

May 22, 1981

LB 506

a good one notwithstanding beyond the Attorney General's opinion. I believe I am correct in saying that this is the first time that we are earmarking cigarette funds on a permanent basis and for something other than construction projects. It is a new era, a new concept and I don't think we should do that. I hesitate to tie up this fund on into the future for that purpose. I have also been informed that since there are rules and regulations as set up in Section 4, page 3 of the bill, the Attorney General will have to approve those rules and regulations. Since the bill has unconstitutional provisions in it, I believe that he will not approve the rules and regulations and so the bill will not become operative anyway. I have offered the motion to bring the bill back for indefinite postponement. However, I think in the interest of time I will just ask that you don't vote for the bill and this will give Senator Cullan, if he so wishes, an opportunity to correct some of the problems in the bill and perhaps advance an amended version of the bill at a later time. So, Mr. Chairman, at this point I would ask that my motion be withdrawn.

SPEAKER MARVEL: Hearing no objection, so ordered. Senator Cullan.

SENATOR CULLAN: Mr. President, before the motion is withdrawn, I think it would be appropriate that I have the opportunity to respond to the points which Senator Lamb has made and also to enter into the record for the purposes of any future litigation on this issue some important information, and so with your permission before Senator Lamb's motion is formally withdrawn, I would like to address it. Mr. President, members of the Legislature, the first...is that okay, Senator Lamb? With your permission.

SENATOR LAMB: There is no issue, Mr. Chairman.

SENATOR CULLAN: I would like to respond to Senator Lamb and put some information in the record, if that is appropriate, before the motion is withdrawn. As a courtesy since Senator Lamb had the opportunity to attack LB 506, I would like the opportunity to speak briefly on it defending it.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Well, then I wonder, will I have a chance to close on my request to withdraw the motion after he...?

SPEAKER MARVEL: Yes, because as far as I am concerned you will. Senator Cullan is asking....