

LB114

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(Start Belt #7)

I didn't quite follow you there on--you said if they had a \$15,000 home and then you take 50% of that? I thought you took your 35% of assessed valuation.

SENATOR CARPENTER: But we're talking about actual value; for example, there's, they take, as I recall, 50% of the actual value of a house which is \$15,000 and then you reduce that actual value to 35% because that's the equation of actual guessed assessed.

SENATOR STULL: You're taking your 50% that you're going to exempt them and then--

SENATOR CARPENTER: That's what they'll-- as I understand it.

SENATOR STULL: Yes. Okay. Thank you.

SPEAKER: Senator Burbach.

SENATOR BURBACH: Senator Car--I wonder if Senator Carpenter would yield for a question?

SENATOR CARPENTER: Yes.

SENATOR BURBACH: Senator Carpenter, I am sorry I did not pursue or follow up on this amendment other than to get these figures. I just received them about three or four minutes before we started discussing this. Have you or do you think in your mind that we could do this constitutionally? I did not follow this up, I did not secure the advice or recommendation from anyone, but as we sit here and discuss the meas--you gave that formula. Someone gets all of their tax off if the \$250 falls in that category and someone gets up to \$250 and still would probably pay the \$100. I am wondering if this is within a class and have different approaches to a tax program, tax assessment or tax credits. I just believe you'd be in constitutional problem but I, I just throw this out. I don't know. I'm asking you your opinion.

PRESIDENT: Senator Carpenter.

SENATOR CARPENTER: Well, of course, I don't know and I don't know what the Attorney General's opinion, the law went into effect last year. Everybody has a right to go to the court to determine the constitutionality of anything and I presume eventually somebody would. I don't know.

SENATOR BURBACH: This is a different approach, Senator Carpenter. This is the forgiveness of all tax in certain instances and it is not in other instances and this is where I believe your amendment right now and I, as I say, I'm at fault that I did not go to secure an answer or an off the cuff opinion or something but I--

SENATOR CARPENTER: Well, would you think we'd be in a better position in order to raise the \$15,000 to a higher figure to do the same thing?

SENATOR BURBACH: This, I don't believe you'd run into our constitutional problems, sir.

SENATOR CARPENTER: Well, we, is that what you're suggesting we consider?

SENATUR BURBACH: No, no I'm not suggesting anything, Senator Carpenter. I just want to point out; you were sincere in your--you were convinced of the idea that you want to give \$125 and \$250 and I just doubt if you can with this amendment to give