

way that the county board can refund taxes overcollected, that we should provide for specific language. I have read Senator Warner's comments in which he disagreed with me. In that brief period of time since we debated, Senator Warner has decided that it is necessary to provide for specific repeal language relative to the collection of taxes that are not due. I suggest it's time to give the average taxpayer a break in this instance and to assume that every taxpayer is hanging on the edge of his chair waiting to find out what we are going to do and then they're going to rush down to the courthouse and do it, I think is an assumption that is not valid. The average citizen needs to earn a living. They can't sit with their eyes glued to the TV when in most...

SPEAKER BAACK: One minute.

SENATOR SCHMIT: ...areas of the state we do not have that capacity. And so what I'm saying is that because of the confusion that has existed, let's treat everyone alike. Let's not leave it up to the discretionary authority of an elected official because they are under the same pressures to raise funds that we are. This morning we're trying to raise some more money because of a shortfall. The county boards are going to look at it and say, perhaps we just ought to go ahead and collect the penalties and treat everyone alike. Let's treat everyone alike, ladies and gentlemen, but for once in our lifetime let's give the taxpayer a little bit of a break and say, taxpayer, we trust you. We know you are burdened. We know you don't like what we're doing to you but at least we trust you to be honest and, based upon that premise, we are not going to penalize you further than is absolutely necessary. I ask you to support the amendment.

SPEAKER BAACK: You've heard Senator Schmit's closing on his amendment. We will now vote on the amendment. All those in favor vote aye, opposed vote no. We have a request for a call of the house. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 13 ayes, 0 nays, Mr. President, to go under call.

SPEAKER BAACK: The house is under call. All members please report to the Chamber and record your presence. The house is under call. Senators Beutler, Chambers, Lindsay, Nelson, Hartnett, Hefner, Horgan and Rod Johnson. If there are any of