

March 5, 1992

LB 1063

LR 219

classes were reasonable.

SENATOR SCHMIT: Thank you, Senator Warner. We'll see.

SPEAKER BAACK: Thank you, Senator Schmit. Senator Morrissey, you're next.

SENATOR MORRISSEY: Thank you, Mr. Speaker, and members, I rise to support Senator Hall's amendment. I guess we're trying...we're asking to repeal the uniformity clause and trying to build some sort of uniformity back into the Constitution but you can't say uniformity. You can't call it that. And that seems to be the concern here. Again, the whole process of changing the Constitution so you can build a law is completely backwards. Senator Hall earlier mentioned low-level and that's part of how that process has worked. We've had opinions drawn and opinions drafted and saying this is what the law means and, oh, by the way, make this amendment to the law to make it say what our opinion...what our opinion says. And that's part of the reason we've been in the trouble we've been in there. And you can try and build this house of cards that I see LB 1063 is and you can try and put some sort of uniformity back in but why, you know, why are we taking it out if we...and then trying to put it almost back in? It just doesn't make sense. When you build a house you don't start with the roof. You start with the foundation. The foundation here is the Constitution. One of the main or the key stone, I imagine, of the Constitution is the uniformity clause. And now you want to remove the uniformity clause and start building that house from the roof down, take away the foundation and start at the roof, that will work. I couldn't disagree more. We shouldn't even have to look at Senator Hall's amendment or any of the other amendments that...if you want to get rid of the uniformity clause, get rid of it. If you're not scared of that, get rid of it. If you don't want protections, do what Senator Schmit suggested last year, I'm sure, at least last year. The Legislature shall tax. If you need protection in the form of uniform, uniformity clauses, there's already one there. Don't remove the one that's there and then try and build some sort of shell of uniformity, some ghost uniformity clause in the Constitution and then...but actually be frightened to actually say uniformity. It's...the whole thing is backwards and, again, I say that we should be sharp enough to work from the foundation up as opposed to the backward direction we're taking now. I support Senator Hall's amendment.