

SENATOR GOODRICH: Would Senator Wesely yield to a couple of questions? Senator Wesely, you are throwing something at us here that you haven't shown anybody yet and I want to know what it is. It is my understanding, and I can't tell a darn thing from what you said, but when I have just been told that in Lincoln and Omaha you are saying it takes a five-sixths majority of something to what, exercise their eminent domain or something?

SENATOR WESELY: Yes, and Senator Goodrich, this isn't new. This was discussed on the bill on General File. Essentially, all this does is re-instate the present language concerning our present RTSDs for those that would be created...(interruption).

SENATOR GOODRICH: Your present what?

SENATOR WESELY: This amendment would just keep as...

SENATOR GOODRICH: Okay.

SENATOR WESELY:the status quo the present requirement on eminent domain majority for those RTSDs that now exist. See what this bill does is allow Scottsbluff and Gering to cooperatively join with their county in joining an RTSD. Presently, they can't do that. Presently, only one city and their county can do that, so this expands it and for that expanded two city, one county arrangement they can go down to two-thirds vote and have eminent domain rights. But for all those present RTSDs which all have to be one city, one county, they would still be maintained at a five-sixths vote to have eminent domain rights.

SPEAKER MARVEL: Senator Wesely, do you want to close on your amendment?

SENATOR WESELY: Yes, Mr. Speaker. I don't think it is as confusing as people are making it out to be. Essentially, the present status is it takes five-sixths votes for an RTSD to declare eminent domain authority and as I said, RTSDs now can only be formed with one city and county cooperatively. What we are trying to do in this bill is allow Scottsbluff to form an RTSD with Gering and their county so that there would be three entities. Because of that new arrangement, they need to go down to two-thirds vote in order to function with an eminent domain right because of the different arrangement, so it appears to be fine to do that for Senator Nichol's