

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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February 2, 1999 LB 32, 212

SENATOR COORDSEN: LB 212 is advanced. Next item, Mr. Clerk.

CLERK: (LB) 32, Mr. President, by Senator Kristensen. (Read title.) The bill was introduced on January 7, referred to the Revenue Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. Senator Kristensen, to open on LB 32.

SPEAKER KRISTENSEN: Thank you, Mr. President, members of the Legislature. LB 32 deals with the Tax Equalization Review Commission, commonly known as the TERC. For the new members, the TERC was created in 1996. At that point in time, it consisted of three what we call commissioners. Now this is not a traditional commission. This actually functions as a court, although it is not made up of lawyers. There is one member who is required by law to be a lawyer, but they hear and decide appeals on the decisions from the County Board of Equalizations. They also do appeals from certain decisions of the Property Tax Administrator. They prepare a statewide plan of equalization based on the studies that are put forth by the Property Tax Administrator, and they also review and equalize assessments pursuant to the constitution. They've taken over the function of many of what we used to have the district court do and the State Board of Equalization. When we created the TERC, there was a requirement for geographic representation from each of the three congressional districts. At the current time, one of those commissioners, the one from the third district, she is a former assessor. She lives in St. Paul, Nebraska. The problem is that the TERC has been extremely busy. They had, this last year, 900 appeals filed to them. That doesn't include the 25 statewide board of equalization proceedings. They are on the road. They actually go out throughout the state and travel 12 weeks a year. They spend 40 weeks a year here in Lincoln. The trouble with that is those 12 weeks aren't all together, and that...Commissioner Edwards, she travels in each week to Lincoln, and she is not reimbursed for mileage or for her living expenses, and, in fact, because of the caseload, she gets an apartment here. As a result, she takes out about \$7,500 of her salary for just expenses and living. It's a matter of fairness for those that live in the third district. Particularly with