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at least I hope that they will be reviewed. I think that the use of eminent domain ought to be reviewed. I hope it is. I think these provisions that I'm seeking to strike, as I noted before, are perfectly useless as well as being intelligible.

PRESIDENT ROBAK: Thank you, Senator Wickersham. Senator Brashear.

SENATOR BRASHEAR: Madam President, members of the body, I rise in opposition to the Wickersham amendments. The fact is that if we were to adopt the Wickersham amendments, all that we have done until now in an effort to put this legislation in place is for naught. I leave to others the grammar, but the fact is that we have had hours of enlightening and informed debate about how we as the representative body of the people of the state were going to define blighted and substandard for the purposes of this legislation. Our definition of blighted and substandard is essential to this project and the application of the constitutional and statutory provisions. I assume that Senator Wickersham knows full well that if these two seemingly insignificant, relatively brief provisions are stricken from the legislation that, in fact, what we will have is an inordinate delay which will probably make all of this effort of no consequence. The way the law is written, we decide here for the people that if an application is approved, then that is, in fact, a determination of fact just like a court would make that the area for which the application is approved is blighted and substandard. If we strike these two provisions, then a Micron or any other qualifying entity could make application, have an application approved and still have no determination of fact as to whether or not the area was blighted and substandard. So how would such an applicant proceed? That applicant would be required to file a declaratory judgment action or some such proceeding in a court of competent jurisdiction to amass the evidence, to put the evidence before the trier of fact to get a decision and then to have any review and appeal of that process. That simply does not make us competitive. That doesn't make the process move forward. It doesn't make it possible to attract people in this competitive economic development environment to come to Nebraska. They can go elsewhere where these techniques are applied at law. They can know they will not be subjected to such a difficult process that will take so long or be so expensive or cause such a delay. They can go elsewhere where the legislative bodies have determined as a matter of law that they may have certainty. And I, respectfully, submit that's