

abide by the court decision. I may be wrong, but I believe that would be what it appears to be. I guess my concern is that there is still the discrepancy as to what is the taxable property, what is not. I am having copied some information from the testimony of Mr. Boehm on LB 497 in the regular session where he was opposing this bill. Since that time he has become enlightened, as have many other individuals. But, anyway, the gentleman at that time had a \$100,000 fiscal note on LB 497, introduced by myself and Senator Robak, because he said it would cost them that much, at least, to determine the types of property, whether it was real or personal, there was some confusion as to which was which, and that it would have to be done on an annual basis and that they might have to bring in an outside consultant. It's pretty obvious, if you read this information, I just copied three pages out of the testimony on LB 497. I would ask you to read it at your leisure and I seem to be the only person who is in doubt on this and the rest of you are all well informed and better informed than I am. But it would seem to me that if you would read those three pages that it would encourage us to try to place into statute some sort of guidelines as to what is taxable, what is not, and the percentage it should be taxed and how you are going to determine it, whether it's book value or actual value, and try to make that situation work, because if you do not, I would expect that the railroads will pay no taxes on '87, '88, '89 and be back to see us in court from that point forward. They have everything to gain and nothing to lose and it further complicates the entire issue. I might just add one more little phrase, reinforces my conviction and my determination to exempt all personal property from taxation at one time or another because, as is the case now with LB 7, which is not a very popular bill, 497 was killed by a vote of about seven to nothing and now LB 7 was advanced almost by the same vote and in a couple of years we're going to say, well, we've got such a mess we've got repeal all the personal property taxes anyway.

PRESIDENT: One minute.

SENATOR SCHMIT: In the meantime, although we're here supposedly to resolve the problem, I believe we're complicating the problem and I think that whether we like it or not the railroads have got us by the short hair and they're going to keep jerking it and, in effect, they're going to win because they are going to bring their well-qualified experts to the bargain table and, very frankly, our people, as dedicated as they are, probably