

April 9, 1979

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relocation of the farm owner or relocation of the business. So there are additional monies that are coming into that factory. There are additional monies that are coming into that farmer and to that homeowner and to the tenant just to meet some of the costs that are incurred when the relocation and the condemnation occurs. The same does not obtain, however, to public entities. We need this kind of legislation so that, in fact, when our precious public facilities are taken for highway purposes the local governments will be left with enough money to reconstruct that which has been taken.

SPEAKER MARVEL: Senator Beutler, do you wish to be recognized?

SENATOR BEUTLER: Can I address a question to Senator Goodrich?

SENATOR GOODRICH: Yes.

SENATOR BEUTLER: You were stating earlier or let me ask you, under the present concept if a public building is taken, they are taking into account depreciation, is that true?

SENATOR GOODRICH: Depreciation, did you say? I am having a little trouble. There is too much conversation and I am having a little trouble getting it. Can you speak right into the mike so I can hear you?

SENATOR BEUTLER: Under the present method, if this bill were not passed, depreciation would be taken into account in valuing the public building?

SENATOR GOODRICH: Yes.

SENATOR BEUTLER: You were saying earlier that the court cases are holding that depreciation is not allowable in special use items like this, is that correct?

SENATOR GOODRICH: That is what we were both told this morning in some cases in Massachusetts.

SENATOR BEUTLER: In some cases in Massachusetts.

SENATOR GOODRICH: That is what you and I were both sitting there, we both listened to it.

SENATOR BEUTLER: Okay, so there is no reason to assume that the courts in Nebraska would not hold that depreciation was