

is the alcohol bill. DeCamp is sitting here grinning like a little kitty cat. I knew he knew. I think maybe he should be the one to answer. Senator DeCamp, I think this is a direct tie with what they're talking about here on two issues in the same bill, increasing the tax and also telling how it is to be spent, General Fund, etc. With your wisdom and knowledge of this Attorney General's opinion I think maybe you ought to talk to this. If it has any effect on this bill whatsoever, I think it should be known to the body. It's page 772 and 773. I know the opinion was to you, but it was for everybody. Would you like to explain it a little bit, or do you think it is even necessary to bring it up at this time? I say if they're referring to LB 204 here, I'd like to have you state in your opinion whether it effects this, LB 109, the same as it does 204. I asked him a question.

PRESIDENT: Would you restate the question.

SENATOR BARNETT: I hope we're not too technical, John. I'm asking for your opinion with regard to the opinion on 204, if it would be the same situation in 109, if there is a possibility that this same problem might exist.

SENATOR DeCAMP: No, I do not believe there is a possibility. I think it is a certainty.

PRESIDENT: Would you want to close on this, Senator Shirley Marsh, on your amendment. Wait. Senator Marvel's light went on, Senator Marsh.

SENATOR MARVEL: You're talking about pages 772 and 773. I read this hurriedly, let's see if I got it correct. "Since the proceeds of the tax are in no way connected or earmarked for the support of alcohol treatment, detection, etc., which appear to be the broad, general subjects of the act, otherwise it would be impossible for us to establish that the section raising a tax on alcoholic beverages is germane to the rest of the act." I understand that. I don't think the two are comparable at all. This raises the money, puts it in the General Fund specifically, as I understand Senator Marsh's amendment, would earmark it for the Game and Parks Commission for the programs that are spelled out. If that is true that is not the same as this at all. I'm quoting from the Attorney General's opinion that you referred to. I'm quoting on the next to the last paragraph on 773. What he says, as far as I'm concerned, in 204 is that you raise the tax and then you turn around and spell out the program, but there is no connecting the tax to the program. That is two subjects. As I read this it isn't two because the tax is connected with the program.

PRESIDENT: Senator Shirley Marsh, would you close debate please.

SENATOR MARSH: Mr. President, members of the Legislature. I'd like to say thank you to Senator Marvel for his explanation. I feel that LB 109 needs to have the dollars appropriated from the General Fund. I think most of us agree that Game and Parks needs more money. This is a mechanism to do it and still leave the basic control for the General Fund with the Legislature where I feel it should be. It is our