

presence. Senator Schmit we are under a call of the house please take your seat. Motion under vote is the Burbach amendment to the Marvel amendment to 632 on Select File. That is the issue. Senator Warner for what purpose do you rise.

SENATOR WARNER: I would like to ask for a roll call vote.

PRESIDENT: Senator Warner is asking for a roll call record vote. Have you all indicated your presence.

CLERK: Roll call vote taken. 24 ayes, 20 nays and 5 not voting. Vote appears on page 1542-1543 of the Legislative Journal.

PRESIDENT: Motion is lost. Senator Keyes for what purpose do you rise?

SENATOR KEYES: I thought that we a were going to talk about the bill and I was going to talk to Senator Marvel. I move the call be raised. That is a good one.

PRESIDENT: Alright, motion is to raise the call or do something. Question is do you support raising the call? If so vote aye, if not vote no. Motion is to raise the call. Clerk will record.

CLERK: 38 ayes.

PRESIDENT: Call is raised.

CLERK: Read amendment.

PRESIDENT: Chair recognizes Senator Whitney.

SENATOR WHITNEY: Mr. President, this does the same thing that the Marvel was attempting to do except that it takes it out of the general funds. It makes us honest men instead of being wheeler dealers. Now then it means that \$13 refund of sales tax on food starting on January 1, 1974, it means a \$18 refund on sales tax starting on January 1, 1975. It comes out of the General Fund. If this legislature is really anxious to have a sales tax refund on food, starting January 1, 1975 of \$18 this is the chance to do it out of the General Fund. Now we know that this is the honest way of doing it because on LB772 what happens is that you take half of the operational cost and then what goes in as state aid to schools, half of it. So what the Marvel amendment is attempting to do is to take this amount of money for the food tax refund and put it over into another fund and the educational fund and take it out of the educational fund without hurting the schools one bit. So this doesn't hurt the schools you still have the same amount to go to the schools. But, the way I look at it we want to be honest about this. We don't want to try and fool the people, why? Because you can't fool the people. This is too obvious. What this is going to do is simply it is going to help those who are the proponents of this by causing people to not realize what has been attempted to be done here. So I say this amendment then will give \$13 food credit starting January 1, 1974 and \$18 food credit starting January 1, 1975 and take it out of the general fund and forget about LB772 the state aid bill. Why in the world is this legislative