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

April 11, 2005 LB 161

do all three. And that, I understand, could be done a variety of ways. But the bottom line, I guess, is that the city is going to have to justify to its citizens these special assessment districts, and I don't think it's going to be easy for them, but they ought to have that ability to try to convince their citizens that this is the thing to do. And I think that you will have a number of citizens who will not mind having that responsibility, who will not mind having those trees, will want those trees in their front yards. There will be those, however, who do not want to pay the costs. And so it may get down to a district-by-district vote, where some districts say, yes, we want to do it, and others say, we don't. But I guess at this point I'm going to vote for the amendment. I think there are protections and I think the citizens are protected. So I'm going to vote for your amendment, Senator Price.

SENATOR CUDABACK: Thank you, Senator Schimek. (Visitors introduced.) On with discussion of the Price-Beutler amendment. Senator Stuthman.

SENATOR STUTHMAN: Thank you, Mr. President, members of the body. I didn't realize my light was up quite this quick. I thought there was a lot of lights before me. But the thing that really does concern me is what is taking place right now in the city of Columbus with their right of way with the trees, and maybe I could refer that question to Senator Beutler, if I may, if he's here.

SENATOR BEUTLER: Sure.

SENATOR CUDABACK: Senator Beutler.

SENATOR STUTHMAN: Senator Beutler, how is this being...how is this taking place right now, the removal, replacement of trees?

SENATOR BEUTLER: Senator, I can tell you, I think accurately, for the city of Lincoln that with respect to trees it's the obligation of the city to plant trees if the budget is...if the general fund budget has money to do that, which it ordinarily does not have adequate money to do it. They're years behind. It's their obligation to trim trees. It's their obligation to