

as the chromosome slides or slithers across the board that gene which is the amendment is removed, then the characteristic which the gene was to transmit will have to be removed with it. So as long as the chromosome, or that bill, carries the amendment which relates to 29, which is the characteristic the gene is going to transmit, it has been brought within the call through this activity. I think there really might be a question as to what is and what is not within the call, but I think the Chair is correct under the circumstances that exist today in saying LB 29 has been brought within the call by a change in circumstances. To finally resolve the issue without reference to cases in other states, a crisis, if you want to call it that, may have to be reached and passed in Nebraska. So the Legislature, rather than doing what I have been engaging in and John has, discussing the issue and not being able to definitively resolve it, we are going to have to do something as a Legislature that will bring the issue before the court and apparently Mr. Jaksha and his cohorts are willing to do that. So I think we ought to go ahead and consider LB 29. We ought to go ahead and consider the call to have been expanded to include consideration of the income tax and proceed. Then if anything has been done which the Legislature doesn't have the authority to do, and if it's an issue that can be resolved by the State Supreme Court, all of the factors will have been brought together to create a case that the court can consider. On this floor, my opinion is that of one out of 49. Senator DeCamp's opinion is one out of 49. Neither of us individually nor both of us together can determine ultimately what is and what is not allowed as far as expanding a call. So I think the Chair is correct on LB 29. I think we ought to act under the assumption that the call has been properly expanded for the purposes of our acting on the income tax issue. To sum up, Senator Johnson, Senator Johnson, Lowell, that is, because he is looking at me and paying attention, or acting as though...he is paying attention because he laughed, I think LB 29 is properly before us.

SPEAKER NICHOL: Thank you. Senator Warner, then Senator Lamb.

SENATOR WARNER: Mr. President, I would speak in behalf of upholding the Chair as well, but I'd like to suggest that the rationale is reading the two opinions from the Attorney General together. When the session commenced, recognizing