

January 9, 1976

PRESIDENT: Senator Fowler.

SENATOR FOWLER: LB 440 was introduced by the Urban Affairs Committee at the request of the League of Nebraska Municipalities. The bill would exempt political subdivisions from payment of the swimming pool inspection fee for inspections that are now required by the State Department of Health. The rationale from the League of Municipalities is that if they are required by law to have these inspections, they did not feel that they should have to pay a fee. They feel that, as political subdivisions, they should not be forced to pay this money. There is a fiscal note that is left over from last year. I am not sure that it is in the bill book that was put together for this year. The Health Department indicates that it would cost \$9,000. It would take away \$9,000 in revenue from the state. It is really just a question of who we think should be responsible for payment. Should it be left with the local subdivision or should it be left with the state that is mandating it. The Committee felt that since the state was requiring the subdivision to have the inspection, that we ought to bear the cost. I would move that the bill be advanced.

PRESIDENT: Senator Dickinson.

SENATOR DICKINSON: It seems to me, Mr. President and members of the Legislature, that we are continually shifting around obligations here and the state requires many things of the local subdivisions that the local subdivisions have to pay for. We can't keep shifting them back to the state. If, in fact, it is proper that the swimming pools be inspected, I don't know why everybody paying state taxes and may not, in fact, be using municipal swimming pools should pay for those inspections. I would think this is not too good a bill and I noticed that some of the Committee members did not vote for it to advance it from Committee. I would hope that they would have a comment.

PRESIDENT: Senator Stoney.

SENATOR STONEY: Mr. President, members of the Legislature, being the only member on the Committee that opposed this bill, I opposed it for the same reasons that Senator Dickinson just mentioned. I think that when we make a shift from the subdivision and place the burden on the state of Nebraska it is entirely wrong. This is the reason I opposed the bill. It is that simple. I would hope that you would not vote for it.

PRESIDENT: Senator Herb Duis.

SENATOR DUIS: Mr. President, I voted to put this bill out and there are a couple of reasons. In the first place, they don't need to require that the city do this because the city can do it very easily for them and send the sample in and get it done all right. And another thing, if I recall correctly, that was brought out and I would check with Senator Fowler here, I think they were charging the cities