

that livestock should have been identified. Livestock is an inventorial item and to clear up the whole question on how divisive that's going to be, all livestock that is not depreciated is inventory and we could have done that very simply in this amendment as well. And intangibles is a third because it takes away or at least creates the situation potentially where a lot of capital in this state is going to be potentially moved or tried to be altered in other places and the capital is not available. Those three things are economically crucial for a state and I think we might as well put them in. We had inventories in. I suggested that we add livestock and intangibles and what usually happens when I raise the issue, what happened is they took inventories out and, I guess, in honor of my request to add two more to it, but I think those three are there and I think they should have been there. And, like I say, I'll vote for the amendment anyway and I'll have to fight that fight when we get down to the legislative decision when we get involved in the legislative activity. But again, real property, I'm just not comfortable with the court interpretation of whatever that may be. It may be quite different than what we expected and this would have been a good opportunity to direct the court to say, look at Nebraska legislative statutes at least, that's how they defined real property and that's how we want you to interpret it. Again, there will be...as Senator Kristensen pointed out, it certainly can't be unreasonable and improper and whatever, and I'm sure we'll come up with a proper definition, but I would like it to include some of the things that we in Nebraska assume to be real estate. So, with that, I offer the inclusion of simply saying, real property and franchises, comma, as defined by the Legislature, and then proceed through the rest of the language.

SENATOR MORRISSEY: Thank you, Senator Conway. You've heard Senator Conway's closing. We'll now vote on the Conway amendment to the committee amendments. All in favor vote aye, all opposed vote nay. Have you all voted? Please vote if you care to vote. Record, Mr. Clerk.

CLERK: 8 ayes, 19 nays, Mr. President, on adoption of the amendment.

SENATOR MORRISSEY: The amendment fails.

CLERK: Back to the committee amendments, Mr. President.