

March 28, 1979

LB 103

what. I think this bill's in about as good a shape as it can be, with one exception that Senator Murphy cited, and we are planning to correct that with a technical amendment later. So I would urge you not to kill the bill. I think it is workable and I think it's very reasonable.

SPEAKER MARVEL: The motion is the indefinite postponement of LB 103. Senator Schmit, do you have any close? You are now closing.

SENATOR SCHMIT: I will not talk very long, Mr. President. I think there has been a great deal of comment here already. I think we have established this fact. The fact is that railroad property is assessed differently than other property. There is no basis for that, at least not in this day and age. Maybe in 1902 there was. Maybe in 1902 there was, because we all depended upon the railroads. I join with Senator Kremer. We still depend upon the railroads to a great extent in many parts of this state, and we're going to to a greater extent, but there isn't any reason why...there isn't any reason why we assess one type of property one way, and another percent...type of property another way. Also, today as you look down the road, you can tell that we are going to be very quick and very adept at reappraisal of all other property on an annual basis. I suggest that this bill does not provide that, and in fact it suggests that every three years ought to be often enough. I suggest that there are other factors in the bill which make it difficult...which make it difficult for us to come back and address before the Board of Equalization the real issue, and that is, should the railroads pay taxes based upon value of the property? If you go back home to your people and tell them, look we're going to tax the big rolling railroads on the basis of earnings, value of the stock and depreciated value of their equipment, I think you're going to find an irate taxpayer that just marches right up to you and shakes his finger under your nose and says, okay give me the same break, and if they don't, I will be mighty surprised. I don't expect to lose the branch line to Bellwood, but I can tell you right now, it is not going to stagger the tax structure of the Butler County if they take it out of there. It's not going to make that much difference from the tax structure. We've been begging to have it improved for forty years, and it's been demonstrated time and again that a railroad has the ability by the allocation of cars to prove that a branch line doesn't make a...earn a profit, and thereby they can deprive a community of service. I think it's