

going to call that a duck. And over here, if it doesn't meet those, we're going to call it personal property and then we will deal with those techniques by which we tax personal property. So, with that, like I say, it's very simple, it's what I thought LB 1 was originally going to do, what I would have drafted nine months ago and it's really my response now to what I think has been a confusing process by...even with the amendments, we're up to about a five-page laundry list that many of you are still arguing with in terms of what is this new definition. The terms that are here you are going to find in Black's Dictionary, you're going to find in case law, you're going to find in common law, and so I firmly believe that the courts can be directed very specifically with what constitutes real estate and what constitutes personal property by following these standard definitions.

SPEAKER BARRETT: Thank you. Discussion on the Conway amendment. Senator Hall, Senator Hefner on deck.

SENATOR HALL: Thank you, Mr. President, and members, would Senator Conway yield to a question?

SPEAKER BARRETT: Senator Conway.

SENATOR CONWAY: Certainly.

SENATOR HALL: Senator Conway, on your amendment, lines 9 and 10, on page 1, "whatever title or estate the property is held as defined", is that what I think it is? Is that basically the argument that you're making in your opening with regard to the lease arrangement, the different types of loopholes that you alluded to in your opening? Can you explain for me what specifically that entails?

SENATOR CONWAY: Certainly, under current law, if, in fact, an improvement is made to leased land and the improvement is made by the person who is leasing the land, that property, no matter what the physical structure is, is deemed as personal property because it's not permanently affixed to your land. Through ownership or interrelationships, you can convert a palace that's on a 99-year lease to personal property even though under any definition a house is a house and would be real estate. So what it basically says is regardless of how the title is held, we, as a state, are going to view it as real estate, tax it accordingly and since you've got a contractual relationship with a lease for