

personal property in LB 775, and we can't exempt breeding livestock? What...would you describe the difference between that personal property that's being exempted in LB 775 than is on...if we'd have...if we'd take away the breeding livestock.

SPEAKER BAACK: Senator Conway.

SENATOR CONWAY: Senator Hefner, I think the rationale or the legal discussion that goes with respect to the constitutionality is that under 775 was, for public purpose, with that public purpose being a multitude of requirements that are expected of an individual before they qualify for that exemption. Whereas under the breeding stock to declare just simply a particular type of item to be exempt, when, in fact, our tenets or standards for which something is to be identified as personal property is whether or not you're using it to shelter away from paying income taxes is a whole different question. And that's what makes the difference.

SENATOR HEFNER: But, Senator Conway, isn't this personal property being used for income producing objections, or...

SENATOR CONWAY: It's being used for income producing purposes. But, by the same token, like I say, you are getting a double dip in that you can use it to shelter away from paying income taxes by virtue of the amount of depreciation you charge off, whereas that is the tenet, and that's what we're talking about in terms of machinery. But I could take you back to LB 775, if I remember right, there was the so-called famous Conway amendment that tried to eliminate the personal property tax exemptions out of 775. So I may be the wrong person for you to be asking relative to comparing the two.

SENATOR HEFNER: Well, the reason...the reason I'm asking you this question is because you made that statement on the floor the other day. Okay. One more question. How much personal property are we exempting each year, do you know that?

SENATOR CONWAY: Under 775 or under...

SENATOR HEFNER: Yes, under 775.

SENATOR CONWAY: That I don't know, I don't have those numbers in front of me.