

April 17, 1989

LB 84

LR 2

guarantee that ag land values will correlate with residential and commercial property and not go any higher than those properties, he said," quoting Mr. Nowka. Well, Mr. Nowka is a fine young man. He is a friend of mine. To my knowledge, he has no experience in tax court, he had no experience in tax law, and I do not know if he has ever been in a courtroom, but that is not true. There isn't a member on this floor who can tell you that the amendment as proposed today will prevent the ag land from being valued higher than other types of land. I share at least one point of view with Senator Johnson, I do not like to be lied about, I do not like to have misrepresentation in the newsletter which I support with my contributions and with my membership. And that is false, and it needs to be explained as being false. That is why at this late date I am going to offer an amendment later on. I do not like to bring those amendments to this floor lightly either. I bring them because after years and years and years of discussion, the proponents have continually insisted we don't need this. It is implied, it is there, there isn't anything to worry about. The U.S. Constitution provides for equal protection. The United States Supreme Court has consistently, has consistently stayed away from the tax decision. If you want equal protection in that area, what did we do under LB 775? We specifically zapped agriculture under 775. We specifically provided for a different treatment on tax cases under 775. Take LR or LB 84, it might well be that we could live with equal collection of taxes if we can embody the principle of 84 unequal distribution of tax money back. Under LB 84, we distribute money unequally, and if that is constitutional, maybe we can live with our equal collection of it. I do not know. I will argue that point at some other time. I do not support Senator Wesely's motion to bracket. I think it ought to be debated but I want to point out another thing and that is that we can amend the bill this morning, the bill can still be passed on Final Reading, and I think it is high time, and I would like to have the supporters of the bill address specifically, if they would please, those statements that are being widely spread across the State of Nebraska and knowingly spread which are false. The reason we are here again is because...

SPEAKER BARRETT: One minute.

SENATOR SCHMIT: ...the United States Supreme Court stated very emphatically, the Nebraska Supreme Court, correction, stated very emphatically that the Legislature's Revenue Committee had