

March 19, 1996

LB 1176
LR 292

where it's 50/50 in some entities or whatever the case may be, and every year later legislatures would be able to change the mix of that dependent upon, I suspect, who had more political power that particular year. I bring the amendment because I think I'd rather see it the original way and not the new way, but I did want to bring it up for discussion. I'm not sure members totally understand that the change that's going to be taken on page...on line 3 through 5. If you accept the change that's made, the deleted portions, then the dollars will not be reimbursed automatically by their proportion of loss or impact on the budget of a political entity. What you would be doing then is saying that the Legislature in its infinite wisdom by 25 votes will set next year or the year after I would assume what those paybacks would be and what percentage they would be and a guide of that is on LB 1176 but that's merely a guide. That is not necessarily what we, the Legislature, would do. I think it's something that's worthy of discussion. It certainly does make a major change in how those funds are going to be reimbursed, and I offered the amendment for the discussion, number one, but it is a legitimate I think amendment to the discussion of 292CA.

SPEAKER WITHEM PRESIDING

SPEAKER WITHEM: Thank you, Senator Bernard-Stevens. On the Bernard-Stevens amendment, Senator Kristensen followed by Senator Warner.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the Legislature. The reason that the language is stricken, I think Senator Bernard-Stevens has framed the issue correctly, is that it would allow for the flexibility of these fees. In other words, the constitution says that since a motor vehicle is an item of personal property that it should be taxed as everything else in personal property, in other words, assessed uniformly and proportionately and then that property becomes available for use by the various subdivisions. At some time back in the future or in the past, and I don't have the year, we made an exception in the uniformity clause to do different things with motor vehicle fees, and we allowed that we can have a different method of taxing them other than taxing them as property tax. To keep that, what they did is say, okay, look, you can do it on a fee base because it's so hard, it's so hard to have a uniform and proportionate way of valuing motor vehicles. It's different