

to draft an amendment that I would be confident is doing what I would like to do, which would be to cause the present distribution formula not to apply to this 1 percent. Let me see if I could sum it up for you now so that in my mind this is what you will do. If you adopt Senator Warner's amendment, and then we assume that Senator Schmit's amendment, as amended, would be...as amended would be adopted, you were saying that you're going to increase the sales tax by 1 percent, but a percentage of that will go to the Highway Trust Fund. Now, if you want, while you're increasing this sales tax in an education bill, part of it to go to the Highway Trust Fund then adopt Senator Warner's amendment. If you want the total 1 percent to go to the two designated areas in Senator Schmit's amendment, reject Senator Warner's amendment, reject it. Then in case there is any problem because of the distribution statute that he mentioned we amend that to make it clear that that statute shall not apply to the 1 percent being raised in LB 89, pursuant to Senator Schmit's amendment. So that, I think, is what you're faced with. I'm going to oppose Senator Warner's amendment. I'm going to oppose Senator Schmit's amendment. The reason I will oppose Senator Warner's amendment is because I think if the public saw an increase in the sales tax in this bill they would think that it was all dedicated to the two things that have been mainly discussed here. But in reality the Highway Trust Fund, which is always going to be taken care, always going to be taken care of, will get some additional money that I don't think it would be entitled to and certainly not through this bill.

SPEAKER BARRETT: Thank you. Senator Warner.

SENATOR WARNER: I'll wait to close.

SPEAKER BARRETT: Thank you. The Chair assumes that is the end then of the discussion. We have moved through the lights, there are no other lights on at this point so, Senator Warner, you are recognized for closing on your amendment.

SENATOR WARNER: Mr. President, as I've indicated several times all I was trying to do is make sure that we weren't creating a conflict. If I would suggest even further, because you're going to have to amend the one section, I'm sure, if you want to have all the sales tax go to this fund, but then if you want to reject this one then somebody ought to offer an amendment that clarifies that it includes the sales tax rather than excludes, includes the sales tax on motor vehicles, trailers and