

call the roll.

CLERK: (Roll call vote taken. See pages 1786-87 of the Legislative Journal.) 16 ayes, 13 nays, Mr. President.

SPEAKER BAACK: The amendment fails. The call is raised.

CLERK: Mr. President, the next amendment is by Senator Conway.

SPEAKER BAACK: Senator Conway.

CLERK: Senator, AM1303.

SENATOR CONWAY: Thank you, Mr. Speaker, members. The amendment, 1303, basically, had a hearing in the Government Committee. It is really LB 723, a revenue issue. I also filed, I believe, an amendment to this amendment that will be coming up shortly that came from the Revenue Department, itself, as some clarification. But the AM1303, as designed and is going to be passed out here momentarily, I believe, if it isn't already on its way out, last year, if you remember, we put the tax on the controlled substances and they had...the tax was there. It seems to be working. It kicked in on January 1st and is another tool associated with law enforcement, but also as a revenue generator. One of the problems that we found, in talking to some of the county attorneys, is that they are not particularly anxious in filing this particular additional penalty or charge for nonpayment of the taxes by not having the controlled stamp showing on the controlled substances, in that all the money goes to the General Fund of the state, and they think that it requires a certain amount of work on the part of the county attorney filing the charges and the like, and then the money, ultimately, when it is collected as a tax, is sent to the General Fund. So what LB 723, and now the amendment to LB 773 does is breaks that fund down in such a way that approximately, I shouldn't say approximately, exactly 42 1/2 percent of the money collected will go to the State Highway Patrol for education and for drug prevention and these types of techniques as it does now. Another 42 percent will go to the county that collected the tax, so if a county attorney in a given county were to have a drug bust and were to identify a specific tax associated with that amount, it will then go into the county drug fund and they can use it at county level. So, basically, the monies that are drawn on the taxes will be split, half for the county who is doing the work in the law enforcement, and