

January 13, 1982

LB 239

SENATOR NICHOL: Okay, we will take up LB 239.

CLERK: Mr. President, LB 239 was a bill introduced by Senator Labeledz and Senator Lowell Johnson. (Read title). The bill was read on January 16 last year. At that time it was referred to the Government Committee for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Government Committee.

SENATOR NICHOL: Senator Kahle, did you want to take the committee amendments, please.

SENATOR KAHLE: Mr. President and members, this bill deals with access to land and I don't know whether to take the amendment. The amendment that we provided eliminates Section 4 of the bill, and I suppose I had better try to explain that. We had bills before us a number of times since I have been in the Legislature dealing with the access to isolated lands, and this bill would require that the land owners if they wanted access to land could petition or request the county board to provide that road. The cost would be born by those adjacent land owners. The part that we are eliminating or that we are talking about in Section 4 is the school lands and funds. Now school lands and funds does also have some isolated land and the argument has always been that school lands and funds should be exempt from paying for the road into their property, that the county should bear that expense. I think you also know that school lands and funds does not pay any property tax to the county for road maintenance, bridge maintenance, anything else. All the land that's collected from school lands goes for school purposes. There is a small amount that goes to the local school district. The rest is put in a pot and distributed per capita per student over the whole State of Nebraska. So I have always been of the opinion that if the state school lands and funds were developing their land and needed access roads to it, they should be treated exactly as any other land owner. And what Section 4 does, it would require...it takes out the provision that they are exempt from paying for the road and they would be treated as any other land owner. I believe that in a nutshell is what the amendment does, and I move the committee amendments to LB 239.

SENATOR NICHOL: We are voting on the adoption of the committee amendments. All those in favor vote aye, opposed nay. Voting aye, Pat.

CLERK: Senator Nichol voting yes.