

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

February 13, 2003 LB 292

LB 292. All in favor say aye. Opposed nay. They are adopted.

CLERK: Senator Landis would move to amend. (AM0288, Legislative Journal page 461.)

SENATOR CUDABACK: Senator Landis, to open on AM0288 to LB 292.

SENATOR LANDIS: Thank you, Senator Cudaback. This was brought to us actually by the eagle-eyed staff of the Education Committee. We have for all school districts included the building fund in the levy limitations. We've always interpreted it that way and it's written that way for all of the classes but one. One of the classes we didn't write it correctly. We've been following what we thought was the law. We've been following what this language will do but, in fact, we missed it originally in the drafting. The aggregate school tax for a Class V school district exclusive of the levy for the site and building fund as authorized shall be subject to the limits, is what the current law is for Omaha. What that means is that their building levy is outside the levy limits. It was not supposed to be that way. It hasn't been interpreted that way, and that treats that district differently than everyone else. What everyone has done is to do exactly what this amendment says, which is, "The aggregate school tax for a Class IV...Class V school district including the levy for the site and building fund shall be subject to the limits provided in Section 77-3442." This drafting error has not been honored. It's been ignored. Now we go back and we correct a drafting error but do not change practice. The Education Committee staff caught this in looking at this provision and brought it to our attention. This is an appropriate bill because it's here and the section is implicated in LB 292 to make this change. I ask for the adoption of the amendment.

SENATOR CUDABACK: Open for discussion on the Landis amendment. Seeing no lights on, Senator Landis, do you wish to close? Waives the opportunity to close. The question before the body is the adoption of the Landis amendment, AM0288, to LB 292. All in favor vote aye, opposed nay. Have you all voted who care to, the Landis amendment to LB 292? Record, please, Mr. Clerk.