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that I was involved in in being critical of it is what I'm talking about. There may have been other situations like this that I don't know about. But I assure you, had there been other situations of this kind that I knew about, I would have taken issue as I'm taking issue now.

SENATOR ROBAK: Well, I...thank you.

PRESIDENT MOUL: Thank you, Senator Robak. Does anyone else wish to address the motion to suspend the rules? Seeing none, do you have closing Senator Warner?

SENATOR WARNER: Yeah, Madam President and members of the Legislature, the reason, obviously, for the motion to suspend the rules was to take the bill up now rather than wait until it got over to Select File and pull it back and attempt then. But I want to talk to the purpose of the...of the amendment. And the purpose of the amendment is to keep consistency with what was in the bill to start with. As I have indicated many times, we're talking about a surcharge on depreciation as a part of the income tax. Been talking about moving back to LB 772 in the process, as a matter of state policy we determined that sales weren't nearly reflected, income tax rather were nearly...or sales more nearly reflected an income tax rather than the three factor formula that was currently used, that it's not unusual in states, well, I better not say it's un...it's not in many states but certainly there are states where income tax treats depreciation different ways or taxes it in different ways for income tax. That's what we're talking about here is the surcharge on depreciation for the income tax and income tax is based on sales and that's the whole subject matter of the amendment. That's the reason the bill was introduced in the fashion that it was and I would hope that you would vote to suspend the rule to keep this portion of the tax consistent with the rest of the bill, one that relates to income and not to property which, in fact, is what the surcharge on income tax is supposed to be as an excise tax.

PRESIDENT MOUL: Thank you, Senator Warner. We'll now vote on the motion to suspend the rules. All those in favor please vote aye, opposed nay. Senator Warner. I'm sorry, Senator Warner, I did not hear you.

SENATOR WARNER: I would ask for a call of the house, Madam President.