

because it says that once the...if you can't determine what it would be, 25 percent, then that would be determined by the State Patrol. So what we are doing is by taking away a specific dollar figure, \$100 an ounce for marijuana, \$150 a gram for, say, cocaine, you would be, basically, allowing the State Patrol to determine, in the case of what the retail value would be, what the tax is going to be. I mean, we would be abdicating our authority with regard to the tax. You would just be saying, well, State Patrol, it's up to you to determine based on what the retail value is. Well, what happens when the...you read about it all the time, when either the market dries up or the market's flooded with drugs? The price fluctuates. Does then the tax fluctuate to match that retail value? I would think it would. I would think the way the amendment is drafted, 25 percent of retail value, to be established by the State Patrol, would mean that the tax will jump from one figure to another, depending on what the price is. Currently, what you do through the bill, as it's been amended with the committee amendments, you lock those figures in place. You know what the tax is. You know how it's going to be interpreted. You know that the stamp is also required. The bill is in good shape. The Conway amendment totally rewrites it. It deals with issues that were not addressed by the committee. If it's adopted, I'm going to make the motion to send it back to committee for a public hearing. Revenue Department did not even testify on this proposal last year. They did not come forward and talk about it. Matter of fact, they tried to deep six the bill and Senator Conway, in all his candor, would admit to that, because there was a million dollar fiscal note brought to the Revenue Committee by the Department of Revenue saying that, well, the way the bill reads we can't deal with it, we think that we're going to have to go out and try to run down these drug dealers. Well, that's nonsense. It's ludicrous on their part to even use that as an excuse against the bill, but it was their excuse for a million dollar fiscal note that they didn't have the courtesy to come and defend before the committee. I would urge you to reject the amendment that Senator Conway is carrying. I don't think it's his. The bill, as we have amended, is a good one.

SPEAKER BARRETT: Thank you. Senator Wehrbein, on the Conway amendment, please.

SENATOR WEHRBEIN: Yes, Mr. Speaker and members, I would like to ask Senator Conway a question if he would...