

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

SENATOR WARNER: Thank you, Madam President, members of the Legislature. I, too, would rise to oppose the striking of Section 13. There is little to add to what Senator Hall has pointed out but, obviously, it is a major portion of the revenue that is needed. Senator Hall mentioned something Senator Moore had said during the special session, I believe I read a quote after the special session, along with several changes that had occurred, I think Scott made a comment about one step forward and one step backward. If we'd adopt this amendment, we will add that one step backward to another one and one-half or one and three-quarter step backward. It just does not make sense to take this size of a revenue out to meet this problem. In addition to that, still pending out there through litigation, which hopefully we will avoid, but we still have that '90 and '91 property tax, as of now, at least, that is supposed to be assessed by local assessors and a tax collected. And should that happen, should that happen, then it would make sense that we have retained this form of revenue for the refund, so that one can reconcile at that time, in the event that it is necessary, some form of reimbursement of people who would get caught with that '90 and '91 personal property tax in the event we cannot get the retroactive portion of that resolved by litigation. But in any event, I would hope that the body would not accept this resolution recognizing that it takes the major portion of the revenue out. Certainly it leaves the state then in a very much more difficult position as we go into the '93 session.

PRESIDENT MOUL: Thank you, Senator Warner. Senator Schmit.

SENATOR SCHMIT: Madam President and members, the need for the money has never been disputed. Senator Hall and Senator Warner have both very eloquently outlined that. The need is there. We are overdrawn at the bank. We are going to be overdrawn farther. Business is floundering. It doesn't look like there is anything on the horizon, and so the only alternative is to lay the wood to somebody who is, in effect, vulnerable. There are those who are somewhat inconsistent with their opposition to this bill. I am consistent. I opposed the bill in '91, opposed every vestige of it, and will oppose it now. I oppose it because I do not think the tax on depreciation was fair even if it were constitutional. I guess that argument was never determined. It may well be determined if, in fact, we pass this