

I appreciate what Senator Bernard-Stevens has done and yielded me his time and as I stated off the mike, he's never asked or called due the debt that I owe him in terms of time. But I'm going to summarize where we are now in my opinion. A city has been co-opted by a big company and they enter an agreement which is not in the best interest of the city. By that I meant the citizens. And they make all kinds of concessions that will benefit the company and the citizens are in an uproar. The citizens, first of all, cannot even file an action in the first instance to do anything about that. Let us say that you have an Attorney General who is also co-opted or not too bright and doesn't want to get involved in a city's problems, so somehow we wind up with the city wanting to get a statement from the court saying that it's authorized to incur this indebtedness. And the court makes a ruling because the Attorney General whose job it is to defend the interests of the citizens is inattentive and a judgment is given by the court. Let's say there is a good basis to believe that on appeal that judgment would be overturned, but the Attorney General does not appeal. Certainly, the company is not going to appeal because it's what they want. The city is not going to appeal because it's what they want and the bond holders don't want an appeal because it's what they want and nobody else can file an appeal so the time in which an appeal could be filed runs out. That judgment is now conclusive with reference to all issues presented and which were not presented but which could have been presented. You can't raise them again. Now, a lot of pressure is brought to bear and the World-Herald suddenly catches on and it is offended, not because of what was done, but that it didn't get it soon enough so they start a furor and they rage and rage and say this should not have been done and the council members say we're going to have to stand for election and maybe that's right, so we would like not to do this so we're not going to carry through on the contract and we'll let them do whatever they want to do. Get us for breach of contract but that's all and we'll pay some damages. At that point the company comes in and says, no, you're not going to get away with paying damages. The Legislature put this into the law. I can get a mandamus which is a mandatory act and compel you to deliver on every item and condition of this agreement. That means you've got to get that land, you've got to turn it over to me and you've got to do everything else that that agreement said. And then everybody says well that's not fair. Why would the Legislature pass a law and the only ones who could challenge an act are those who stand to gain from it and would have no interest in challenging it?