

April 27, 1979

LB 42

Interstate Commerce Commission indicated that previous versions were unconstitutional and an earlier Attorney General's opinion on Senator DeCamp's earlier proposals indicated they were unconstitutional. Now we have an Attorney General's opinion that says these are constitutional. They meet my criteria and I certainly support Senator DeCamp and commend him for the work he has done in this effort. I cannot finish my discussion this morning without asking Senator DeCamp some specific questions about some very serious allegations he has made about LB 103 and LB 105 and let me say for the record, very clearly right now, that the railroads did not draft LB 103 or LB 105, that the bills were drafted by Stuart Bullington, the bill drafter, with input from the Department of Revenue, with some reviews from the railroads but the primary input and impetus from those bills came from Senator Newell and myself and it is not true, absolutely not true, that the railroads drafted LB 103 and LB 105. Now, Senator DeCamp has made some very serious charges about what is going to happen next year and he said that the information that we circulated was inaccurate. Now the information we circulated and the information we presented was the effect of LB 103 with current information, with current data because we could not possibly know, under any set of circumstances could we possibly know what mill levies are going to be next year and if, because of the valuation changes and everything that are mentioned, mill levies change, we can't anticipate that. We can't estimate next year's mill levies and if there were changes there anyway, then the railroads would have had a reduction in taxes at any rate. Now if the mill levies do change next year and there was a reduction of taxes for the railroads, the effect of LB 103 is going to insure that there is less of a reduction than they would have had otherwise. Now those are the facts and if you understand railroad taxation you can understand that. Now I just wanted to make those points very clear. The railroads had nothing to do with the drafting of LB 103 and 105. The impetus for drafting those bills came from Senator Newell and from myself and not from railroad lobbyists attempting to lower their taxes. I firmly believe, having studied railroad taxes for two years, that this is going to result in an increase for railroad taxes and I think if you can present some solid concrete evidence to the contrary and you can prove that, then I will admit it and we will repeal it. But I don't think that can be done.

SPEAKER MARVEL: You've got forty-five...