

February 24, 1992 LB 1120

will pass or not...or fail is based upon what the press tells the people to do. I do not want to say that the press is deliberately misleading the people, but the idea that it either goes all on or all off is not really that simple. It is my sincere belief that you can remove the tax on personal property, all of it, and not even need a constitutional amendment. I would like to have someone address that question at some point. If, in fact, we need a constitutional amendment, then why were we able to remove the tax on all personal property under LB 829 without being chastised for it, without being challenged? That was accepted as the law of the land. Now there are some other discriminatory practices that are going on as of right now. Farm sales that are being held are being taxed on the basis of the personal property that they own as of January 1st. Why tell me, although there is a line on the schedule for livestock and for grain, why are the taxes being collected only on farm machinery and not upon livestock, not upon grain? I do not want to incur the wrath of my cattle feeding friends but why do cattle that are being fed at the present time and being marketed, why are they not taxed? Why is the county assessor and the treasurer not levying the taxes on those fat cattle and on those swine before they go to market? Why? Who wants to incur the wrath of the large cattle feeders, from Pitko, on "Tuffy" Napier and on Stastny, and those people out there one, by one, by one, to prove a point? Now, ladies and gentlemen, equity is what it is all about. Equity. We know why the proposal of the 3-R Committee is popular because it will reimpose the personal property tax upon only a small portion of the people. Let me tell you the scenario that will be played out. Eventually, if that should become law, the railroads will go to court and the railroads will be exempted from personal property taxes. This will also bring exemptions for the pipelines and for...

SPEAKER BAACK: One minute.

SENATOR SCHMIT: ...the telephone companies. When those exemptions have been finalized there will be the inventory tax...pardon me, there will be the tax left upon depreciable livestock and equipment. The first time that one farmer decides that he does not want to pay tax on his old 40-20, because his neighbor has got one that's been depreciated out, and goes to court and challenges that, I would assume, and I didn't use to think this, I would assume the equal protection clause of the federal Constitution will come into play and someone will say,