

don't like double taxation, then that policy ought to be extended to all types of repairs to depreciable property and I don't think it ought to be limited simply to one sector. I think that starts us down the road that got us into so much problem in the personal property area in the first place and I don't think that is a wise route to go. I guess I would echo what Senator Withem says. I agree, it probably doesn't make a bad amendment good but it simply does make it consistent and I would support the amendment to the amendment.

SPEAKER BAACK: Thank you, Senator Lindsay. Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. Policy decisions were made last year that the body of the Legislature saw fit to exempt depreciable agricultural machinery and equipment, purchased on or after January 1, 1992 for the use in commercial agriculture. Such persons may apply for a refund. This is 1063. The Department of Revenue then determined that if a purchase of agricultural machinery or equipment was depreciable, then a refund was allowed. LB 1, the sales and use tax, may not be imposed on gross receipts for the sale, lease or rental of agricultural machinery or equipment purchased, leased or rented on or after January 1, 1993 for use in commercial agriculture. The question that Senator Withem posed is why not other parts of Nebraska commerce be afforded the same exemption? As I indicated, the policy decision was made by this body at that point in time with a full realization that there was a segment of our economy that was going to, as a group, be inflicted with a considerable amount of personal property tax that had not been levied on them for a number of years and because of the peculiar functioning of the method of assessing commercial property for personal property tax purposes, that those industries were going to suffer, suffer is a word I use advisedly, suffer a considerable reduction in most cases of the personal property tax that that firm or individual or industry had to pay. So I think that the policy decision has been made for us. If we want to change that with the Withem amendment, then perhaps now is the time to move into the personal property tax issue and somehow craft an amendment that would be germane to certainly erase the blackboard in that area but I don't think we want to do that. The issue is and has been the policy decision that we made for those that are involved in production agriculture that insofar as purchases of assets you either paid sales tax or you paid personal property tax. You did not pay both. Now, Senator Wickersham, a question please, if you'd