this, but Senator Vickers has got a very good bill here. He did an excellent job of explaining the bill. I, many times, in laying out power lines have had to acquire easements. Trying to address the school grounds has really been a tough problem because most of the time you wound up in condemnation and it spent a lot of dollars both ways. It's really a nonproductive way of going across school property. By granting this easement it is a much lesser way, it protects everybody, and I think it is a very excellent bill and I certainly do support it.

SPEAKER MARVEL: Senator Kahle.