

February 24, 1984

LB 791

is the fact that there is a clinic being held up, the construction of a clinic being held up in Omaha until this bill passes. Senator Hefner has an amendment. That's why we passed over it, right? Okay, could we just take that up and take up the Hefner amendment and adopt it and advance the bill?

CLERK: Senator Lundy, I have E & R amendments on the bill, first of all, that we should dispose of.

SPEAKER NICHOL: Senator Lundy.

SENATOR LUNDY: Mr. President, I move that the E & R amendments be approved.

SPEAKER NICHOL: All those in favor say aye. Opposed nay. They are approved.

CLERK: Mr. President, Senator Hefner would move to amend.

SPEAKER NICHOL: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I move for the adoption of my amendment to LB 791, I believe. Pat, would you want to change...

CLERK: I'm doing it right now, Senator, yes, sir.

SENATOR HEFNER: Okay, fine. This amendment would take the sales tax off the tips that are paid in restaurants. At the present time the law reads, "the furnishing, preparing, or serving of a consideration of food, meals, or drinks." And so we know that we have to pay sales tax on those items. But this amendment would "but shall not include the charge for a meal sold at retail which is for the services of the person serving the meal which is a fixed percentage of the check or a fixed rate and the payment of which is not discretionary with the customer." And so, I would move for the adoption of this amendment.

SPEAKER NICHOL: Senator Goodrich.