

and take care of a few things.

SPEAKER BAACK: Senator Hall.

SENATOR HALL: Senator Hefner, that would be the process that they would have to go through. They would have to file an amended return, and would be eligible for either a refund or most of these folks that would be in this category probably haven't filed yet. They don't file until the last minute if they're looking at this kind of a setup, because more than likely they may owe. And many times they file extensions, so I don't think it's going to be a problem. If the change is in place, they'll...and it becomes law, and I don't know if this has the E clause on it, I would guess that it would. But I guess it does. So, if it's adopted into this it would become law upon the Governor's signature, and I don't think there would be a problem.

SENATOR HEFNER: Okay, thank you, Senator Hall and Senator Crosby. I heard this in the Revenue Committee, but I wanted to get it on the record here while we were adding this amendment to this bill. So...and I support the amendment. Thank you.

SPEAKER BAACK: Thank you, Senator Hefner. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, it's been indicated this was included in LB 997, which was advanced from the committee. At least from the committee statement, I don't recall anyone appearing in opposition or a neutral position on the issue. There is a concern that...that I would have with the approach that I would like to be comfortable. I won't object to the adoption today, but we may have to revisit the issue later today. But the concern I would have is...deals with whether or not personal property that is subject to the surcharge, that we do not give any impression or intent that that is a property tax. It is not. It is a surcharge on depreciation that is allowable income tax expense...deduction, and is not in any way, shape or form considered a property tax in which there is one of the pending lawsuits on LB 829. And if there is no...I believe this only covers partnerships and subchapter S corporations, I believe, if I understand it correctly, primarily at least. At this point I'm not...I don't think I want to vote yes, because I'm not clear if that legal issue, which is another issue aside from the equity issue there perhaps that Senator Crosby is calling our attention to. But I