

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, no big problem even though the microphone just broke here, it won't deter me. I will go...whoever did that thinking we'd short-circuit the discussion, we will not allow that to deter us. Two or three points I need to make, I think. Number one is, Senator Ashford, if anybody in the lobby said anything negative to you, that is your problem with them. I, for one, think that you have put forward an amendment that I know was put forth in good faith and needs to be discussed. The fact that the body has not done a particularly good job of either understanding or coming to grips with the issue is the problem with the body, not with you. Secondly, you made some reference to remarks I had made in reference to don't be fooled. I don't think I used that terminology. I know what your intent was originally and it was honorable. I did make the point that, in essence, the only policy decision that now remains before the body with the remainder of your amendment is the question of whether those that used to favor not taxing personal property are going to throw in the towel, and if they vote yes on your amendment, they are throwing in the towel and I just wanted to make sure that that at least had been said once on the body so that when we go, Senator Moore, gloating to the newspapers afterwards, talking about that's what the impact was, it was at least stated on the floor. Next point that needs to be made is one Senator Kristensen made and it's...doggone it, it's a valid point. I don't know what your intent was in drafting the amendment, but Section 183 which is not before us any longer, it's now part of 1120. It was divided out and it was adopted and it is now safely involved in LB 1120 and it will take an amendment to get it out. Says sales and use tax shall not be imposed on the gross receipts from the sale, lease or rental of and the storage, use, or other consumption in this state of business or farm machinery and equipment. There is no modifier. There is no term new, there is no term used, it is all business or all farm machinery and the \$40 million hole that we thought, based on the numbers that were presented earlier that was placed in 1120 is not a \$40 million hole, it is a \$78 million hole, \$38 million additional. Now, not before us to make a policy decision on, we adopted that with 25 votes a few moments ago. That is the condition of LB 1120. The Schellpeper amendment, the Schellpeper amendment, as I understand it, and, Senator Schellpeper, listen to my characterization of what you're doing and see if there is any distinction. Basically, you're saying we ought to adopt LB 1063 into 1120 which is already in the Ashford amendment. You're saying it excludes sales tax on farm