

January 16, 1976

SENATOR SCHMIT: Is there any reason it could not be moved up a year?

SENATOR BURBACH: I would have to visit with the attorney from the Tax Revenue Department to make a firm declaration. If you will hold the question until I have an opportunity to visit with someone in the Department, then I can assure you in the affirmative or the negative.

SENATOR SCHMIT: Very well, Senator Burbach. I would appreciate very much, Senator Burbach, if you would do that. I believe that it is generally conceded here this morning or else yesterday, at least, that the tax is an unfair tax to co-op patrons as it is presently being collected. Since it is an unfair tax and is generally assumed by this body, I believe, to be that way, it is only natural that we correct it as soon as possible, and if it could be done at a earlier date, then I think we should attempt to do that. I'm having an amendment prepared which would perhaps facilitate that and I may offer it, Senator Burbach, based upon the information that you receive, and I would hope that perhaps I could speak on the amendment later on. Thank you very much.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, I have got a question of Senator Duis. I think he is one of the co-sponsors of the bill. I am talking on the amendment but I can still ask you the question, I think. If I can't, he can throw the gavel at me or something. I have tried to follow this discussion both with the bill in mind and on Senator Burbach amendment. As I understand it, Burbach's amendment, I want to get this straight because for somebody that doesn't use the co-ops and still has to vote, it is going to be complicated. This would allow, his amendment would allow the patron to be taxed for everything. Oh no, that is the way the bill is. Okay. The way his amendment reads is the co-ops would be taxed for what they keep and the patrons taxed for what they get. Is that right?

SENATOR DUIS: Senator Barnett, the co-op is nothing but the patron. You can't tax anybody but the patron, regardless. When they say they are taxing the co-op, they are taxing the patron because it has nothing else. So he hasn't accomplished a thing.

SENATOR BARNETT: Okay, so in effect, he is not doing anything with the bill, then?

SENATOR DUIS: He is creating withholding tax.

PRESIDENT: Could we have some quiet? It is difficult for some of the members in the back of the Chamber to hear.

SENATOR BARNETT: Okay, see, I was led to believe that there would be a difference listening to the debate, and then when you say now that the co-op is nothing more than the patrons which I can understand that it is...