

March 4, 1992

LB 1063, 1120

going to rule again that it is germane. It's essentially the same question we had this morning.

SENATOR HALL: I would respectfully move to overrule the Chair.

PRESIDENT MOUL: Okay, thank you, Senator Hall.

SENATOR HALL: Thank you.

PRESIDENT MOUL: Would you like to address this?

SENATOR HALL: I would, please. Thank you. Madam President and members, the issue, as it is divided, is clearly an ungermane amendment. It was ungermane yesterday. As a whole in the Warner amendment, it clearly was germane. I did not attempt to question the germaneness at that point because, like I stated yesterday, when it comes in the cloak of a Schmit-type amendment, it is going to clearly be germane. When you divide it out, as I have divided it out here, it's not germane to the bill. It takes an entirely different subject matter of sales tax for purposes of garnering the votes to adopt the amendment to the Warner amendment and then the amendment to the bill and get enough steam to get it over to Select File and first get them adopted. Granted, I understand how that works but it is clearly not an issue that is germane to this bill. It wasn't germane yesterday, as a separate and distinct item, no matter how you draft it with regard to the tying it back in for what amounts to audit purposes, it is a totally new, specific piece of legislation. It deals with sales tax. Sales tax sections are not and never have been in any provision of LB 1063. It is clearly nothing more than a piece of bait, if you will, to allow enough members of the Legislature to buy into a package that goes from bad to worse with the adoption of this amendment. You've got a provision here in terms of the issue of 1063 that says we're going to tax net book value, the net book value that doesn't even exist out there, frankly, at least not to the extent that it's been proposed. The money isn't going to be raised through this type of an approach. Then we're going to go and add a provision to the bill that reduces the state base even farther, reduces it even farther. It makes a bad provision worse. It is, by far and away, the worst thing that we could be doing as we go about trying to craft a solution to this personal property tax problem. And I guarantee you, if there were problems with specific taxes in LB 1120 as to what may or may not happen at the polls, this amendment, all by itself, will be