

SPEAKER WITHEM: The motion is to advance. Senator Wesely, for discussion?

SENATOR WESELY: Thank you. Mr. Speaker, members of the Legislature, I appreciate that Senator Hartnett was cooperative on the amendment dealing with eminent domain, and as a result, I am not going to try and hold the bill up. I will not vote for its advancement at this time, but I do think that one...at least part of my concern with the bill was expressed. My intent now is to not fight the bill, and having it advance over to Final Reading, but I am inquiring of the Attorney General whether or not the bill is constitutional or not. And, you know, this is...I, more or less, want to use the bill to make the point about how what was a very confined line is now a very gray area about what we utilize public funds for. And when I first came into the Legislature, Nebraska was very cautious about using public funds for private purposes. We were, simply the constitution clearly states that that is not something that we are to do, but that has been interpreted time and again to allow for more flexibility to the Legislature to do some of these things, and whether they be tax breaks to individuals or companies, or tax increment financing, or loan programs that we've established, or it used to be that we didn't give any public funds to private college students. We have made a lot of changes in those years since that time. This is one more of a list of those types of things where monies that have been collected had always gone to public airports, now we are allowing for the private but public-use airports to get access to the funds. And as I understand it, there's a...there's a good reason for this proposal, that there is a sincere desire here. But always in my view, you have to be very cautious about crossing lines and this is one that I'm...I'm not, in particular, aren't going to jump up and down about but I am going to express the concern and try to see whether or not the constitution is in any way allowing for this or not allowing for this sort of change. But short of that, again, part of the concern that I have is a large amount of the money that comes into this fund comes from the Lincoln and Omaha airports, and the Cash Fund is largely allocated to the smaller airports in the state. It is another urban-rural issue where, in this case, it's the urban airports providing assistance to the rural airports. And, you know, we get hit a lot of times about how the urban side gets a lot of benefits, but I always want to take the opportunity to mention when we are taking the short end and trying to help out our friends in the rural areas of the state.