

and Senator Warner have said, because the problem of the revenue shortfall is still there, or the excess spending, depending upon which way you want to look at it. But I do think that it needs additional debate. It needs to be laid out here on the table, and we need to run some of my good rural friends back over the wringer a couple more times who thought everything was solved when 1063 was passed. You wonder what you are going to say when you go back home to your folks, tell them you were made a fool of. Just be honest with them. Tell them you were suckered. Tell them you bought a package which...

PRESIDENT MOUL: Time.

SENATOR SCHMIT: ...someone gave to you who were uninformed and who thought they were smarter than somebody else. Thank you very much.

PRESIDENT MOUL: Thank you, Senator Schmit. Before we continue with debate, I would like to call the senators' attention to the area under the south balcony. A special guest today of Senator Beyer is Senator-Elect Dwite Pedersen of District 39. Welcome to the Legislature. Thank you. I will now recognize Senator Hartnett followed by Senators Elmer, Coordsen, and Lamb. Senator Hartnett.

SENATOR HARTNETT: Madam President, members of the body, I rise to support Senator Coordsen's amendment. You know we talk a lot in this body about fairness, and what we are really doing with this part of the surcharge is simply hitting apartment owners, property owners in this state. And so I think that we should be consistent, so with that reason I rise to support this amendment.

PRESIDENT MOUL: Thank you, Senator Hartnett. Senator Elmer.

SENATOR ELMER: Thank you, Madam President. You know several times this morning when we were talking about breeding livestock, the specter of the court was brought up, that we may not be able to exempt that. Well, the same thing applies to this depreciation tax that is being collected by the state. We know we cannot collect property tax for state use. I got an Attorney General's opinion when we passed this originally in 829 which lends credence to the discussion here that the depreciation tax in LB 1, as it stands, is trying to do indirectly what we are prohibited from doing directly, and we