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LB 271

Funds? Right now, educational lands pay an in lieu of tax payment to the...they pay the school tax.

SENATOR CUDABACK: Would you yield, Senator Landis?

SENATOR BROMM: And after your amendment, is it possible...? Educational lands are generally considered to be rented out for fair market value. They put it up for public auction. So instead of paying the school tax, would they then just pay the in lieu of tax based on the formula that's in the bill, or is there some exception for them somewhere?

SENATOR LANDIS: Yeah, I think the answer to that question is, no, there would be no change in the School Lands and Funds. And I'll tell you the reason that makes me say that. There are specific obligations that are set out, both statutorily and constitutionally. And as you know, the law is interpreted so that a general rule gives way to a specific rule. There is a specific rule for educational lands and funds, both in the constitution and in the statute. And that's...that renders, off the top of my head, what I think is the case here. There should be no change on that score.

SENATOR BROMM: I would like to ask Senator Wickersham the same question. After the passage of 271, with or without this amendment, what if any change could there be in the taxation on Educational Lands and Funds? And if the President would be so gracious as to empower the microphone where Senator Wickersham is.

SENATOR CUDABACK: Would you respond, Senator Wickersham?

SENATOR WICKERSHAM: Well, I'm...I want to be careful in my response, but I think Senator Bromm has raised a very interesting issue...in fact, one that I haven't thought about. Senator Landis, I think, is relying in part on a discussion that we had earlier...

SENATOR BROMM: My advice isn't worth a darn, but sometimes...

SENATOR WICKERSHAM: I know.