

March 11, 1992

LB 1063

LR 219

please rise and be recognized. Welcome to the Chambers. Also, I would like to announce for Senator Carson Rogers that the doctor of the day today is Dr. Richard Hanish of St. Paul from Senator Rogers' district. Thank you. The speaking order now is Senator Moore, followed by Senator Hall. Senator Moore.

SENATOR MOORE: Madam President and members, I rise to support the Kristensen amendment. It makes it a little better, I guess. Once again, the fact is that what we're doing here is we're changing the Constitution. The only concern I have with the Kristensen amendment is that we're going to hold that out to the people and say, see, we can't do anything we want to do, we have to have a reasonable standard even though the definition of reasonable is something that's tied up in court, is it reasonable, is it a reasonable class, a 775 class? Obviously, the attorneys in this body think it is. Some would like to argue against that. Basically, what the amendment does...and I guess I don't like either one of them, I...I probably...I like it better than the Lindsay amendment because it still has some benchmark that's lower, well, I guess actually different than the Lindsay amendment. The Lindsay amendment...the original Lindsay amendment would never let you ever again exempt personal property. I had a concern particularly since many people were saying, if we just pass this constitutional amendment, in a year or two we can really come in and clean the whole thing up. I think Senator Kristensen is absolutely right, I think both sides...neither side trusts the other here as to what we're going to do to them but it's also, though I support the Kristensen amendment, some of the discussion lies out that we're not willing to exempt all personal property, we're not willing to do that for policy reasons, for distribution reasons, for revenue replacement reasons, even though many of those who vote for LB 1063 agree that is the proper policy, we want to have the ability to go ahead and piecemeal it. And the problem with that is the same problem with 1063 is that you know that when you piecemeal it some people are taxed, some people are not taxed, some people are offended, some people are happy because they get somebody else to pay more taxes, and that's the problem with it all. Obviously, the cleanest method is to exempt all personal property. If you insist on writing LR 219 in such a way, I'll help you write it and I'll support the Kristensen amendment.

PRESIDENT MOUL: Thank you, Senator Moore. Senator Hall.

SENATOR HALL: Thank you, Madam President, and members, Senator