

SENATOR WARNER: Mr. President, members of the Legislature, LB or LR 292CA is, obviously, is a constitutional amendment, contains a number of provisions, all dealing again with providing the ability of the Legislature to enact legislation that will hopefully restructure and make government more cost effective. One part of the proposed constitutional amendment amends Article XV, Section 8, 18. That section currently allows state and local governments to perform their junctions...their functions jointly but the proposed amendment would also allow the Legislature to provide for the consolidation and merger of local governments with no consolidation or merger taking effect without a majority vote of each of the affected entities. It also provides for the financing of joint operations of merger or consolidation and, in particular, would permit the Legislature to offer different tax rates as provided in Article VIII, Section 1 of the proposed amendment. What this proposal does is it permits a different tax rate within and out...within and outside of municipalities on different reasonable classes of property. The kind of issue that one is trying to get to here and having experienced a couple of times in the past efforts for consolidation and mergers, at least here in Lincoln and Lancaster County, inevitably one of the major obstacles was how did you fund services that may only be provided in one area or the other, that is inside of a municipality or outside of a municipality, and how would you provide for the funding of those. Under the proposal, there would be a limited amount of tax authority with enabling legislation that would permit the utilization of this concept. It could be used in a variety of areas. An issue might be for fire protection, where part of a merged entity would have a paid fire department, another portion of the entity of county-city merger would have a portion for volunteers and there would be a different levy authorization to handle those kinds of situations rather than merge them. Or you could have a situation, I believe it is in Omaha where garbage is picked up by...through tax dollars but you would not want to probably do that same approach out in the areas outside of the urban areas, for the sheer cost would be far different, and so those kinds of things would need to be allowed for, and, in fact, it's another reason why you would separate reasonable classes because where some of those services are correctly related to perhaps residential property only rather than property generally, the need for to be able to make that separation is there. The constitutional amendment would also