

May 22, 1981

LB 243

CLERK: Mr. President, LB 243, there are E & R amendments pending.

SPEAKER MARVEL: Senator Kilgarin, E & R amendments to 243.

SENATOR KILGARIN: I move the E & R amendments to LB 243.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. All in favor of the E & R amendments to 243 being adopted say aye, opposed no. Motion carried.

CLERK: Mr. President, Senator Schmit would now move to amend the bill.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, there have been some concerns that this bill would cause litigation, cause some unnecessary expense in the Natural Resource Districts. I have tried to attempt that with the amendment that have been...attempted to resolve that with the amendments that were previously adopted which allowed for the Natural Resource Districts to determine the extent of the benefits that were attributable to recreation and then secondly, to allow for the special exemption through the legislative process for those projects that the Natural Resource Districts meant or felt were necessary for a particular area. I am, therefore, trying to offer one additional amendment to ease the fears of those who feel that the bill will have a wide or long-lasting impact and a devastating manner against Natural Resource Districts. This says that in three years the provisions of the bill will sunset. Therefore, unless we come back in at the end of that time and renew the exemption that it would cease. I want to say very frankly that I don't think the amendment is necessary because if we don't like the problem, if we think there is a problem there or we don't like the bill, in a little over seven months we can come back and we can amend it or we can take the provisions out of the bill but I am just going a little bit farther to demonstrate that I feel very strongly that we will come back within three years time and extend these same provisions. I have no concern that the Legislature will not continue the process. I do not fear those or share those concerns which some people do relative to the limitation of the right of eminent domain but I am willing to go this far and I would hope that the amendment will be adopted.

SPEAKER MARVEL: Senator Newell, we are voting on the Schmit amendments.