

SPEAKER BAACK: Any discussion on the amendment offered by Senator Hartnett? Seeing none, we will vote on the amendment offered by Senator Hartnett. All those in favor vote aye, opposed vote no. We are voting on the amendment by Senator Hartnett. Have you all voted? Have you all voted? We are voting on the amendment by Senator Hartnett. Have you all voted? Have you all voted? Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Hartnett's amendment.

SPEAKER BAACK: The amendment by Senator Hartnett is adopted. Next item, Mr. Clerk.

CLERK: Mr. President, Senator Hartnett would move to amend. Senator, I now have AM1251 in front of me. (See Journal page 1724.)

SPEAKER BAACK: Senator Hartnett.

SENATOR HARTNETT: Mr. Speaker, members of the body, I think sometimes the timing is wrong. I think this may be the wrong time for this amendment because I think there will be a little opposition to this amendment. The other day when this bill was heard on General File, my original amendment took the tax off both newspapers and periodicals. It removed what the committee, what the Revenue Committee had done. The Revenue Committee, rather than taking the taxes off, had put tax on both periodicals and newspapers. And so the other day, we spent, on General File, we spent a long, long time talking especially about newspapers, but the reason I bring this bill, and it is sponsored, again, by the Department of Revenue, is because there has been court cases across the land in some different states that simply said if you do not treat newspapers and periodicals the same, you cause troubles, you will have lawsuits. It is unconstitutional under the First Amendment, and so what I attempt to do with this amendment is to come back to what the Revenue Department, not the Revenue Department, no, not them, the Revenue Department, not the Revenue Committee, does so that there is tax on...neither on newspapers or on periodicals, and that simply is what the amendment does. Right now, we have tax on periodicals. Originally, we had tax on periodicals that you bought at retail stores. The tax now, I think, is on both ret...on periodicals at retail stores and also on subscriptions,