

April 3, 1992

LB 719A, 1063, 1241A

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER BAACK: Senator Lindsay, would you move to readvance the bill.

SENATOR LINDSAY: I move that LB 1241A be advanced to E & R final.

SPEAKER BAACK: You've heard the motion to advance LB 1241A. All those in favor say aye. Opposed no. It is advanced. We'll now proceed to Item 6 on the agenda and LB 719A.

CLERK: Mr. President, 719A is on Select File. I have no E & R amendments. The first amendments I do have are by Senators Hefner, Lamb and Schellpeper. However, Mr. President, I also have a motion to suspend Rule 3, Rule 7, Section 3 so as to permit consideration of that amendment AM3777.

SPEAKER BAACK: Senator Hefner.

SENATOR HEFNER: Mr. Speaker and members of the body, I move to suspend the germaneness rule and this is Rule 7, 3(d). The amendment that I want to add to LB 719A is printed in the Journal on page 1740. I'm suspending the germaneness rule to allow consideration of this amendment. The amendment strikes all the sections to the bill and inserts three sections. Section 1 amends LB 1063 by striking the \$4.00 per ton tax on soil conditioners, just on soil conditioners, not on the other fertilizer. It leaves a \$4.00 tax on fertilizer and I'm told by the Revenue Department that this would be a minimal amount because there isn't that much soil conditioner sold. Section 2 is a repealer and Section 3 is the emergency clause. Since we enacted LB 1063, it has become clear that we were too hasty and this is what happens sometimes when you don't have a public hearing on a proposal. We put a tax on a product which will destroy the market for that product and I'm very interested in one in my legislative district and this is the Waldbaum Egg Company. They have a plant in my district. They have one in Wakefield or near Wakefield and one near Bloomfield and they are getting ready to build another one between Plainview and Osmond. The Waldbaum Company has a lot of chickens and they sell chicken manure from its operation in the form of a soil conditioner at \$7.00, I think 6.00 or \$7.00 a ton and, of course, if we put a \$4.00 per ton tax on that, why it's really going to be tough to sell that. It would just become too expensive to continue their