

the use of eminent domain was constitutional within the context of LB 830. I think some of the considerations that Senator Kristensen were (sic) noting are not present. "...in my experience, you don't have a lot of easements, you don't have a lot of troublesome, burdens finding out who has title to pastures and cornfields. They usually have been owned by people for a considerable amount of time and they've been rather protective of who is conducting operations on their property, and you just don't have those considerations. But in any event, I don't...really, I don't think this is a body for us to decide whether this is constitutional. I think there is a constitutional issue. The broader issue is whether it should be done, and that's a public policy issue. And as I stated earlier, the way that you ought to acquire property for private purposes is to buy it, go out and buy it. Find a seller and buy it. And in fact I'm...Senator Brashear, are you...you're still here?

SENATOR BRASHEAR: Yes, Senator Wickersham.

SENATOR WICKERSHAM: Well, Senator, I might ask you whether or not you have had any occasion to recently acquire property?

SENATOR BRASHEAR: I have, Senator.

SENATOR WICKERSHAM: And, Senator, did you find it necessary to use the powers of eminent domain to buy that property?

SENATOR BRASHEAR: I did not.

SENATOR WICKERSHAM: And did you buy more property than we're told would be used by the Micron project?

SENATOR BRASHEAR: I guess I did.

SENATOR WICKERSHAM: Oh, thank you, Senator. And I hope that you're able to pay for it without tax-increment financing. But it is, it is not impossible to simply pay for property and buy it. If you buy it honestly, the public will thank you for it. You cannot imagine, you cannot imagine the distaste that people feel for their government when they find that government imposes a hand on their shoulder and a boot in their back to drive them from their property with a process that may not provide a fair result or just compensation for the property that's being taken to give to someone else. It's bad enough when it's a road, it's