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FLOOR DEBATE

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LB 721

fund account to the clerk. Deposits and disbursements to and from the service fee fund would be lawfully made by the SID clerk from the interest bearing checking account. Finally, it was discovered, through the communication from the Secretary of State Office, that one SID created under the act of 1947, which act was repealed in 1996 by the passage of LB 1321, remains in existence and therefore exists with questionable legal status. In an attempt to regularize the situation, this bill, in Section 1, amends Section 31-727 to ratify acts of the board of trustees of the SID since the repeal of its enabling act, provides that the current board shall be treated as if elected under provisions in the current act of 1949, SID enabling statutes, and finally, provides that for an effective date of the bill, the successors to the current board members are to be elected under current act, and the SID shall operate from that date as if established under that act.

SENATOR CUDABACK: Senator Hartnett, are you...?

SENATOR HARTNETT: I'm done with the opening. I've got amendments...

SENATOR CUDABACK: You're recognized, as stated, on the committee amendments offered by the Urban Affairs Committee.

SENATOR HARTNETT: The amendment is found on page 6 and 7, new subsection (5) to Section 31-727, were too broad. An attempt to ratify the act of the board prior to the effective date of this act is probably beyond the power of the Legislature. Under the amendment, for the effective date of this bill, the SID would be considered to be one formed under the current act, and would operate as such in the future. The members of such boards elected under the old act would be ratified as trustees as if elected under the new act, and the acts of the board done after the effective date of the act would be ratified. In addition, two amendments, Sections 31-727(3) and 31-730, provides for change in the appointments of initial board members of the trustees by the owner of the property. Prior amendments to Section 31-735 authorized corporate owners of property to delegate agents and employees to serve as members of the board of trustees as representative of the owner, as opposed to the