

CLERK: (Roll call vote taken. See pages 2766-67 of the Legislative Journal.) 30 ayes, 15 nays on the override, Mr. President.

SENATOR HALL: The override is successful. Anything further on the bill, Mr. Clerk.

CLERK: I have nothing further on the bill at this time. Mr. President.

SENATOR HALL: Mr. Clerk, we will then move to LB 136 and 136A.

CLERK: Mr. President, Senator Warner would move that LB 136 become law notwithstanding the objections of the Governor.

SENATOR HALL: Senator Warner, you are recognized to open on your motion.

SENATOR WARNER: Mr. President, members of the Legislature, I am not sure why I would stand up to move to override on a bill that passed with 25 votes on Final Reading, but I do know the issue is important. From my viewpoint, the bill ought to be enacted, if not for any other reason than to provide a test case, a court case, to determine whether or not this process can be used by states to collect sales tax that is due under law now as a use tax from items bought through catalogs. You've all been in receipt of a letter this morning or since the veto from a direct sale national organization indicating that they would work to help get something done. What they are talking about, of course, is national legislation. In my opinion, nothing is going to happen at the national level until such time a state or two has enacted something such as 136 that has been held constitutional, and then I suspect that the Congress will act, but there is no way that I believe that that will happen now. It's an equity issue with me, according to the multistate tax commission, it is estimated some \$17.5 million of sales tax currently due by law is not collected, and that this process may well do it. In fact, this whole concept, in part, came out of the writings from the multistate tax commission and may well be a solution that many states are looking for. The argument, of course, is we should study the issue. That's one that is always used to defer. A study is always appropriate. In this case, though, I don't believe further study is merited as far as the issue is concerned. You have been told Nebraska companies are affected. They are not affected by the passage of this