

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

April 11, 2005 LB 161

followed by Senator Beutler and others.

SENATOR FRIEND: Thank you, Mr. President. Members of the Legislature, who would have thought that a few trees would bring the passion that I've heard so far today? Actually, I haven't heard a whole lot of passion, just a lot of general discussion. Wanted to add a couple things here that I think...we're heading down a path here, and I think that we...part of the reason, when it came through Urban Affairs Committee, I think part of the reason we got to where we are now, and the reason this came out to the floor, is because we really felt, I thought, the innocuous nature of the bill, that it wouldn't be as hard-hitting or impact-filled. Now, maybe we're wrong. Maybe we were wrong. But what I would say is this. We talk a lot out here on this floor. We've talked about it...we brought this up the last time this was out here, talked a lot about this in the past on different issues, about local control. What is appropriate type of local control? If you look at the verbiage, line 1, for example, on page 3 of AM1162, I guess, "The city may create districts by ordinance which shall designate the property within the district to be benefited." I...that is the epitome of local control right there, I think. I mean, it's...there's also notice. A little further down, in line 7, property abutting upon the street, streets, public way for public grounds proposed to be improved or parts thereof which are within such district not less than ten days prior to the public hearing for the ordinance. There's notice there. We're talking about taxing...we're talking about local taxing authority. How much could we offer them? How much could the Legislature, how much could the state give up? How much could we shift? How much needs to be shifted? They complain all the time to the Legislature about not having that type of authority. Line 15 on page 3, "no such improvement shall be finally ordered by the city council until a petition, signed by the owners of the record title representing a majority of the front footage of property directly abutting on the street" et cetera, et cetera. Now, kind of goes to the questions that were raised about the schools and the whole bit. I know that the city of Omaha, or city of Lincoln, I would imagine, in a situation where they've got the majority of that footage, is going to turn around and say, hey, look, this is not going to be a tree district; go