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SENATOR SCHMIT: That would be correct. The same pump, I don't suppose, could be used to extract oil unless I let the drip system run too long, but if it were used to extract oil, would it then be real property or would it be personal property?

SENATOR HALL: I guess it would become, at that point in time, real property.

SENATOR SCHMIT: Um-huh.

SENATOR HALL: I doubt that you could pump them both at the same time but...

SENATOR SCHMIT: Well, there are some who have done it, I suppose, but we are not going to argue that point now. Senator Baack is an oil expert here, we'll have to ask him what happens...what can be done in that area. The point I want to make is this. A pump which is affixed to a casing which it becomes a part of the real property is, in fact, true with the material which pumps oil. The pump which is affixed to the casing and pumps water is personal property as defined here.

PRESIDENT: One minute.

SENATOR SCHMIT: I believe, ladies and gentlemen, that in the original language you have made irrigation systems real property, and then you have attempted to exonerate them or exclude them by virtue of a special classification. I don't believe that is a reasonable classification. I don't believe it will stand up in court, and I believe we will be back here with a whole series of lawsuits. There are a whole number of other questions I could answer or ask but I want to point out when you talk about something which is affixed to or something appurtenant to, the railroads, of course, the ties, the rails are affixed to the soil and, therefore, they are considered real property. We are attempting to identify how the pipeline becomes a part of real property, but I think if that same line were under the soil and were carrying water on my farm, would it be considered real property or would it be considered personal property? Does anyone know? If I had an underground pipeline on my farm which carries water several, I suppose five, six thousand feet, total.

PRESIDENT: Time.