

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

April 14, 2003      LB 200, 235

Record, please, Mr. Clerk.

CLERK:      28 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

SENATOR CUDABACK: Motion to adopt the committee amendments was successful. Back to discussion of the bill itself, LB 200, to E & R Initial. There are no lights on, Senator Aguilar. He waives the opportunity to close. The question before the body is to advance LB 200 to E & R Initial. All in favor of the motion vote aye, and opposed nay. Question before the body is to advance LB 200 to E & R Initial. Have you all voted who wish to? Record please, Mr. Clerk.

CLERK:      31 ayes, 0 nays, Mr. President, on the advancement of LB 200.

SENATOR CUDABACK: LB 200 does advance. Mr. Clerk, next LB.

CLERK:      LB 235 by Senator Maxwell. (Read title.) Bill was introduced on January 13 of this year, referred to the Urban Affairs Committee, advanced to General File. I have no amendments pending at this time, Mr. President.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Maxwell, you're recognized to open on advancement of LB 235 to E & R.

SENATOR MAXWELL: Thank you, Mr. President. I introduced this exciting bill on behalf of the city of Omaha. The bill allows the city of Omaha to enjoy de novo review of appeals regarding special assessments. Let's say there's a special assessment on neighboring property for a public improvement. A citizen challenges that special assessment before the Omaha City Council, which sits as a board of equalization. Now let's say the council makes its ruling and the city wants to appeal that ruling to the district court. Other municipalities enjoy de novo review, meaning a fresh new review of the facts. A recent court ruling, though, exposed what appears to be an apparent ambiguity in the law regarding cities of the metropolitan class. Omaha does not enjoy the same position as other cities in these reviews of special assessments.