

June 5, 1991

LB 829  
LR 186

or whatever it was, that isn't too good. And his refusal to discuss my proposal, I think, belabors one fact and that is this, that in the event as a Supreme Court comes down one way or the other, and they will, my amendment is the only one under which we can survive. I do appreciate Senator Hall's speaking to the issue and I concur with Senator Hall. I concur with Senator Hall. I do not believe it is necessary for this Legislature to panic and to stampede on the presumption that the Supreme Court is going to go plum crazy. This court is actually fairly conservative. We had to go back to them about three times on personal property taxes trying to find a way around the bull pen, and I'm one of those guys, to get some tax breaks for ourselves before they finally said, stop fooling around or we're going to let you have the sledge hammer. Now, we might try the same thing in this other area. But I do not think the Supreme Court is going to come out and say, okay, retroactively, pay back that et cetera, et cetera, and if they did, they can't make us do it. They can't make us do it and they know that. I think that we have, and Senator Hall probably outlined it at the time. I think it is foolish to call for a special election to attempt to prejudge what the Supreme Court will do. Senator Rogers and I offered you an amendment that would have... to 829, that would have gotten you out of your dilemma. Too much of a good thing you said, too fair, too equitable, probably ought to do it, but it's political suicide. Well, ladies and gentlemen, I am going to give Senator Carson Rogers 30 seconds of my time and then I will complete my closing if that meets the approval of our Chair.

PRESIDENT MOUL: Senator Rogers.

SENATOR ROGERS: Madam President and members, I just want to make a couple short comments. Thank you, Senator Schmit, for giving me the time, but I wish you would consider at least before we come back into session next year, the amendment that I and Loran had on the income and sales tax because I'm pretty sure it would stand the constitutional muster and I think it would be one of the most fairest ways to raise taxes. Go ahead, Loran.

SENATOR SCHMIT: I do not want to take a lot more time. I appreciate the forbearance of this body. I will, therefore, Madam Chairman, ask unanimous consent to withdraw my amendment.

PRESIDENT MOUL: If there are no objections, it is so ordered.