

PRESIDENT ROBAK: Senator.

SENATOR COORDSEN: Well, my purpose, Senator Kristensen, is to indicate that there is case law in Nebraska that has the potential of putting in jeopardy a bid of this (inaudible), and I raise that in the context of Senator Wickersham's amendment to indicate that it might be advisable not to have eminent domain, because we're looking at really tight time lines, as I understand the process.

SENATOR KRISTENSEN: Right.

SENATOR COORDSEN: And given what is apparently current...currently valid decision on the part of the Nebraska Supreme Court, it would give rise to, from a nonlegal perspective at least, what little I know about it, a substantial opportunity for someone to raise a cause, to go through and (inaudible)...

SENATOR KRISTENSEN: And that's why I want to visit with you a little bit here. What year was that Supreme Court case?

SENATOR COORDSEN: Nineteen sixty-seven.

SENATOR KRISTENSEN: So that was prior to our change in '78 of the Constitution allowing for tax-increment financing.

SENATOR COORDSEN: Um-huh, that is correct.

SENATOR KRISTENSEN: And the impact of that change of that constitutional amendment on that case would be...

SENATOR COORDSEN: Well, I am not aware personally of any constitutional challenge that has been brought under tax-increment...against tax-increment financing.

SENATOR KRISTENSEN: Okay.

SENATOR COORDSEN: If there has been I'm not aware of it.

SENATOR KRISTENSEN: Okay, thank you.

SENATOR COORDSEN: So it's my understanding that this would stand until the court made another decision. They might, as you well know far better than me, make a decision overturning...