

March 10, 1992

LB 829, 1063

in case the CA fails and, in my reading of it, in my district for when the CA fails. If you can't face the reality that it might fail and you can't stand up to comparing what you're offering under 1063 to what exists under LB 829, then 1063 is not too good, is it? It really isn't too good. If you want to seriously approach this issue, not as a pride of ownership issue what we crafted, we went through this process, we crafted 1063 and that's the way it's going to be. You're going to have to accept it and if the people defeat it, well, then we'll just have chaos and that's just the way it's going to be. If your pride of ownership of 1063 is so great that you won't accept a very reasonable, very valid amendment to the constitutional amendment, then you've lost complete sight of what we're trying to do. How can I vote for a constitutional amendment and then go out and discuss it with my constituents? What am I going to say? Well, you could...you could vote for the constitutional amendment to take away any protection rural Nebraska may have in the future or you could vote against it and possibly really disrupt the economy of southeast Nebraska and the entire state. What option is that? What option is that? Give them a fair choice, give them a fair choice, what 1063 offers or the should the CA fail, what LB 829 offered. Again, I truly believe that's what the court is saying. The court is not declaring the Constitution unconstitutional. It clearly says, as Mr. Boehm mentioned in his article, in the Constitution, in case you haven't read it, that we can tax or we can not tax all personal property. Says it in there very clearly. So if we're not taxing personal property, how can a court take the next step that everyone is concerned they will take? A lot of people have argued about the court, good or bad, have no faith in them, are sure what they're going to do, but I really think if they look at the Constitution and say we've done what is allowed within the Constitution and thus uniformity must be applied to those...to the real property that's then left on, I think they will settle, settle for that and say it's good. I don't think they'll take the next step and say, we're really going to be so narrowly focused on the uniformity clause as it applies to all tangible property that we're going to completely disrupt the economic system and the local tax base of this entire state, that's how I want to go down in history at my finest hour as a Supreme Court justice...

PRESIDENT MOUL: One minute.

SENATOR MORRISSEY: ...completely destroying the state by making