

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

January 30, 2001 LB 104

class cities and villages on the same level and basically with the same provisions as are now afforded to natural resource districts; metropolitan class cities; MUD; cities of the primary class, like Lincoln; counties; and the state; and public power and irrigation districts. All have these provisions. Basically, the bill would relieve the first and second class cities and villages of the obligation of posting a bond in a court proceeding when the city is a party to the lawsuit and if they should propose to appeal or take some action that would otherwise require a bond if you were an individual. The rationale behind this, I'm sure that we've provided previously for other subdivisions, is that a bond is really for the purpose of ensuring the opposite party, the other litigant, that you are going to be responsible for the costs or the damages should you dismiss your appeal or should you do something to cause them damage during the litigation. So that's what a bond is for. Now, a city of the first or second class or village is generally always going to be there. They have the entire taxing authority of the subdivision behind them and a bond is...is a cost and it seems like it is an unnecessary cost for this particular...these particular few classes of political subdivisions, especially when we've afforded this exemption to virtually all of the other political subdivisions that I have mentioned. There was a hearing, as the clerk mentioned, in Urban Affairs. The Urban Affairs Committee did vote the bill out without any dissenting votes. There were no opponents that appeared at the hearing. I have not received any opposition or opposing comments, so I would ask the body to consider adopting this provision. Thank you, Mr. President.

PRESIDENT MAURSTAD: Thank you, Senator Bromm. Debate on the advancement of LB 104? Senator Bromm, you're recognized to close. Senator Bromm waives closing. The question is the advancement of LB 104 to E & R Initial. Those in favor vote aye; those opposed vote nay. Please record, Mr. Clerk.

CLERK: 36 ayes, 0 nays, Mr. President, on the advancement of LB 104.

PRESIDENT MAURSTAD: LB 104 is advanced. Mr. Clerk.