

April 7, 1982

LB 757

757 seems is the intention, I would hope that you would give some thoughts to what is equitable and just. A city council can submit to the people for a vote the question as to whether an extra half percent tax should be levied. The city is thinking only of its own interest. When an issue is properly presented to the Legislature, the Legislature has not only the duty but the absolute right to consider that. The question now is not one of a tax levied by Omaha on its citizens dealing strictly with Omaha interest but the interplay between the taxing power asserted by the city and that asserted by the state. When there appears to be a conflict and the conflict is based on what is in the best interest of the citizens, the state should preempt what the city has done. We are talking about the people who are taxed in Omaha now as citizens of the city and of the state. We have by analogy the dichotomy which exists sometimes between state citizenship and national citizenship. The national always prevails over the state. Certain provisions of the U.S. Constitution were made to apply to the states by the enactment of various other amendments to the U.S. Constitution, the 14th notably. So we have a situation where one individual is being acted upon by two taxing authorities. The double tax is not fair. It is clear that the state intends to impose its tax and it does have the paramount taxing authority. What I hope that the state will now do through the consideration by the Legislature is to bring about an equitable readjustment of the overall amount of tax that people in Omaha are going to have to pay. I am not asking you by this motion to reduce the amount of tax that people in Omaha will pay, I am asking you simply not to increase it. If you adopt this amendment, Omahans are not paying less tax than people throughout the rest of the state. Omaha will still be paying a full one percentage point more tax than people in most of the rest of the state. They will still be paying 4½ percent sales tax. So I hope you will accept this amendment so that the people in Omaha will not be paying 5 percent sales tax while everybody else is paying 3½, practically everybody else. In some cities I know they have levied it another half percent. But what Senator Cope said about this not being the time to take the tax off, at the federal level they are talking about tax cuts where income is concerned and the biggest cuts are coming for the affluent who really don't need it. They want it obviously but they don't need it like those at the lower levels who ultimately will be paying more income tax than they are paying now with the so-called cut. I don't know what I can say that would make you see the injustice of allowing the present system to exist as it does. Burdensome taxes are not liked by anybody. America's tradition is one of being opposed to what they consider unjust

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