

November 10, 1992 LB 1

fronting for whoever didn't want to see that formula used and wanted to change the formula themselves, and that's fine, I don't have a problem with that.

SENATOR DIERKS: Well, the reason...

SENATOR HALL: I'm not sure, I'm not sure the executive branch knew that change was in there, to be quite honest with you.

SENATOR DIERKS: Well, the reason that I ask, you know, you mentioned a little bit ago that we had tried this as an amendment last spring. And when we went to the Revenue Department and asked for some help it looked like the information wasn't even available as to whether there was a benefit here, or whether there was even a change in who gets what. And I wonder if they've been enlightened and we have some more information on that issue, or do you know if there's...

SENATOR HALL: I do not know that things have changed at all.

SENATOR DIERKS: Okay, thank you.

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

SENATOR SCHMIT: A couple of brief comments, Madam President and members. I concur with much of what Senator Chambers has said. And I am mystified, I guess, at the innovation of the Department of Revenue. It used to be the practice that legislation was the prerogative of legislators, and that when an agency decided to get into it that they did so through a legislator and not upon their own. And when they were clandestine or underhanded about it they usually got their fingers slapped and jerked up short. That does not seem to be the case here. I just want to point out again I went down through the list of those who voted or did not...who either voted negatively or did not vote on my amendment, and it's kind of interesting that the Department of Revenue could not come up with a fiscal note on my amendment, but they nonetheless, can find time to dillydally in this other area. Is there a fiscal note on this amendment, Senator Hall?

SENATOR HALL: No.

SENATOR SCHMIT: (Laugh.) Well, as Senator Crawford used to say, the one thing I'm consistent about is that I am inconsistent. And I guess that I'm not going to offer a