

April 18, 1980

LB 882

state is in awfully bad shape so far as taxes are concerned. It didn't seem that we were doing anything on the floor of the Legislature, and it seems like we're doing less today, so I introduced that resolution simply to state that we would have to call ourselves into Special Session, either us or the Governor, if we pass this resolution. I don't believe the votes are here to do that, so I withdraw it.

SPEAKER MARVEL: Okay, the Clerk will read on Final Reading 882.

CLERK: Mr. President, Senator Newell moves to return LB 882 to Select File to strike the enacting clause.

SPEAKER MARVEL: The Chair recognizes Senator Newell.

SENATOR NEWELL: Mr. President and members of the body, I will not take long. I would like to speak just momentarily in opposition to 882, and I think the issue has been discussed on this floor but I just want to reiterate for one brief moment the issue again. 882 has an unacceptable growth allowance which is basically a bounty on local subdivisions to spend more money. 882 is a continuation of 518. It only cleans up the most blatant constitutional questions. 882 is constitutionally suspect, and I believe that it is, in fact, unconstitutional. 882 continues the inequities to the urban areas that existed under 518. Basically, those inequities we arrived at simply because we exempted two classes of property in rural areas and one class in urban areas and then we paid back the local subdivisions based on what they lost. Now the one thing about 518, the only attractive thing in 518 was the fact that there was a 70 million dollar ceiling, that urban taxpayers would not have to continue to pay property tax relief that they never got, and this undoes that, and that's why this is a bad, bad bill. Now, in conclusion, I just want to say that this will not be the last time we talk about personal property tax relief. Even though Senator Schmit and others have changed the name of the fund, it still will be known as personal property tax payback formula, and it will still be assailed by members of this body who realize that it is unfair, it is wrong and it needs desperately to be reformed. With that, I would withdraw my motion. I urge the members of this body to vote against 882, and I guarantee that there will be attempts in the future to make this a much more fair payback formula.

SPEAKER MARVEL: Senator Newell withdraws his motion.