

not...I am not in favor of an income tax increase but that is not the reason I don't feel that LB 10 should be expanded...I shouldn't, it should not be expanded from General File to Select. But I don't think that the issue should become muddled up. I think we are dealing with the second area, that of LB 10E, whether it should be expanded. The Governor, if he did have a call of the expansion of the Special Session and if it is legitimate, could this, in fact, pick up the bill and move it on? I don't feel that it can and I don't believe that the laws, in the case law, for that matter, Tenant v. Parker establishes that principle either. Thank you.

SPEAKER NICHOL: Senator DeCamp.

SENATOR DECAMP: Question.

SPEAKER NICHOL: Senator Warner, did you wish to speak on this? All right, please.

SENATOR WARNER: Mr. President and members of the Legislature, if you look at LB 10, the only language in there is commencing January 1 of 1985 that the rate shall be 20 percent. That is within the call. Now it's true that elsewhere in that section it remains that until changed by the Legislature. The amendment I am...but, technically, it is dealing with '85 right now because '86 is before the next session of the Legislature. The amendment that will be offered makes it even clearer that it is only for '85 and not '86. So that is...I think it is kind of a moot question. My personal position is that I think LB 10, if it is amended, could be advanced and then the new bill ought to be advanced too. What I would have done if I had thought about this a little bit more, and I guess I was assuming I was not taking LB 10 up today, but I changed my mind in this process because of some of the comments that members of the Legislature made earlier this afternoon that they would vote for LB 10 but they wouldn't vote for whatever the new number is. And until we sort through our mind which legal approach we are comfortable with, I would like to see both bills advance so that we have the seven-day requirement met. That is going to have to be met in both bills, it doesn't make any difference. And then you can sort out in two or three days which approach that you feel most comfortable with legally. Personally, I think the new bill is cleaner and probably is what I am more comfortable with. But I don't