

March 6, 1992

LB 1063
LR 219

Kristensen is absolutely right, we should have a philosophical discussion not just on if we should change the Constitution, but as well how we should change the Constitution. As I have said, I think with what I wanted to do, exempt all personal property in my opinion, that could be another change of the Constitution and you can assume all you want in MAPCO and everything, it never, ever says in there the Legislature cannot exempt all personal property. It never says that. You can infer a lot there and you and I can disagree and it never says that. So we don't know that, it is not that clear cut. There is room to disagree and obviously we do. Now beyond that I think we should have a discussion about how the Constitution should be changed. And, Senator Warner, that's once again where you and I disagree is in the way the Constitution is being changed and the accompanying implementing language that goes with that and I still have a big problem with that. I mean, I've voiced, I voted for a constitutional amendment separating real and personal last year. As I've said before, to be 100 percent sure even if you're going to exempt it all, you probably need to change and pull out personal property from the uniformity clause. So we do agree on that, that that's something that if you want to be absolutely sure, that's the way to do it. But what I don't like and what I continue to not like is the way the constitutional amendment is written, it's corresponding language to LB 1063, and that it puts in not only by statute, but in the Constitution an untried, untested, unproven, unmatched, unequalled taxation system anywhere in the country in our Constitution. That does not make sense to me, coupled with the fact, I don't like what it is in the first place. That's what I don't like. And, Senator Warner, maybe some of your comments about the fight, that should be directed toward Senator Kristensen, not me. He's the one that said there is still more fight to have. I think the fight was probably over prior to January 1. I think the fight was probably over October-November when the five members of the 3-R Committee that were appointed by the Governor from the administration magically came to the same conclusion this is the right thing to do along with Senators Landis, Withem and Warner. That's when the fight was over. I mean, literally that's when the fight was over coupled with my good friend, Senator Lamb when he said that it may not be that bad. I think he has changed his mind somewhat since then, that's when the fight was over. Unfortunately, the fight was probably over when the Nebraska Farm Bureau backtracked, left me out hanging high and dry, making me look unreasonable, unorthodox doing what the Farm Bureau historically always said