

April 24, 1979

LB 99

amendment we are not going to know how they are going to operate. I hope that this body would reject the Newell amendment and get on with the committee amendments.

SPEAKER MARVEL: Senator Johnson, do you wish to speak to the Reutzel amendments? I'm sorry, to the Newell amendments. There were two.

SENATOR JOHNSON: I do, Mr. Speaker, members of the body, Succinctness seems to be the order of the day. I, therefore, will keep my remarks extraordinarily short. I oppose the Newell amendment for the reason that we haven't had a chance to read it to see precisely what it does and for the further reason that the language that Senator Newell is using according to law can get this body in trouble with a constitutional amendment. I might call the body's attention to Section 2, Article 5, where we state "household goods and personal effects as defined by law may be exempted from taxation in whole or in part as may be provided by general law and the Legislature may prescribe a formula." The Supreme Court in interpreting that language put one definition on the concept of as defined by law and a different definition on the concept as may be provided by general law. Therefore, when Senator Newell uses this loose language, "according to law", we really don't know the kind of interpretations that we are ultimately going to get. As Senator Koch says and Senator Reutzel says, it is better for the provisions to be succinctly spelled out as is in the committee amendments to LB 99. I would, therefore, urge the body to reject the Newell amendments.

SPEAKER MARVEL: Before we proceed, in the North balcony from the State of Iowa, it is my pleasure to welcome 33 fifth grade students and three teachers from Oakland Community School, Oakland, Iowa, and the elementary principal is Kenneth Finnigan. Where are you located? Will you hold up your hands? We welcome you to Nebraska. Senator Wesely, do you wish to speak to the Newell amendment number two?

SENATOR WESELY: Yes, I would. I rise in support of Senator Newell and although I realize the points made by Senator Koch and Johnson and Reutzel have a lot of merit, I also think that Senator Newell has a good idea because I think one of the more serious problems with our Constitution of this state, as good as it is, it is overloaded with verbiage. It says too much and it doesn't need to. I think. The extent of that is seen in this amendment as proposed by Senator