

simply says that specifically for the purposes of this bill if the power of eminent domain is to be exercised that the exerciser cannot go into possession of the property until all appeals are final. That means if the litigation goes all the way to the Supreme Court that there has to be a Supreme Court decision before the condemnor can go into possession of the property. I think that would promote a much healthier discussion about what the property is worth and whether eminent domain is the proper procedure for obtaining it. That's all the amendment does and I suppose, unless there is a tremendous groundswell of support for this amendment, that I will pull it, because I recognize that there will be those who think that even this minor accommodation to private interests would be perhaps deemed inappropriate, but I think it is still worth discussing on the floor of this body this morning and wish to give you the opportunity to do that. If you don't wish to discuss it, I will pull the amendment. If you do, I will leave it there. This will be followed by another motion by Senator Withem which will give you an opportunity to discuss the bill in general and you may wish to do that as well. Thank you, Madam President.

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

SENATOR COORDSEN: Thank you, Madam President, and members of the body, as has become typical the last few days, hundreds of hours, I don't know how many of those we've spent, Senator Wickersham and I share a concern for those folks who are not really considered under this activity. And that concern is in regard to, as Senator Wickersham indicated, the property owners who are going to be dispossessed by government for the benefit of private entities. We had a discussion over Supreme Court case law. There was an indication by Senator Kristensen, careful reading in plain English, which is all that I'm allowed to do because not having the keen legal mind of many of the members, would indicate that the case that was cited was not really on point with the issue of eminent domain. It was certainly in the redevelopment act area. But there are a couple of issues that make eminent domain an important consideration and I think we have talked about it at enough length several days ago. But, number one, is that when you get outside of the development ring of a city you enter into an area where the property, even though there is a team of appraisers called for in an eminent domain case, that value of that property is such that it leads one to believe that it might be unlikely that an