

You recall during the previous session I called your attention to the fact that Macy's had gone to the U.S. Supreme Court and had asked for a decision relative to the Proposition 13 in California, and it appeared to me that the court had agreed to hear that, and here they may take a dim view of that kind of activity. Macy's, because of adverse publicity, withdrew their case from the court, whereupon the court then went out and found themselves a taxpayer and brought the case before the court, and about a week or ten days ago, I noticed in the Wall Street Journal that the court, after having perused it somewhat, in a move which I thought was somewhat unusual, has said, well, I guess that they can just about do what they want to in California, and this sort of makes sense to us, which sort of surprised...

SPEAKER BAACK: One minute.

SENATOR SCHMIT: ...me, I guess, because I had thought that once they had delved in that area, they might like to use their expertise to advise Californians that the wide discrimination of Proposition 13 wouldn't be allowed. But it looks like maybe even the court decided they would walk with tiptoes in that area, and they backed away from it, or at least they have thus far. I don't know what I am going to say, Senator Warner, I don't know what to do. I don't know whether to support it or not. Thank you.

SPEAKER BAACK: Thank you, Senator Schmit. Senator Moore.

SENATOR MOORE: Well, Senators Warner, Hall, Schmit and I carry on this dialogue. This particular amendment, this particular part of the amendment is the one that has always caused me concern, not because of the fact it is what it says, but that it is there, because time and time again, the Nelson administration, and the supporters of the 3-R plan have said the great thing about the 3-R plan is it gets the railroads on the tax rolls. That is the greatest thing about it. That is why you all ought to run home and say why you ought to vote for it because the railroads are going to have to pay, by golly. We are not so sure of that, so we want to put in the Constitution, if that happens, we want to stop all the bleeding. Now, yes, being a conservative person, that probably makes some sense, but it certainly is the tip of the hand that concerns me. If you are all that certain, there is no fear railroads will be taxed, why do you feel compelled to put something this unprecedented