

February 2, 1979

LB 150

goes in to pay his taxes or can he ignore that assessment?

SENATOR PIRSCH: No, that is why they are hoping to put it with the tax property with the tax statement.

SENATOR KOCH: But does it mean if you go to "may" that he has to?

SENATOR PIRSCH: There are some things that they have to work out on that but it will encourage people to pay it with their taxes.

SENATOR KOCH: Thank you. If we are going to adopt this piece of legislation and I agree with Senator Kahle and Senator Schmit and others, rather than put "may" in there we better leave it "shall" because they may be back here again in a year or two and will run the same kind of horse by us one more time to make it "shall". If we really want to make it binding and arbitrary, then the word "shall" should remain in this bill. I remember a few years ago we passed a bill in here that had to do with school systems and the sponsor wanted to change "shall" to "may" but ever since I have been here that bill has been back each year trying to get "shall" back in there again and so the only way I would support this if the word "shall" remains in this bill to make it mandatory.

PRESIDENT LUEDTKE: The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President, I call for the question.

PRESIDENT LUEDTKE: Mercifully, do I see five hands? I do. All those in favor of ceasing debate vote aye, opposed nay. Record the vote.

CLERK: 26 ayes, 1 nay to cease debate, Mr. President.

PRESIDENT LUEDTKE: Debate ceases. The motion passes. The Chair recognizes Senator Pirsch for purposes of closing on her motion to return.

SENATOR PIRSCH: I think it has been pretty well discussed by now. It is a simple listing on a tax statement to eliminate postage and duplication of mailing and perhaps to enforce to the property assessment with your tax to make it more forceful to the person owning the property. I move the amendment.

PRESIDENT LUEDTKE: The motion before the house then is the return of LB 150 to change "shall" to "may" and for the purpose of the specific amendment to Select File. All those in