

April 7, 1982

LB 757

take over that responsibility, but until we do I don't think that we should be setting the sales and income tax rate. The Governor will line item veto I am sure some of the appropriations. That is his job. He should do it. We should not take over any part of that job, and I for one will oppose the amendment to LB 757. I agree one hundred percent with Senator Burrow's statements in opposing the amendment. Thank you.

PRESIDENT: The Chair recognizes Senator Cope. Is Senator Cope in the Chamber? Here he comes.

SENATOR COPE: Mr. President and members, I support Senator Warner's amendment. I am ready to stand up and take my responsibility. I was elected to the Legislature to do what I think was right for my district and for the state. This is an emergency and I see no reason in the world why the Legislature shouldn't be responsible. We are here. We are ready to go. So I don't think there is any reason other than political overtones not to back Senator Warner's and get it moving.

PRESIDENT: The Chair recognizes Senator Howard Peterson.

SENATOR H. PETERSON: Mr. Chairman, I would call the question.

PRESIDENT: All right, do I see five hands? Yes, I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Have you all voted? The question is, shall debate cease? Record the vote.

CLERK: 25 ayes, 8 nays to cease debate, Mr. President.

PRESIDENT: The motion carries. Debate ceases. Senator Warner, you may close on your motion to return.

SENATOR WARNER: Mr. President and members of the Legislature, a couple of things. I know I used the word "we" when I was talking in the past and I was referring to "we" as the state, not necessarily...not the body because the two sales tax adjustments I talked about both occurred after when the Legislature was not in session. Secondly, it should be very clear, I hope, that the existing law in my opinion does not permit the Board of Equalization to meet because the only condition is if the receipts are 10 percent less...the cumulative receipts are 10 percent less than what was expected. That was the situation, for example, in 1976. The receipts were accumulative more than 10 percent below. Today the accumulative receipts are 4.6 percent