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FLOOR DEBATE

March 22, 2006 LB 407, 808

than the TERC provision or the DPAT provision, my guess is that Select File will give us a chance to go back over and make any adjustment that we may want to do. I will generally say this, because there was some comments about the recapture: Recapture is unnecessary. What happens is this: As long as the land is agricultural and used for agricultural purposes, returning the kind of return that agricultural land does when you plant crops and get it, you pay ag taxes. And when you divide it and use it for houses, it becomes house-based taxes. That's reasonable. Taxation follows use. Recapture says, oh, you know what, there was a transition in use and we are going to go back four years and treat it with a fiction that it had been subdeveloped land for that period of time. It didn't generate income at that level; it generated income at the level of a farm for those four years. Sarpy County makes money off this; I understand. On the other hand, if you think about it, protecting the agricultural quality for as long as a farmer wants to farm, which is what recapture...I'm sorry, greenbelt meant to do, we meet that whether there is recapture or not. We don't need recapture. It's a source of money for Sarpy County--I get it--but it's an invented value. And while it's meant to punish in a certain way, the value should be set on the basis of use. And as long as the land is agricultural, that's what the taxes should be. And when it changes to a subdivision, tax it at the higher value and give the greenbelt option to protect the farmer as long as possible, and then when the transition occurs and the creation of value has been realized, start the new tax system. I support LB 407 as it's written and I would ask for its amendment into LB 808. Thank you very much.

SENATOR CUDABACK: Thank you, Senator Landis. You've heard the closing on AM2210 to LB 808. The question before the body is, shall the amendment be adopted? All in favor vote aye; opposed, nay. Voting on adoption of the committee amendments to LB 808. Have you all voted on the question who care to? Record please, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SENATOR CUDABACK: The committee amendments are adopted.