

November 6, 1985

us not to discuss anything else other than the subjects for which we were called. I also happen to agree with Senator Chambers, which is scaring me just a mite, agree with him on the subject that we do have inherently the power to do these things, but I think maybe even that has been eroded by virtue of the opinions and by virtue of the forebodings and things of the Governor. I guess what I am saying is I think this is the improper way to do it. If he wants to treat and have an income tax increase, then I think he has to call a special session, another concurrent one maybe. I don't know how you do it but I know you just don't change your mind, flip-flop, "zip-zop", and add new things in as you go along as your whim or mood changes, and that is what we are doing. Speaker Nichol said we have got to get out of here and we have had everything changed. I am not sure we have had everything changed. I think we now have had it crystallized what the whole game plan is. The game plan is to trap us into a certain position on let's say the University cuts and so on and so forth, and then say and now you have no choice, you have got to pass an income tax increase, and then change from black to white, from up to down in terms of saying one day you are completely against it and now you are completely in favor of it and order us to do it. So I think we go on about our business because you have guaranteed a court challenge now. You have absolutely guaranteed a court challenge with the mode of doing it. A questionable call, a questionable expansion, I think we ought to deal with our business the way we were going to, pass budget cuts, get out of here, come back in January and deal with the issues. You know the popularity of new taxes and tax increases, if you have some doubts about how popular they are, check the votes in Council Bluffs and some places last night on expansion of taxes and new taxes. But at the best, I think that is not "an expansion of the session", it is merely confusion. If we had the power to deal with income tax before, we still have it now. If we didn't, this doesn't grant it and so I am not sure it changes anything, and at a minimum, I think you would have to start from scratch with either a new bill or a new hearing and the whole works there. So I think we ought to get the budget bill passed and go home.

SPEAKER NICHOL: Senator Haberman, then Senator Abboud.

SENATOR HABERMAN: Mr. President, members of the Legislature, I have an Attorney General's Opinion dated October 23rd and it says "...we should first state,