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FLOOR DEBATE

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and have had an opportunity to address some of the eminent domain issues, as Senator Redfield was discussing. So I thought this question would be better placed with you. Relative to the designation...well, relative to removing the substandard and blighted property element to this TIF financing, as you know, Senator Friend, again, as a member of the Judiciary Committee, you're aware of some abuses that have occurred, particularly in the Omaha area, relative to this designation. I mean, it says in existing law that for this to take place, it has to be substandard or blighted property. Well, that's a...you know, beauty is in the eye of the beholder. What we have done in some instances is designate as substandard and blighted some properties that are actually very sound, structurally very sound, and are actually viable businesses in our community. And I guess my question is, I want to be entirely assured that nothing within this constitutional amendment gives cities an additional tool relative to eminent domain, and I want to be absolutely certain that nothing in this constitutional amendment enhances cities', and in this instance as well, counties' abilities to accumulate properties under our eminent domain statutes.

SENATOR FRIEND: Yeah. Yes, Senator Synowiecki, good question, and it's an offshoot of the direction that we were going earlier with Senator Redfield's question. But the answer is this: There is absolutely no impact. LR 272CA has absolutely no impact on eminent domain. Here's why. One, we're talking about a functionally different set of statutes that we're dealing with. Tax increment financing is Article VIII, Section 12. Eminent domain statutes are under...fall under Article XIII, Section 2. There is no cross-reference, they're fundamentally different, and they provide for specific differences to the cities, to the local subdivisions, the counties to implement this type of stuff. There is a duplication of definitions, okay, but no overlap of authority. This is...we are going to be empowered in the Legislature, because of LR 272, to implement the language. The Legislature takes control of this situation, as opposed to not having any, virtually, any control over it now, and the people that are intending, or the organizations intending to come in and use it have to have a serious rationale for it, prove to the Legislature that serious rationale is