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March 23, 2000 LB 936, 1046

SENATOR WICKERSHAM: Okay, the...

PRESIDENT MAURSTAD: Senator Wickersham.

SENATOR WICKERSHAM: Okay. If I can...LB 1046 is actually...was actually a bill that dealt with a different program. The language is the same, but the bill, LB 1046, would have added language to what we typically talk about as LB 775, that separate program, the...if you will, the...that isn't even the adult program anymore, because we have a larger program. But at any rate, the language is lifted from...is lifted from LB 1046, but that bill would have dealt with, as I said, LB 775. The history of it was actually a lawsuit that arose in Lancaster County. A LB 775 company did not meet its targets and, because it did not meet its targets, owed property tax; as part of their application they'd been granted a property tax exemption. The...when the county sent the company a bill they included interest at the delinquency rate on the taxes. It was ultimately decided by the Supreme Court that the taxes were not delinquent, they'd never been due, so they couldn't be delinquent under the terms of the law. Now, it did occur to me that the county, to a certain extent, had a point. They had been out property tax revenues for several years. It was in effect kind of a loan, if you will, to the company, and it seemed to me to be appropriate that they should recover some rate of interest on those taxes that they did not collect. So LB 1046 lifted a concept out of the current greenbelt provisions and said, okay, you don't pay the delinquency rate, at least immediately; what you do is you pay the discretionary rate of 6 percent, because in effect there has been a loan by the county and the other political subdivisions that would have collected tax to the company and it's appropriate that even kind of in arrears that interest be paid. The...that's the...that was the genesis of the bill. As I'm indicating it applied to a different act, but the language that Senator Beutler has lifted was those ideas from LB 1046.

PRESIDENT MAURSTAD: One minute.

SENATOR MATZKE: Thank you very much, Senator Wickersham, for that background. I feel I have to oppose this amendment because it obviously did not meet with approval with reference to the