

June 5, 1991

LB 813, 829

SPEAKER BAACK: All provisions of law relative to procedure having been complied with, the question is, shall LB 813 pass? All those in favor vote aye, opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: (Read record vote as found on page 2906 of the Legislative Journal.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting.

SPEAKER BAACK: LB 813 passes. We'll now go to LB 829.

CLERK: Mr. President, Senator Kristensen would move to return the bill for specific amendment. (Kristensen amendment appears on pages 2906-07 of the Legislative Journal.)

SPEAKER BAACK: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. Speaker and members of the body. I filed this amendment for the purposes of speaking at the moment, and speaking about the situation I believe we're in with LB 829 as it relates to our property tax situation. At the present time I think most of us, if we sit down and think about it and look at the situation, will agree that the short-term solution that we have here probably does violate the federal law, violates the federal law 4-R Act because we discriminate in our taxation of certain industries, in particular the railroads, although this is other legislation similar to the railroads that we may run afoul of. For all practical purposes, let's deal with the railroad situation because that is the most likely, and probably has the largest impact of what we're doing. Time and time again we have attempted, in I think very good faith, to address the personal property tax problem in this state, and the real problem...and the real estate. We've attempted in a number of ways, through special sessions, through difficult times this session, through a tremendous amount of work, through the Revenue Committee, through some very difficult debates on the floor, and I think in our zeal to do it we came very, very close, but for just the last provisions of upping that surcharge and making a disparate treatment, where we give 2 percent to one, and we put 4 percent on the centrally assessed items. If you think about it, I think you'll have to admit to yourselves we do violate the 4-R Act. And are we then going to introduce and pass legislation that is going to again violate that act, in the attempt to deal with this solution, either short-term or