

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 271

as much revenue as they can, so I would suggest that the fair market value is not a test that is going to require any kind of a change in what subdivisions are already doing. A second point is that the in lieu of arrangement is, as I see it, certainly not the end. If I'm in a negotiation, if I have a choice between full and half, probably I'll pick half. But on the other hand, if I get to half and now my choice becomes half or none, I suspect I'll keep working toward none. I don't see that this sort of an arrangement or a deal or a possibility really in any permanent sense resolves the issue. I think it simply continues it. To go on, the structure we have now...and Senator Landis and Senator Peterson, and so on, and others, have, I think, eloquently described it...we have a structure involving three possibilities. We've, I think, defined a criteria for each of those alternatives which are sensible. We're becoming a little more used to them all the time, and I think are something that we can defend and implement. Now, I certainly would argue that...or, go along with the argument that it's going to involve some adjustment. We're going to have to hassle through this. Probably, there'll be some court cases. There may be other efforts at negotiation or even litigation to resolve where we actually stand. That is simply a...probably a necessary part of the whole process. I would remind you, though, that the whole idea of LB 271 is to carry out the wishes of the voters. And one of the things mentioned early on is, I think, voters passed this amendment because they have a clear feeling that it is not fair for a private person to have to compete with a public entity on a nonequal basis. And this is simply a way to try to...LB 71 (sic--271) is a try...a way to try to bring an equal playing field about. Senator Peterson mentioned trying to include specific entities, particularly airports. I think to do that at this stage is a never ending task. You would never get to the end of a list of subdivisions that would seek to be included as...

SENATOR CUDABACK: One minute.

SENATOR RAIKES: ...an exemption. I don't think that's a good way to go about it. She mentioned also, Senator Peterson did, the third step. And the fact is that these entities are going out to collect revenue to operate a government subdivision, to provide a public service. Certainly, I agree with that. If