

February 22, 1995 LB 830

SENATOR KRISTENSEN: Well, I was interested because I sure would like to read that case in context.

SENATOR COORDSEN: I'm having copies of it made, some Page, and it will be distributed here,...

SENATOR KRISTENSEN: Great, thank you.

SENATOR COORDSEN: ...soon as they get done making copies.

SENATOR KRISTENSEN: I also think that, Senator Cudaback, when you talk about what's good for the state public purpose, it depends on what that definition is, as you look under the change in the Constitution for tax-increment financing. Certainly a company that brings in a large number of jobs and that much money into the economy, I think you'd have to admit, would be good for the State of Nebraska, that that's a good purpose. And that's part of the reason when people talk about intent language doesn't have anything to do with anything, it really does, because the intent language is what our finding is, that stuff like this, using a fairly colloquial term, is good for the State of Nebraska. And that that, you'll agree with me as well, Senator Cudaback, that a railroad going through a community like Gibbon may not be in their best public interest, they may not like that, but for the state as a whole that's probably very good.

PRESIDENT ROBAK: One minute.

SENATOR KRISTENSEN: The same thing applies in this situation. What I'd like to do...and my time is growing short, I'd like to visit with Senator Wickersham and hopefully he'll address the change in the Constitution to allow tax-increment financing certainly has some impact on our ability for eminent domain and our powers to condemn property. And I think that you'll find that definition is an allowance constitutionally to exercise the powers, and that, I guess, ultimately goes, is it good policy or not to do it. I think it's good power...or good public policy to have the power of eminent domain because then the debate focuses on how much the landowner is going to get, not whether there's going to be a purchase or not. To Senator Coordsen's argument, I think he seems to raise a question of...that you can't do this at all, that it's unconstitutional. I don't think that's right, but I'm willing to read the case and look at it,