

Warner for a response.

SENATOR McFARLAND: Certainly.

SPEAKER BARRETT: Senator Warner, would you respond, please.

SENATOR WARNER: Mr. President, that section of law is one that sets the reserve and it is necessary for the Legislature to set sales and income tax rates which we now do by law in order to provide that reserve. That is why that section is germane because it is impossible to comply with the reserve statutory requirements of setting the sales and income tax rates unless you can adjust those rates to meet the reserve.

SPEAKER BARRETT: Senator Landis, any further comment?

SENATOR LANDIS: No, I have nothing to add, Your Hon...Mr. Speaker, but I would, in my estimation this bill has been here...I almost said Your Honor, didn't I, it's a reference to a court situation, but this bill has been here as a trailer bill, in essence, for this purpose and in my estimation it is germane and I'm prepared to support the Chair if it so rules.

SPEAKER BARRETT: Senator Warner, please.

SENATOR WARNER: Mr. President, when I got here I didn't have the bill in my hand, but, you know, as you read in Section 1, commencing in 1984, the Legislature shall set the rate of income tax imposed by the sections and the rate of sales tax imposed and they shall set the sales and income tax rates for the...to meet the reserve requirements, and, obviously, the amendment, the bill that is...or the amendment is doing exactly that.

SPEAKER BARRETT: Senator McFarland, members, as previously indicated, a germane amendment, of course, must relate to the specific subject of the bill. It has got to be in a natural and a logical sequence to the subject matter of the original purpose, and LB 130, as has been mentioned by Senator McFarland, clarifies that the calculation of the General Fund reserve requirement, as found in the bill book, for purposes of setting the sales and the income tax rates, was to be made on the basis of a biennial budget and, therefore, I think it could be argued that the specific subject of LB 130 is to provide for calculating estimated excess funds and receipts based on the biennial budget. Since the amendment deals with a sales tax increase, that amendment could be determined to be not germane,