

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

May 12, 1999

LB 271, 729

bracketed to a day certain. Thank you. Mr. Clerk, next item.

ASSISTANT CLERK: Mr. President, next bill is LB 271. On that bill, the E & R amendments have been adopted. The amendment by Senator Wickersham was adopted, as was the second amendment by Senator Wickersham. An amendment by Senator Kristensen was adopted; another one by Senator Wickersham. And when we last considered the bill, we were considering a motion to indefinitely postpone by Senator Landis. (See motion on page 1698 of the Legislative Journal.)

SENATOR CUDABACK: You withdraw your amendment (sic--motion)? It is withdrawn. Senator Schmitt, did you wish to talk on the bill? Your light is on. Mr. Clerk.

ASSISTANT CLERK: Mr. President, I now have an amendment offered by Senator Landis. Senator, I have AM1492. (See page 1888 of the Legislative Journal.)

SENATOR CUDABACK: Senator Landis, you're recognized to open on your amendment.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, LB 271, which is our first attempt at applying the new principles from our constitutional amendment, breaks our taxing authority with respect to political subdivisions who own property, some of which is used for public purpose, some of which is not used for a public purpose, into one of three options: fully taxed, payments in lieu of taxes, and no tax. And what we have now is, if you have property owned by a political subdivision and the property is used in furtherance of its public purpose, it's exempt. We've also said that if it is owned by a political subdivision and it is not for a public purpose, it is...it is taxed. To that wrinkle we have added, if it is not for a public purpose and it is not leased, it is then a payment in lieu of tax. And this is where they're holding land, they don't lease it, and that was a piece of work we did in committee. Now, the amendment that I'm offering to this set of options is to say, where a governmental subdivision owns property which it leases at fair market value, that that will be taxed not with the full property tax, but rather with the use of a payment in lieu of taxes. And we've identified as to what a