

March 10, 1981

LB 190

care how much you sweeten it up, I am opposed to the bill. I think any of us know that it is going to be inevitable that the length of the trains will increase, the size of the cars will increase, the rate of train traffic across the state will increase, the number of those small trains will decrease, and the railroads, and I have never been categorized as anti-business, but I think that the cost to the individuals, to the cities, and the counties are going to increase much more dramatically than you can believe. Now a year ago we sat on this floor and we passed a bill which the railroads said they would support even though it would result in increase in taxes for their communities. Let me tell you what happened to one of my counties. Saunders County had been collecting \$267,000 from taxes on railroad revenue, one major railroad. That decreased to \$7,000. That is a pretty substantial decrease. A similar event happened in Butler County only the decrease there was 98 percent. As a result of an agreed upon bill which the railroads said was going to treat everyone equitably and which they insisted would result in additional taxes being paid by the railroads, the facts were the railroads paid less taxes. They paid substantially less taxes at a time when everyone else's tax bill went up, went up about 25 percent. I ask you now in view of the track record how you can stand here today and buy this proposal. I know Senator DeCamp has worked on it long and hard. I know he has said if we go the other route we will be in the court. I know he has a lot of good arguments in support of the train mile tax, but I suggest to you that some of you were terribly embarrassed last year when you got back to your home country and found out what happened as a result of 103 and 105. You had better take another good look at this because the time will come when you are going to have been embarrassed by the passage of LB 190. It may well be that the ton mile tax will be challenged in the courts.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: You have 30 seconds.

SENATOR SCHMIT: It may well be that it will be held unconstitutional. It may well be that it will be unenforceable. But I will tell you one thing about it, it is a lot more equitable than the present proposal. I am opposed to 190 and I don't care how much you sweeten it, I don't care how much you alibi for it, it is not the kind of bill we ought to be considering at this time because you are going to wind up with additional