

May 19, 1981

LB 224

CLERK: Mr. President, Senator Beutler would move to return LB 224 to Select File for specific amendment. (Read Beutler amendment found on page 2097, Legislative Journal.) That is offered by Senator Beutler.

SPEAKER MARVEL: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I again apologize for not getting to this before Final Reading but a very important public policy question is involved in this particular bill and the question is basically this. When an NRD takes a farmer's land and improves it for these small watershed projects, then under the particular fund we are talking about they are required to sell that land after a ten year period and the question is simply this. When they sell the land, they can sell it to public entities or they can sell it to private entities. Should they sell it at the same price to both entities or should they give the public entity a price break, even as much as fifty percent on the land that they took originally from the local farmers? Okay, let me go back a little bit. You have a chart passed out to you and I hope you will follow on this because I want to illustrate to you what is happening with this bill the way it is right now and why I think it prejudices public or private landowners. If you look at the chart there are three situations outlined. There is a number one up in the upper left-hand corner and then below that, below the solid line, two, and below that, three. These are different hypothetical situations but I would ask you to switch down to number three which is where the fault lies in the bill. Now this situation anticipates that the fund pays as you will see a hundred thousand dollars for the property. Let's say they go through their improvements and then they come back ten years later and they have to sell it under the law. The price under the hypothetical at that time is \$150,000. Now if we are talking about any recent ten year period, the price would be a heck of a lot more than that. It would probably be double the \$100,000 quite possibly. So remember that this hypothetical outlines a conservative differential. Okay, now if you will skip over to the right you will see what happens under the current law. The public would pay \$100,000 for that land and the private owner would pay \$150,000 for the land. The private owner is prejudiced under the current law. He would have to pay more. Now if you switch over further to your right in the column that is under LB 224 you will see that that situation is retained under LB 224. Then if you look over to your right a little further under the column called "Beutler Proposal", you will see that the situation, what my amendment does, it says that the public