

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

January 22, 1999 LB 35

CLERK: LB 35, Mr. President, by Senator Wickersham. (Read title.) Bill was introduced on January 7, referred to the Revenue Committee, advanced to General File. Once again, I have no amendments to the bill, Mr. President.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Chair recognizes Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Mr. President. This bill affects the base on which occupation taxes are calculated for both foreign and domestic corporations. The issue originally came to my attention as I was doing some research in my office in Harrison. And, while it doesn't affect any of my clients, it became clear during the course of that research that if you were a foreign corporation you had a different base for calculating occupation tax than you would have had as a domestic corporation, and wanted to make sure that we had the same base in both instances for calculation of the occupation tax. We discussed the issue with the Secretary of State's Office and the bill that you see is the result. And in the bill we're not only conforming the base for foreign and domestic corporations, we're also clarifying the definition of the base in both instances so that it relates to the par value of the shares of capital stock issued and outstanding. It should bring some clarity to the sections so that people know more accurately how to calculate the base values for payment of occupation tax. It is not estimated to have any revenue impact. It is, we hope, simply...it's our hope and expectation that it is simply a clarification and a conforming issue so that foreign and domestic corporations are on the same footing for calculation of the tax.

PRESIDENT MAURSTAD: Thank you, Senator Wickersham. Seeing no lights, you're recognized to close. Senator Wickersham closes. Question before you is the advancement of LB 35 to E & R Initial. Those in favor vote aye; those opposed nay. Mr. Clerk, please record.

CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of LB 35.