

they do because, quite frankly, I don't even know what classification for personal property tax they would fall into. It's one that, back in 1980, I think the Department of Revenue ruled that the inventory held for rental was not inventory in the same manner that we feel that a business inventory is, but that's about the place that they..that they stopped, and there's really no good, clear definition, even for the assessors, on how to value for personal property tax reasons these types of rental property. And I think the bill which specifically says...or the amendment which specifically says typically rented for 30 days or less and if, in your or my possession, would be classified as household goods or...not personal possessions, that's not...that's not exactly what it says without getting the bill out, but the kind of things you would have hanging on the wall of your garage or in your basement. And I think it will provide a sense of direction to the assessors across Nebraska and to the owners of rental property, in fact, as to what of their business inventory is liable for personal property taxes in their locality and what is not. Thank you, Madam President.

PRESIDENT ROBAK: Thank you, Senator. Senator Chambers.

SENATOR CHAMBERS: Madam President, I yield this time to Senator Hall.

PRESIDENT ROBAK: Senator Hall.

SENATOR HALL: Thank you, Madam President, and members, thank you, Senator Chambers. The issue is one of a question of what definition do you use for business inventory. And in the Helvey case the...and I'm going to quote from a Creighton Law Review article here. It says that the county board held that the property in the Helvey case to be taxable business inventory. Mr. Helvey then appealed it to the District Court for Dawson County and then the District Court applied the Uniform Commercial Code definition of inventory rather than what was being used and that was the Department of Revenue's regulation, their inventory, and they found that the rental inventory was, in fact, business inventory and was exempt from taxation. What...that was the Dawson County Board of Equalization that appealed that decision of the District Court to the Nebraska Supreme Court and in the intervening time there were the personal tax cases that were decided that...and there was the...also what this did then, it made Helvey's original claim