

April 4, 1979

LB 103

passed in fact may result in a tax cut for the railroads and if anything work maybe more to the benefit of the railroads than the State of Nebraska and may have to be corrected. I will then try to prove to you and offer you documentation that the state can constitutionally impose a tax upon the railroads to compensate this state for the severe burden that the coal trains going through this state are going to have upon this state now and in the future, the money to be used for such things as building overpasses, safety devices, et cetera. I will try to document to you and offer you proof that the impact of the coal trains is going to be very dramatic and very severe in the very near future. I will then try to overcome and offer you proof that the tax is a constitutional tax, and finally I will offer you proof that the tax that I would offer that I would hope you adopt would not impose any severe burden upon the railroads. I give you one example now that you can be thinking about. Union Pacific last year I think had a net profit after taxes of \$290 million and Nebraska has yet to receive any money to help overcome their problems on the rail trains or the coal trains going through, the impact on safety and otherwise. So I ask unanimous consent to withdraw the amendments at this time. I do advise you in advance of why I am going to try to offer in the future and the proof and would hope that when we do do this both sides can be well organized and it can be done in thirty minutes or less. I ask unanimous consent to withdraw them.

SPEAKER MARVEL: Unanimous consent to withdraw the amendments has been requested. Is there any objection? If not, so ordered. The Chair now recognizes Senator Cullan. I am sorry. Do you have other amendments?

CLERK: Mr. President, Senator Cullan and Keyes had offered amendments but I understand that those want to be withdrawn. Finally Senator Cullan has amendments to LB 103, two page amendments.

SPEAKER MARVEL: Let's see, first of all you have amendments that they are withdrawing?

CLERK: Yes, sir.

SPEAKER MARVEL: Senator Cullan asks unanimous consent to withdraw the amendments that the Clerk has on his desk, is that right, Senator Cullan?

SENATOR CULLAN: Yes, that is correct.