

draws LB 260, I will be supporting the advancement of the measure in this form.

SPEAKER BARRETT: Senator Conway, followed by Senator Schmit.

SENATOR CONWAY: Thank you, Mr. Speaker. I rise in support of LB 260. Like I say, I have worked on LB 260 for approximately four years now and I still believe in the concept of taxation of these particular activities even though they are illegal activities, but to try to extract a certain amount of income from individuals with respect to the social cost that this particular activity is causing us, and extracting a certain amount. The original bill, LB 260, and my previous amendment was designed to better accommodate the Department of Revenue. I was somewhat indifferent in terms of the particular process, or I shouldn't say indifferent, I supported the amendment. But it is really a change in the process by which the Department of Revenue and others would be involved and engaged in the process. The committee amendments have raised the amount of dollars that would be generated specifically in terms of the naming of the taxes. I expect, with this technique, we will from time to time have to review those prices to make sure that they are generating the kind of income that is supportive of the concept, whereas before as under the amendment, it would have been a percentage base. But we are back to my original concept and it would be somewhat ludicrous for me to negatively react to LB 260 in its original form. The amendment was designed to be an accommodation for those who have to administrate this law rather than changing of the concept. The 260, in its current form, has been tested in the Minnesota Supreme Court. I believe that it meets the constitutional demands upon it, as we have considered those concerns with Minnesota, with the privacy, with any Fifth Amendment concerns Senator Chambers had, and the like, and it is working in Minnesota. It's been pointed to as somewhat of a model. Again, the amendment that was advanced by the Department of Revenue people was really an adjustment to the concept of administration, not the concept of what we're trying to do with this bill. It, in no way, attempts to legalize these drugs but simply provides a mechanism by which the drug trafficking does generate an income for the state to be dedicated. And if you will notice, it's still a dedication of those funds to fight the social costs that are associated and attributable to the drug activity. So, with that, I do support the advancement of LB 260.