

SENATOR CLARK: Motion failed.

CLERK: Mr. President, I have a motion on the desk. Senator Chambers moves to amend LB 40. Pages 3 and 4, reinstate the stricken language.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, in order that it is crystal clear in the record what I am attempting to do, I am going to read the language that I want reinstated. Starting at line 8 on page 3: "No tax increased pursuant to this subsection shall remain in effect after December 31, 1981; provided, that if there shall be any project of new construction, reconstruction, alteration, or improvement of any building commenced prior to any increase in the sales and use tax provided and on which bids for work were let out based upon the old sales and use tax rate and prior to any increase in such sales or use tax rate, the old rate of sales tax shall apply." Subdivision 3: "Any increase in an existing sales and use tax imposed under the provisions of this section on and after August 24, 1979, shall automatically expire on January 1, 1982, without further action by the municipality which imposed such increase, and such sales and use tax shall revert to and be the same as it was before such increase." Subdivision 4: "Any municipality increasing its sales and use tax rate beyond one per cent on or after April 6, 1978, shall file with the Revenue Committee of the Legislature on or before January 15 of each year a report outlining what steps are being taken by the governing board of the municipality to reduce expenditures or increase revenue to replace the increased revenue generated by the increased sales and use tax rate when such increased revenue will automatically be reduced on January 1, 1982." Now, members of the Legislature, this language to be stricken must be considered not to be important anymore. There was a time when this language was not in the law but somebody thought it was important to put it there. So, they trundled themselves down to the Legislature and they had lunches for the senators, they twisted arms, they pleaded and they got the wording into the statute that they wanted. After they got the language into the statute there were a number of activities that I would describe as shenanigans that occurred from time to time on the floor of the Legislature. There were promises, solemn promises made to the Legislature, as solemn as the promises that would be made today and those promises were violated as the promises made today will be violated. And we find ourselves back in this solemn august body, considering once again the issue that was not to be considered anymore after the first time around. So, if the law was good enough last year, it ought to be good enough this year. No problems were found wrong with it in terms of its constitutionality. The people did not engage in insurrection or revolution. So, the law, in spite of certain objectionable features, must have been considered acceptable. So, now we are in a situation where the Legislature has to turn around and say