

to sell the school land. So what we're doing this morning is we're going to spend a lot of time and hear a lot of words on an issue that is already before this body. So, therefore, I would suggest, strongly, Mr. President, that we reject the motion on LB 188. Thank you.

SPEAKER BARRETT: Thank you. Senator Lamb.

SENATOR LAMB: Thank you, Mr. President. Robbery in progress. We should call the cops. This is a bill that should not...should not come to this Legislature. You will notice my name is on LB 188. LB 188 is a bill to sell the school lands and I would support that. I support selling those school lands. But Senator Schmit wants to turn this into a vehicle to do a different thing, to change the in lieu of tax or eliminate the in lieu of tax in those school districts in which school land is located. Now, as you all well know, most of the school land is in the western part of the state because many years ago the school land was sold in the eastern part of the state. That land was returned to the tax rolls. That land is on the tax rolls so that the counties, the school districts, the fire districts, the NRDs, the tech colleges, every subdivision of government gets tax money from that land which was originally school land and has been sold. In the western part of the state there was not much of a demand for that land at the time that it was being sold so a lot of it was not sold, so it is not on the tax roll. It does not contribute to the county. It does not contribute to the fire districts. It does not contribute to the upkeep of the roads that service that land. So, as compensation for that, there is the in lieu of tax which goes to the school district in which that land is located. That is to make up for the fact that in other parts of the state the land has been sold. It's a fair way to do it. Now, is it unconstitutional? I don't know. We don't have...we don't have even an Attorney General's Opinion which definitely says it is unconstitutional. We have one that some people have used to say, look, this will also apply to school land but it's not right on point. It's not right on point. So, at this juncture, as Senator Haberman has pointed out, there certainly is no need for this bill since if you really want to do what the bill says, there is another bill that Senator Schmit has which is on the floor of the Legislature to sell the school land. Now, the issue of distribution of the money, the in lieu of tax is in court. I'm not sure whether it's in Sarpy County or in Douglas County but I believe the Millard School District, that would be in Douglas County, it