

SPEAKER BARRETT: One minute.

SENATOR SCHMIT: But once again, once again, and I hate to use a term which has been used with some degree of accuracy and some degree of derision, but the fat cat's going to walk away and the skinny cats are going to get skinned. It happens all too often. Senator Warner made a comment here once during the regular session. He said...we were talking about, I believe, the underground tank bill, and he said, we do sometimes perform inequities on this floor, but we don't do it intentionally. I agree with what Senator Landis says to a point, that we just really can't reverse all of these things, we can't do anything, but we ought to not come from the position of saying the responsibility is all the taxpayer's. Part of that responsibility is ours, and I think this is an unusual situation, it is not a normal situation, therefore, I support the Withem amendment.

SPEAKER BARRETT: Senator Hall, please, further discussion.

SENATOR HALL: Thank you, Mr. President, members. I rise in support of Senator Withem's amendment. I think the issue of fairness, who is ultimately going to be caught in this web, has been very clearly spelled out. I would agree, to a certain extent, with my good friend, Senator Landis, but I would also disagree. I don't know that the arguments he makes with regard to the river of state government running forward all the time would hold true. I would say that should we then take that same argument and apply it, for example, to Commonwealth? Should the river of government continue to run by those individuals? I don't think they should. I don't think it should. I have not supported that river to run by, to drown, in this case, those individuals. This is one case, like Commonwealth, where we should make sure that the river does not run on past these individuals. They should have every opportunity, whether they got into the system on time or not, to, if they choose, get a refund for taxes that they did not owe. I mean, clearly we don't want to have state government, local governments continuing to have to open up the checkbook and write out checks to everybody under the sun. We want to minimize that. What you need to realize is that there are many taxpayers who have not filed lawsuits against the state, lawsuits against subdivisions for taxes they have paid. Many, many corporate entities, many, many individuals, many, many partnerships, and sole