

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

April 11, 2005 LB 161

Omaha don't have. Now, if this district is created in Lincoln, and those trees are planted, if that tree falls on somebody, is the property owner liable, when the city planted the tree? Or is the...

SENATOR BEUTLER: No. No, that would be city responsibility also. I think that would logically follow, Senator.

SENATOR CHAMBERS: Okay. So all of the things I mentioned, trimming however high the branches have to be above the sidewalk and the street, the city would do that and then assess the property owner? Is that what would happen? Or, once the trees are there, there city would then take care of the maintain...let me ask it this way. Is there a one-time assessment on the property owner for this tree, no matter how long the tree is going to be there, or whatever has to be done to maintain it or even remove it? Is there that initial assessment and that's it?

SENATOR BEUTLER: I understand. The way this is structured, it would be possible to do that. But it would also be possible to engage the district in an overall tree program, where you did the planting, the maintenance, the protection, and the removal. It would be a total tree program for the neighborhood.

SENATOR CHAMBERS: And that assessment would cover all of those activities, whenever they would occur?

SENATOR BEUTLER: Yes.

SENATOR CHAMBERS: So a property owner could be assessed the cost of planting the tree. Then, let's say 20 years down the line, 10 years, the tree grows large enough to need the branches trimmed and some removed because they're diseased. The city would do that work and then assess the property owner the cost of having done it?

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: Is that what would happen?

SENATOR BEUTLER: That's what would happen.