

April 7, 1992

LB 1092

SPEAKER BAACK: Senator Kristensen.

SENATOR CHAMBERS: Senator Kristensen, since I think we would all agree that the percentage of the population that would do that is far less than a majority, why should the majority of people who are going to abide by the law use the driver's license and the identification card for the purposes intended, why should they have additional fees assessed to them because a few scofflaws are going to misuse the system?

SENATOR KRISTENSEN: I don't want to use all of your time because I have, I guess, an extended explanation of that. If you want, I will take the time and...

SENATOR CHAMBERS: No, I will wait until you turn on your light.

SENATOR KRISTENSEN: Okay, I will turn it on right now and then I will...

SENATOR CHAMBERS: And I will make a comment. If we are talking about a user fee, then that means that...

SPEAKER BAACK: One minute.

SENATOR CHAMBERS: ...everybody who uses the service or benefits from it is going to pay. But it is not a user fee to say that 10 percent of the population does something, so the other 90 percent that make up that particular class are going to have to pay more to overcome the miscreants who constitute that 10 percent. This is an unequally applied tax. It is unfair, and I think it is exorbitant, but since my time is up on this go-around, I will have to turn my light on again.

SPEAKER BAACK: Thank you, Senator Chambers. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, members of the body. I moved to divide the question basically for a philosophical discussion and the body can do with it what it so desires as far as advancing or not advancing. But at some point, we have to ask the question, when does a fee become a tax? Or when is a fee a tax? And I have always been intrigued about this particular concept, and I guess I would like to ask Senator Kristensen a question here, in a second, and we talked about it yesterday. One of the things that came before the