

SENATOR HEFNER: Mr. President and members of the body, I rise to oppose returning this bill because I feel that we've certainly debated it enough and I apologize for taking this much time. But let me just have a little rebuttal here to Senator Baack. He said, somebody said, but he didn't say who said that mail-order companies will pay the sales tax. I'll have this body know that I never said that. I said that we want the mail-order companies to collect the sales tax, and sure they're going to add it onto the consumer. They are going to add it onto their customer and this is what we want them to do because then they would be competitive or uncompetitive to the merchants on main street. Right now it is very unfair to the merchants on main street to have to collect the sales tax on what they sell and then have the mail-order companies not collect the sales tax. The sales tax that would be collected is 4 percent outstate, 5 percent in those cities that have a 1 percent sales tax and a 5 1/2 percent tax in Omaha and Lincoln. Senator Baack said we shouldn't pass a bill that is unconstitutional. Well, I'd like to know how come Senator Baack voted for telephone deregulation then when the Attorney General says that that bill was a constitutional suspect bill and he voted for it, and I just want to bring this out because I think that he should be consistent. Senator Schmit says that it is antibusiness. This is not an antibusiness bill. This is a probusiness bill because it would make the mail-order companies collect the sales tax. He said he read parts of a letter from Omaha Steaks. Omaha Steak Company would not be affected by this bill and we told them that when they appeared before us in the Revenue Committee, and still they keep coming back time and time again and says that it would force them to move out of the state. They don't even collect the sales tax in state because they sell mostly food products and food products is not subject to our sales tax. Costs the state jobs, I believe it would not. I believe it would add jobs. And, Senator Schmit, I would just, when we...after we pass this bill, I would just like to call ten businessmen or businesswomen in your district, in Wahoo, in Columbus, in David City, and we'll ask them, don't you think that this bill is fair and I bet that nine out of ten will say that, that the way it is now it's unfair to that merchant on main street and they're certainly having a hard job making a living right now. The National Conference of State Government has endorsed this bill. They say if enough states pass it on a state level, Congress will be forced to act and this is what we want them to do. The National Governors Conference has gone on record as supporting it. The National Conference of Tax Commissioners has gone on record as supporting this. Last year