

April 3, 1992

LB 719A

CLERK: Mr. President, the next amendment I have to the Warner amendment is by Senator Schmit. This is AM3937, Mr. President. (The Schmit amendment appears on pages 1928-29 of the Legislative Journal.)

SPEAKER BAACK: Senator Schmit.

CLERK: Senator Schmit, AM3937.

SPEAKER BAACK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members, this amendment is an amendment which, I believe, is properly following right on the heels of the Lamb amendment. And the reason for this amendment is to provide for equity in the taxation of personal property. I call again your attention to the article relative to the railroads and their ability to negotiate with the tax commissioner to lower their tax burden if, in fact, the percentage of their tax that they pay upon their property is greater than is the percentage of tax paid by other entities who have to pay personal property tax. I know there is a deep concern about trying to make the system work. But it would seem strange...seems strange to me that one entity can become involved to the extent that we have allowed the railroads to become involved so that they can, in fact, dictate the kind of taxes that they are going to pay. I am not antirailroad and, were it in my power to do so, I would exempt all personal property from taxation. I agree with the concept that if only 30 percent of the personal property is going to be taxed that the railroads should not have to pay tax on more than 30 percent of their property. I do not know how the tax commissioner is going to arrive at the proper numbers. At least one assessor told me he does not find it possible to even get into the buildings where the railroad property is located. I do not know what percentage of the pipelines are going to be taxed but I haven't seen a pipeline laid in Nebraska for many years and I would assume that there will be very few pipelines that will have been laid. Therefore, because they will have all been depreciated out, I doubt that there will be many pipelines that will be taxed. I do not know the situation relative to telephones. I know there have been some substantial investments in equipment for the telephone companies and we will have to...time will tell as to what percentage of their taxes will be paid relative to other personal property. What I am saying in