

SENATOR VICKERS: Senator Remmers, would you explain a little bit further as to the reason that this bill came about since it says on line 18 of page 2 of the bill that they do have the right of eminent domain as I read it for public utility services and I assume that the various villages and cities falling under this act have felt for many years that they did have the right of eminent domain. Was there a court case or something that brought this about and I notice you also have the emergency clause? Would you explain why that is necessary?

SENATOR REMMERS: This bill came to me from the League of Municipalities. They requested I introduce it. I believe the court case was Iowa versus Walthill and in that case there was some question about the power of eminent domain for the distribution system. I think it is something they had always assumed they had. Well I'm sure they always assumed they had this right and I think there are probably a couple of situations where some municipal power plants have the necessity to build some distribution center to serve their customers with the heavier loads that we are using out in the rural areas today. So I think there are probably a couple in the plans right now for distribution centers that need this power to continue with it, to proceed with their project.

SENATOR VICKERS: You said rural areas, you meant small towns in rural areas, is that correct? Because...(interruption.)

SENATOR REMMERS: Right. They serve a small area around their towns. For instance, they have the municipal power pool where they can...they serve the...for instance in my area, the Auburn Public Works Power Plant, does serve some lines out in the rural area. They have before R.E.A. ever came in and they have some areas in there and that is why that last amendment was necessary that we confine this power within their jurisdiction that they have at this time.

SENATOR VICKERS: Okay, thank you, Senator Remmers.

PRESIDENT: I guess that is it, Senator Remmers, if you want to close on the advance of the bill.

SENATOR REMMERS: No, I just simply move that the bill be advanced.

PRESIDENT: All right the motion then is the advance of LB 875 to E & R initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to advance the bill.