

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

[LB33]

The Committee on Appropriations met at 1:30 p.m. on Friday, February 23, 2007, in Room 1003 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB33, and the budgets of Agency 16, Agency 93, and Agency 96. Senators present: Lavon Heidemann, Chairperson; Lowen Kruse, Vice Chairperson; L. Pat Engel; Tony Fulton; John Harms; Danielle Nantkes; John Nelson; John Synowiecki; and John Wightman. Senators absent: None. []

SENATOR HEIDEMANN: But to get started, welcome to the Appropriations Committee. We appreciate you coming in today. Just to get started, we'll introduce...we are not all here right now but sitting next to Senator Wightman, who is from Lexington, District 36, would be Danielle Nantkes from District 46. Senator Wightman is from Lexington, District 36. Sitting next to his left is Senator John Synowiecki of Omaha, District 7, who has a bill. They both have bills today that they are introducing, so they are not with us right now. Sitting next to Senator Synowiecki is Senator Lowen Kruse from District 13 out of Omaha. He is the Vice Chair of the committee. This is Kendra Papenhausen, our committee clerk. I am Senator Lavon Heidemann from Elk Creek, District 1. Senator Pat Engel is not with us today, he has been gone for several days, and we hope for his return on Monday. He is from South Sioux City, from District 17. Sitting next to Senator Engel is Senator Tony Fulton, who should be showing up hopefully shortly. He's from Lincoln, District 29. Sitting next to...left of him is Senator John Nelson, who is here, from Omaha, District 6. Sitting next...left to him is Senator John Harms from Scottsbluff, District 48. I would like to remind everybody, if they have cell phones, if they would please shut them off at this time we would sure appreciate that. Testifier sheets are on the table or near the back doors; fill out completely and put in box on table when you testify. You do not need to fill out this form if you aren't publicly testifying. At the beginning of the testimony, please state and spell your name. This is being recorded and it would help the transcribers at a later date. Nontestifier sheets near the back door if you do not want to testify but would like to record your support or opposition; only fill out when you will not be publicly testifying. If you have printed materials to distribute, please give them to the page at the beginning of your testimony. And to help keep things moving, please keep your testimony concise and on topic; under five minutes would be appreciated. Senator Fulton has joined us now and we appreciate that, and at this time we will open up the public hearing on LB33. Senator Deb Fischer, welcome to our committee. [LB33]

SENATOR FISCHER: (Exhibits 1 and 2) Thank you, Chairman Heidemann and members of the Appropriations Committee. For the record, my name is Deb Fischer, F-i-s-c-h-e-r, and I am the senator representing the 43rd District in the Nebraska Legislature. Before I begin I would like to call your attention to AM236, which we passed out. That would replace the green copy of LB33. While I know you are all attempting the near impossible task of drafting the state's budget, I will not request that you perform the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

impossible here with the original language of LB33. As you are all aware, your quest is to draft the fiscal year 2007-2009 state budget, and asking you to fund the County Property Tax Relief Program for the 2006-2007 year would ask you to truly do the impossible. So with that being said, I will be speaking to AM236. The amendment would restore full state funding to the County Property Tax Relief Program by appropriating \$4,788,644 in fiscal year 2007 to 2008, and \$5,028,077 in fiscal year 2008-09 to the program. The County Property Tax Relief Program was created in 1998 to distribute state aid dollars to smaller counties to provide property tax relief, and to equalize county capacity to pay for public services from property taxes. The program's appropriation was eliminated from the 2003 state budget. Funding was supposed to resume for the County Property Tax Relief Program in fiscal year 2005 to '06, as Section 77-3618(5) requires. While this language remains in statute, the state has not upheld its statutory responsibility. I respectfully ask that we do so. The County Property Tax Relief Program was created as a companion to the County Jail Reimbursement Program to provide property tax relief to counties with smaller populations. The Jail Reimbursement Program was dominated by the larger counties in the state, more populated counties, and Senator Bob Wickersham offered the Property Tax Relief Program as a vehicle for small counties, those with smaller populations, to receive property tax relief as well. The Legislature agreed and they established the County Property Tax Relief Program in 1998. The County Property Tax Relief Program is a somewhat complicated formula that factors in a county's population, rural road miles, valuation, and nonbond levy. There are minimum effort rates that limit the program's cost. As all of you are well aware in this committee, there is no minimum effort rate in the jail reimbursement program. The County Property Tax Relief Program has been an effective method in the past of providing property tax relief to those counties that have the large obligations and small population bases. The Legislative Fiscal Office was kind enough to provide estimates of the dollar figures for the various counties that qualify, and I'd like to pass those out at this time. Some of the dollar amounts are a significant portion of the county's budget. For example, Rock County, which is in my legislative district, under this program would receive \$110,000. This would amount to 9.3 percent of the property taxes collected in Rock County for their county budget. This is significant property tax relief. Other county figures are as high as 12.6 percent of the county budget. Some counties do not qualify due to their low levies and few rural road miles. In closing, I would like to emphasize once again that Section 77-3618(5) states that funding will resume for the County Property Tax Relief Program in fiscal year 2005-2006. I ask you to uphold our statutory responsibility. This program has a significant positive effect on our counties with small populations and large obligations. This appropriation request fulfills our statutory responsibility and I believe it is affordable. Please include LB33 as amended by AM236 in the Legislature's budget proposal. Thank you very much. [LB33]

SENATOR HEIDEMANN: Thank you for coming before the Appropriations Committee today, Senator Fischer. Just one more time, you stated it in your testimony about the Property Tax Relief Program and jail reimbursement. Do you believe that they do

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

actually work hand-in-hand, they should be funded both fairly? [LB33]

SENATOR FISCHER: Of course I do. If you...I have the transcripts from the debate that took place in 1998 on that discussion and the jail reimbursement. As much as some senators here do like to say that the state has a responsibility because those are state prisoners, if you look at the debate, that was put forward as property tax relief for the 12, basically the 12 counties in the state that have the largest populations. It was a way to help those counties with property tax relief because they were faced with a lid. As I said in my testimony then, Senator Wickersham felt that all counties deserved some help from the state, whether it was under this jail reimbursement program or whatever. He then came up with the proposal, if you read the transcripts, came up with the proposal for the County Property Tax Relief Program. That would help the counties in this state with smaller populations. And the formula is really complicated. I'm sure that you folks on this committee, with the help of the Fiscal Office, will...you know, you could have a discussion on it better than I can try and explain it to you, but it is based on the number of miles of road in a county. It's based on valuation. It's based on population. And if any of you know Senator Wickersham, you would realize that that formula would be very complicated. But the purpose of it was to help all counties. The jail reimbursement would help those 12 more populated counties in the state. The County Property Tax Relief Program would help the other counties in the state, due to the problems they were facing with the lids. [LB33]

SENATOR HEIDEMANN: There's a minimum effort rate in the County Property Tax Relief Program just as there is in the TEEOSA aid formula. There is not in the jail reimbursement. Why do you think that is? [LB33]

SENATOR FISCHER: I don't know. [LB33]

SENATOR HEIDEMANN: And would you consider that fair? [LB33]

SENATOR FISCHER: No, I don't consider it fair, of course, but I don't know why that local effort rate was put into the County Property Tax Relief Program and not into the jail reimbursement side of the deal that was made in 1998. Is it appropriate? I would say that would be open for discussion. I think...I think when you look at these two pieces of...and this is a deal. It was an agreement that was made, it's obvious from the transcripts on the discussion on the floor. And when you look at that agreement that was made, I truly don't believe it's right that we have as a body appropriated money to fund one part of that deal and not the other. [LB33]

SENATOR HEIDEMANN: Have you ever looked, when you're...we'll go back to the minimum effort rate. Have you ever looked at it if that actually applied to the jail reimbursement what that would do to that fund and to the counties that receive that? [LB33]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

SENATOR FISCHER: I think that would be an interesting exercise for this committee to undertake. [LB33]

SENATOR HEIDEMANN: Okay. Any...let's...we got to start. I got somewhat of an order here. Senator Wightman first, then Fulton, and then Harms, then Nelson. [LB33]

SENATOR WIGHTMAN: Senator, do you know the amount that we're presently expending for jail reimbursement across the state? [LB33]

SENATOR FISCHER: I would think it's about \$3 million, and the reason I say that is it's usually...at least when we budgeted it in the previous biennium it was a little over \$3 million, I think, for each year. [LB33]

SENATOR WIGHTMAN: And I know they're looking for more (inaudible). [LB33]

SENATOR HEIDEMANN: I think it's...I think it's pushing \$4 million, I believe. [LB33]

SENATOR FISCHER: Is it more now? Is it getting close to \$4 million? Well, and that could be true because if...yes, that probably is true because the County Property Tax Relief Program now is \$4.7 million, and those two, you know, they're basically even most of the time on the appropriations, at least in the past. [LB33]

SENATOR WIGHTMAN: Your amendment increases the amount. I looked at the fiscal note or your original appropriation was about \$2.9 and \$3. Can you tell me why? (Inaudible) comply with the formula that was adopted earlier or what is the reason for...? [LB33]

SENATOR FISCHER: The difference is in the bill we had the wrong dates and for the 2006-2007 year, which is why I said that would be an impossible task for you to handle that and that's why we offer the amendment for the dates for the current fiscal year with the current projection on what would be needed that the Fiscal Office gave us. [LB33]

SENATOR WIGHTMAN: But the amendment is a fairly substantially larger amount than was included in the original bill. [LB33]

SENATOR FISCHER: Correct, and that is because the years were not correct in the original bill. It was for 2006-2007 in the original bill, and we needed it for 2007-2009. So just as jail reimbursement went up, so has the County Property Tax Relief Program. [LB33]

SENATOR WIGHTMAN: I wasn't able to get a total. Do you know how many counties are involved in the aid that you're asking for? It looks like about half or fewer than half.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

Is that a correct... [LB33]

SENATOR FISCHER: I think it's over half. I think it's 80-some, 83 if I remember correctly. [LB33]

SENATOR WIGHTMAN: Do you know how many of those counties are up against budget lids? [LB33]

SENATOR FISCHER: I know many of the counties in my district are. [LB33]

SENATOR WIGHTMAN: Thank you. [LB33]

SENATOR HEIDEMANN: Senator Fulton next. [LB33]

SENATOR FULTON: He asked the question I had, so... [LB33]

SENATOR HEIDEMANN: Senator Harms was next, then Senator Nelson. [LB33]

SENATOR HARMS: Senator, since they created this program and the jail reimbursement, county relief, have we been funding the county jail reimbursement fully, too, or is that also...have we neglected that along with the responsibility that we agreed here? Are both of them having their difficulties? [LB33]

SENATOR FISCHER: In my...I don't think either program was fully funded. I think Mr. Dix from NACO can answer that. I know that the Appropriations Committee in the past, they were not going to fund either program, and there was a move on the floor then. But my position is I think we need to consider the history of why these programs were established. It wasn't to take care of supposed state prisoners that you hear, and we need to consider that and if it's truly for property tax relief, which the jail reimbursement side was, if you...I believe if you read the transcripts, then that should apply to all counties in the state and both programs should be funded. [LB33]

SENATOR HARMS: Do we know how much the jails...the jail reimbursement needs? In regards to the amount. [LB33]

SENATOR FISCHER: I would assume...I would assume it would be close to what this is. I'm sure you folks have access to that much easier than I do. [LB33]

SENATOR HEIDEMANN: Any other questions for Senator Fischer? Senator Nelson. [LB33]

SENATOR NELSON: I guess the amendment then is based on the figures in this handout. Is that it? And those were developed...because these figures here in the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

amendment are 40 percent higher across the board than what you show in the bill itself, which was in January 2007. So I'm wondering is this because you had new figures or... [LB33]

SENATOR FISCHER: Yes. Yes, because we had...we had the Fiscal Office do the figures for this biennium that you folks are currently working on right now. So those figures would be accurate. [LB33]

SENATOR NELSON: Oh. [LB33]

SENATOR HEIDEMANN: Senator Fulton. [LB33]

SENATOR FULTON: If the appropriation is made, what is the governing law or bill, I guess? Is LB622 the bill that would be governing this? I'm looking at Program 104, County Property Tax Relief Program, Department of Revenue, which is statutorily what we're making reference to. LB695, enacted during the 1998 Legislative Session, created the County Property Tax Relief Act. LB622, enacted during the 2003 Legislative Session, changed this program by providing for a minimum levy adjustment. The effect of this bill was to eliminate the appropriation to this program for fiscal year 2004-2005. So as a...just to identify the mechanism by which this is effected, we make this appropriation and the bill that governs this appropriation is LB622? Would that be correct? [LB33]

SENATOR FISCHER: I guess I'm not understanding your question. I... [LB33]

SENATOR FULTON: LB6... [LB33]

SENATOR FISCHER: Senator Heidemann can correct me on this, but I would assume that, as with the jail reimbursement part, which was also governed by a previous bill in a previous session, you would just fund the program and it would be part of the total budget that would come out from this committee then. [LB33]

SENATOR HEIDEMANN: We actually, the way I understand it, could probably do this without the bill. [LB33]

SENATOR FISCHER: Yes. [LB33]

SENATOR FULTON: Okay. [LB33]

SENATOR FISCHER: In the past it would just be put in. [LB33]

SENATOR HEIDEMANN: The program is there, the statute is there. All we need is the money to carry it out and she brought this bill to us to probably remind us of that fact,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

that we probably need to do that. [LB33]

SENATOR FULTON: Well, the reason for my... [LB33]

SENATOR FISCHER: That would be correct, Senator. (Laugh) [LB33]

SENATOR FULTON: I guess the reason for my question is, I mean, intention is one thing but object is another, and the effect of this bill, LB622, was to eliminate the appropriation to this program for fiscal year '04 and '05, and then fund it at a lower level in the future. So I guess I...are we going counter to this LB622, or is...does the statute presently provide for this appropriation to be applied as you intend? [LB33]

SENATOR FISCHER: I think Mr. Dix can answer that. My guess would be that that bill number was the budget bill, but...and that... [LB33]

SENATOR HEIDEMANN: That's before my time. (Laugh) [LB33]

SENATOR FISCHER: Yeah, but I've...I would think that that was the budget bill and that's...every budget bill that you're going to send out is going to have a number on it and I would assume that that was the number of the budget bill for that year. [LB33]

SENATOR HEIDEMANN: Any other questions? Senator... [LB33]

SENATOR WIGHTMAN: I guess just a follow-up to Senator Fulton's question, and I take it his question probably is, well, are we funding it at the lower level provided for in LB622 in the 2003 Legislature or are you asking to go back to the funding under the 1998? Senator Wickersham wouldn't have been here, obviously, in 2003 I think, so if it was his formula then that was being considered in 1998, then was there a different formula adopted in the year 2003? [LB33]

SENATOR FISCHER: The formula that Senator Wickersham came up with was to determine how the aid would be received by the counties, the factors that determine the total amount of aid received by those counties. That's the formula I'm referring to that Senator Wickersham had, just like the school aid formula. It determines how much different school districts will receive based on certain factors: student population increases, their local effort rate, transportation needs, English as a second language. All those factors go into the state aid formula to schools. This was a formula that determined what these counties...how much money the counties would receive. [LB33]

SENATOR WIGHTMAN: And I understand that in 1998 that was a formula, but when it says here, and I don't have the advantage of having LB622 in front of me, but when it says here that it would be funded at a lower level in the future, would that have affected that formula? [LB33]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

SENATOR HEIDEMANN: Actually, the way I understand it, and our fiscal analyst is going to get Tom Bergquist who is very knowledgeable in this, and actually I got a feeling that Larry Dix following up is going to be able to answer this question, but the way I understand it, probably when they talk about a lower level in the future, that ties back to the minimum effort rate and that's what they talk about, the lower effort rate. And being as Senator Fischer already has that in what she's bringing to us, the minimum effort rate, if you look at your sheet that she passed out, there are certain counties that are getting actually zero because it's tied back to that minimum effort rate. And if you took that out, it would be back at that higher funding that actually tied into LB695. Okay. I think I've got some...okay. [LB33]

SENATOR FISCHER: Consensus on that now. [LB33]

SENATOR HEIDEMANN: Yes. [LB33]

SENATOR FISCHER: Yes. [LB33]

SENATOR HEIDEMANN: So that's what they was talking about, the lower funding rate, not that they intended to fund it at a lower rate, just tie it back to the minimum effort rate. So any other questions for Senator Fischer? Seeing none, are you going to be sticking around for the close? [LB33]

SENATOR FISCHER: We have Exec Session in Natural Resources, so I will drop back there and if possible come back. I will waive closing and I just appreciate you taking the time to consider this as part of the budget. Thank you very much. [LB33]

SENATOR HEIDEMANN: Thank you, Senator Fischer. Is there any other testimony in proponent capacity for LB33? [LB33]

LARRY DIX: Senator Heidemann, members of the committee, for the record, my name is Larry Dix, spelled D-i-x. I'm executive director of the Nebraska Association of County Officials here today in support of LB33, and hopefully I can enter into a little bit of discussion that will clarify some of the confusion. Certainly I wasn't around in 1998, but I've lived through this process over the past five or six years. County property tax relief, of course, was LB695, which was passed in 1998, and at that point in time the original language provided about \$5.5 million, and that's really what was there. There was the distribution formula, as Senator Fischer had mentioned, based on county capacity, based on prior year's valuation, and then it took into consideration road miles and some other factors, and at that point in time it was a \$5.5 million program. Then we start...enter the year 2000-2001, and we started to see the state fall into some budget crisis, and over the time we started to whittle away at that a little bit. Then in the 1999-2000 year, originally the formula was based on a factor of .018. I think in about

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

1999 or 2000 that was changed to a factor of about .017, so what it really did was it was a small, small reduction. But then you come back and you get into the year in about 2003. And originally the appropriation at that time had fallen to \$4.5 million, which is maybe similar to what the number you're looking at, and in 2003 there was a bill, LB622, and I believe it was introduced by Senator Raikes at that point in time, and at that point in time you'll remember we were right in the middle of our budget crisis, and it eliminated the funding for '03-04 and '04-05, so there was zero dollars. There was nothing. And the funding then was scheduled to be restored and written into law that it would be restored in '05-06 under a new formula, okay? And it was at a reduced level of the \$2.9 million, and I think the \$2.9 million probably would refer to...more closely to the original fiscal note of the green copy of the bill. Then at that point in time the \$2.9 million was to be appropriated and distributed under the new formula, but the Appropriations Committee never appropriated or the Legislature never appropriated any funds. Even though the law is on the books that it shall be appropriated, it was never appropriated. And so for the next year there was no appropriations, there was no funds, there was no County Property Tax Relief Program. So that hopefully will give you a little bit of the history of how we got sort of to where we're at today and maybe make some of the numbers match up. Now...and I just had a chance to look at Senator Fischer's amendment to the bill today which she is saying now brings it back to the \$4.5 million, so in my mind it puts it back to the formula that was based in the 1998 under LB695, because that would raise it to about that level as opposed to the \$2.9 million. And if somebody wants to, we can go into the formula, but it gets into sort of a convoluted process that I'd be happy to go into, but I won't unless somebody asks. One of the statements that I would like to make, though, as we walk the halls of the Capitol, as we hear it every day, everybody is looking for property tax relief. There isn't any question about it. This in 1998 was enacted. It was property tax relief. It was proven. I would challenge anybody, any senator, to go back through your files and find any documentation that said this doesn't work, this doesn't work. You're not going to find that documentation. It was working. It was providing property tax relief. This year, of course, this worked as long as it was a companion bill with jail reimbursement, because then it provided all 93 counties some revenue coming back to them. Certainly everybody was right. This funded about 80 of the smallest counties some county property tax relief. I would tell you that jail reimbursement on an average year will go to about 40 counties, and it all depends upon if a county houses a state prisoner or not. And so this did work. This year it was always thought that during the tough budget cycle, when there was no money, that was why this was...or not appropriated, but once we got to a revenue source again or a surplus then we always felt that this would be properly reappropriated and, therefore, provide some county property tax relief. When that money comes to the county, counties really only have one major source of revenue and it's property tax. So when a state aid dollar comes back to the county it pretty much has to be property tax relief. There isn't a whole lot of other areas that we can do anything to impact the tax rate in those counties. This would. I would also leave you with just a couple thoughts. When county government comes here--and we just had a

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

session this morning with the Governor--when county government is here, we don't look at ourselves as a special interest group; we look at ourselves as an extension of state government. We know that we are partners in almost everything that happens. Many of the things that counties do are simply because the state of Nebraska has asked the counties to help them in a partnership to do these things, and so we come together as a partnership saying we've got to work together on these things, as opposed to tugging at opposite directions. So I certainly appeal to your judgment, and good judgment, to fully fund this and jail reimbursement, and we can then enact some sense of property tax relief in all 93 counties to all the citizens that pay property tax in any county in the state of Nebraska. With that, I'll end. I'll be happy to answer any questions. [LB33]

SENATOR HEIDEMANN: Is there any questions for Mr. Dix? [LB33]

SENATOR HARMS: Larry, I just wanted to ask you, and you don't have to go through the funding formula, but is any of this weighted? For example, is roads, miles of roads, more important than valuation or bond levy? How is that...is there...is that weighted in some form or manner when you get to your final calculation? What's the key to that? [LB33]

LARRY DIX: The key is it's based on the entire valuation of the state, the total number of miles of county roads, and then the county...the number of miles is subtracted from the state number, and then it's multiplied by this formula that I was talking about, about the .017, .018. So county roads does have a weighting impact on this formula, on the formula for county property tax relief. It was one of the primary factors, I believe, in the weighting of that. [LB33]

SENATOR HEIDEMANN: Senator Wightman. [LB33]

SENATOR WIGHTMAN: Now the counties do get money from a different source for roads, don't they? [LB33]

LARRY DIX: Counties get money... [LB33]

SENATOR WIGHTMAN: From the Highway... [LB33]

LARRY DIX: ...from the Highway Trust Fund. Yes. [LB33]

SENATOR WIGHTMAN: And so can you explain to me why the roads are weighted in this in light of the fact that they're already getting money for reimbursement on roads? [LB33]

LARRY DIX: You know, again, I wasn't around in '98 when they enacted the formula, but I think when they were looking at that, and if you go back to the transcript of the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

debate I think at that point in time, Senator Wickersham and Senator Landis and a number of folks felt that the roads was a component that more typically would define a county as opposed to just a population. And so I think that's why they chose the roads as a weighting factor, but I truly think you'd have to go back to the transcript to see that debate on the floor. But as I remember reading that transcript, I think that's the reason why. [LB33]

SENATOR WIGHTMAN: What...population is a factor, roads and miles of roads are a factor. What other (inaudible)? [LB33]

LARRY DIX: I think that's it. [LB33]

SENATOR HARMS: Bond levy. [LB33]

SENATOR WIGHTMAN: What? [LB33]

SENATOR HARMS: Bond levy. [LB33]

LARRY DIX: The bond, yeah. [LB33]

SENATOR WIGHTMAN: Bond levy. [LB33]

LARRY DIX: Yep. [LB33]

SENATOR WIGHTMAN: Thank you. [LB33]

SENATOR HEIDEMANN: Any other questions for Mr. Dix? Seeing none, thank you. Oh, Senator Harms. [LB33]

SENATOR HARMS: One thing I'd just say, Larry, and I agree with trying to get property tax relief, but the state has been really famous for putting things in place, then not...then never funding them appropriately. I can give you a lot of other examples of places you can go to get property tax relief, but the state just should not do it. [LB33]

LARRY DIX: Yeah. [LB33]

SENATOR HARMS: So... [LB33]

LARRY DIX: Yeah, it...you know, it's very, very problematic. We understand. I mean we live property tax relief every day. As you know, everybody that wants property tax relief appears in front of our county boards and it is an issue of money. We view it a little differently from the county perspective in the fact that constitutionally we're at a 50-cent limit and when those counties bump up against it, they really do not have anywhere else

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

to go, where other political entities can come to the Legislature to possibly look at them to alter or move the cap on their levy. And so we are sort of between a rock and a hard spot there, because that is a constitutional levy limit. [LB33]

SENATOR HARMS: Thank you. [LB33]

SENATOR HEIDEMANN: Any other questions? Thank you for your testimony. [LB33]

LARRY DIX: Thank you. [LB33]

SENATOR HEIDEMANN: Is there any other testimony in the proponent capacity on LB33? Seeing none, is there any testimony in the opponent capacity on LB33? Seeing none, is there any testimony in the neutral capacity on LB33? Yeah, Senator Fischer was here, not to close. I think she's probably going to waive closing. We will close the public hearing on LB... [LB33]

SENATOR NELSON: I'm sorry, maybe I...again, maybe I missed something, but is jail reimbursement a separate thing from this sheet here? [LB33]

SENATOR HEIDEMANN: Yes. [LB33]

SENATOR NELSON: Okay. [LB33]

SENATOR HEIDEMANN: Yes, very much so. [LB33]

SENATOR NELSON: Fine. Okay. [LB33]

SENATOR HEIDEMANN: With that, we're going to close the public hearing on LB33. [LB33]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Appropriations Committee  
February 23, 2007

---

Disposition of Bills:

LB33 - Advanced to General File, as amended.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Committee Clerk