

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 26, 1999 LB 271

And such services again refer to those basic services that property consumes: public safety, rescue, emergency service, road or street construction, or maintenance services. Now if you don't want to confine in lieu of taxes to those things, we can discuss that issue. Senator Bromm's amendment opens the issue way beyond those...

SENATOR CROSBY: One minute.

SENATOR WICKERSHAM: ...and I don't know that it provides a resolution. What it does leave open the door for is something else that is very troubling to me, and that is that it says, "payments under this section shall be in lieu of taxation". So if you made an agreement with someone to pay some in lieu of tax, that means you're out of the bill. And if \$10,000 should have been collected as tax, but you've agreed somehow to pay \$5,000 worth of in lieu of tax, guess what? Somebody's \$5,000 short. It opens the door to what I would characterize as sweetheart deals. Let me agree to pay in lieu of tax so I don't have to pay the full amount and we won't argue about it. You don't want governmental processes that are as fundamental as whether or not you owe for the support of other governmental services...

SENATOR CROSBY: Time.

SENATOR WICKERSHAM: ...to be made on the basis of deals.

SENATOR CROSBY: Thank you, Senator Wickersham. Senator Landis, on the Broom amendment.

SENATOR LANDIS: Thank you, Madam President and members of the Legislature. If Curt were to take this to a vote at the moment, I'd vote against it because of the language of the amendment, not the nub of the idea. Perhaps Senator Wickersham would vote no on the nub of the idea, but I think the nub of the idea is not a bad idea and that is the payment in lieu of taxes option. It's mentioned specifically in the constitutional amendment that we passed. Secondly, it's mentioned specifically in the rest of this statute. And third, it's something we use in other locations, in other places in the statute, so I think it's a nub of an idea that has value. So I endorse where Senator Bromm is