

button to rise to support the passage of the resolution, realizing, obviously, that it has no force of law because it is only a resolution but I think it does point out some facts that appear to be valid. As Senator Hall has pointed out, some of these sections relative to the passage of 829 and the taxes have been reenacted. There is a school of thought that they are, in fact, still valid and I think the passage of the resolution would help give support to that concept. I see where the Tax Commissioner, I believe I noticed in the paper the other day that the Department of Revenue is continuing to collect the revenue at least until the rehearing is held and a decision comes from the Supreme Court. I suspect the rehearing is not likely to be granted on 829 but, nevertheless, certainly at this point I think that it's an expression and it certainly makes a significant impact on budget discussions. I think the resolution, if adopted, would give grounds for reenactment of some of those provisions, if that's possible, in a special session dealing with budget. And I think an indication that there is interest in the body in not having to raise other forms of taxations to take care of this issue is one that would be a valid position for the body to take and I would be willing to support the resolution as it is presented by Senator Hall, even though, obviously, we all realize it has no force of law but I think it does very clearly express a position that as we deal with this issue on down the line is a valid one and one that I'm willing to be supportive of at this point.

SPEAKER BAACK: Thank you, Senator Warner. Senator Will.

SENATOR WILL: Thank you, Mr. Speaker, members of the body, I rise, too, in support of LR 4. I guess I speak with a bit of trepidation on the issue of LB 829 since the Supreme Court tends to quote me on the bill. But since I do...my words do seem to carry some force with them, I would like to address the fact that the sole reason that the revenue raising portions of LB 829 were declared unconstitutional is because the court found them inseverable from the purely unconstitutional parts of the act. For the record, I think that they, actually they are severable. Justice Shanahan agrees; wrote a very eloquent dissent to that effect. I think it's important that we pass LR 4 for the primary reason of determining that those revenue raising sources are legitimate revenue raising sources. They are excise taxes that were passed by the Nebraska Legislature from entities from which we determined that it was legitimate to garner some tax revenue. And I think that the passage of LR 4 reasserts the