

Legislature's ability to raise the necessary revenues of the State of Nebraska and asserts that the revenue sources we identified in LB 829 are valid sources, they are sources to be distinguished from property taxes. They clearly are not property taxes and they should have the force of law. I would urge your support for LR 4.

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

SENATOR HALL: Are there any other lights on? Let them talk. I will just close.

SPEAKER BAACK: Senator Schmit. Anyone else wishing to discuss the resolution? Senator Hall, you may close.

SENATOR HALL: Thank you, Mr. Speaker, and members, I guess I'm not reading the body as well as I thought I could at one time or another. I hate to think it's the fact I'm just losing my nerve. That would be a sad day for the Legislature. But, anyway, the issue is pointed out by others probably better than I that this is an issue that we're going to have to address shortly. And, clearly, the Supreme Court, in the Wright decision that I handed out to you, spells out the fact that the Legislature has the ability to do this. I'm not so sure, you know, and I've said some things about the Supreme Court that I might like to be able to pull back, some things that never got printed, thank God. But I'm not so sure they didn't have this case in the back of their mind, that they didn't know that this was out there and that we probably very well would address this issue by looking at the Wright case, saying that because of the subsequent change in the Constitution, because we have reenacted three portions of that law, that it's not going to be the financial fiasco, problem issue that the first reading of the Bahensky case and the Jaksha case would lead you to believe. Maybe that's the case. I hope that's the case. I hope that's what the court was seeing or thinking when they wrote that majority decision. I don't know. All I know is that we're going to have a budget problem which is going to entail revenue and much of that stems from the Jaksha and Bahensky cases. This is one way, clearly, for us to address those and I think it, by adopting this resolution, as Senator Warner pointed out, it does not have the force of law but it does put people on notice and it does tell folks that, look, we recognize that we have a problem, much of that is caused by those court decisions but some of it is caused by other factors. As a portion of the