

won't be any tax on personal property and that might then relieve the entire situation, but certainly at this point in time, I really believe that if you take out the book value, you probably are going to be in some difficulty with the railroads. If the Legislature, through our normal processes, can decide on an actual value basis, decide what kind of cost you are going to use, investment cost, replacement cost, or some other in-between figure, I suppose we might reach some decisions, not an easy one, and I am sure that Senator Warner would agree with that, but I am not sure just where you go here. And I will say it again, if you take this...if you adopt this amendment, you are going to be in court, and I think the railroads will win. Thank you.

PRESIDENT: Thank you. Senator Haberman, please. The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. We are voting on ceasing debate. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, to cease debate.

PRESIDENT: Debate has ceased. Senator Warner, would you like to close, please.

SENATOR WARNER: Well, Mr. President, members of the Legislature, the amendment as proposed will strike Section 3, which takes out the formula that was contained in the committee amendment. There is a number of things that I could comment; for example, the formula has a sunset so it is only in for two years, in any event, as it was drafted. More important, there are other alternatives that probably could be considered if, in fact, you want to put it into statute, and we, to my knowledge at least, this was the only one presented at the hearing, and there are, obviously, others that could be considered. As I recall, I think Minnesota has a different method of doing it which had been through part of the court systems at least and is approved. So there are, apparently, other options available. The main purpose of LB 7 is to address that one very significant issue of the classification of the rolling stock. I do not believe the inclusion of this formula adds in any way to the solution of the problem that we are dealing with. It adds no benefit to the Department of Revenue. It would add no benefit to the railroads the amendment to be adopted. It leaves status quo for determining those values as they have historically been done and ought to remain. It doesn't