

PRESIDENT: Senator Johnson.

SENATOR V. JOHNSON: Mr. President, members of the body, I hate to be repetitive, but again I do not believe this amendment is germane to LB 116. This amendment is far broader than LB 116 which would at this juncture simply authorize the folk of the City of Lincoln to increase the sales tax. This amendment, in effect, would deal with all mail order businesses involving all cities that impose a sales tax. Even though the same section, which is a very large section, may be involved, the amendment is broader in scope and purpose than LB 116. I should also tell the honorable President that the amendment itself is the subject of a bill, 552, which was heard by the Revenue Committee the day before yesterday and is constitutionally suspect but that is all right. This amendment is not germane to LB 116.

PRESIDENT: Is there...Senator Haberman, you may speak on the point raised on the germaneness.

SENATOR HABERMAN: Yes, there already is in the law under Section 77-271.42 to 77-271.48 that states "Unless the tangible personal property sold, leased, or rented is delivered by the retailer or his or her agent to an out of state designation or to a common carrier for delivery to an out of state designation." So it is there for out of state. The only thing this bill does is just says out of city. So I cannot agree with Senator Vard Johnson that it is not germane.

PRESIDENT: Are there other members wishing to speak on the point of germaneness? The Chair rules that the amendment offered by Senator Haberman is broader in effect than the original bill and that it relates substantially to a different subject and accomplishes a different purpose and rules that it is not germane. Is there a test to that decision? Do you have anything else on the bill, Mr. Clerk?

CLERK: Nothing further, Mr. President.

PRESIDENT: Then we are back on the discussion of the bill. Senator Marsh, do you wish to speak on the bill?

SENATOR MARSH: Thank you, Mr. President and members of the Legislature, I rise to give my support to this proposal. This body gave the authority to Omaha some time ago. Omaha