

Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Conway's amendment to the amendment.

SPEAKER BAACK: The amendment to the amendment is adopted. To the amendment as amended, is there any discussion? Senator Will.

SENATOR WILL: Thank you, Mr. Speaker. Senator Conway, would you respond to a couple of questions?

SENATOR CONWAY: Certainly.

SPEAKER BAACK: Senator Conway, would you respond?

SENATOR WILL: Now, as I understand your amendment correctly, it would take money from the controlled substance tax that we passed a couple of years ago and the money currently goes all to the State of Nebraska, is that right?

SENATOR CONWAY: Correct. Currently, all of the money goes to the Highway Patrol into their drug enforcement and their education programs and the like, and 100 percent of it goes there, and what we are finding is that in some cases, where there has been a drug bust, which, obviously, if there is a drug bust, invariably there is a possession, and if there is a possession, if the tax hasn't been paid, there should be a filing, and what we are finding in many cases is that some of the county attorneys are not filing it because it is of no value to them to make that filing because it all goes to the State Patrol. So this is an attempt to get the pot shared between county and state for these activities.

SENATOR WILL: So, in essence, this is seen as a motivational tool to get county attorneys to file charges when they sometimes are reluctant to now?

SENATOR CONWAY: Correct.

SENATOR WILL: I have a simple question. Isn't it their job to file charges?

SENATOR CONWAY: I would think so. It seems to me very obvious that if, like I say, that if there is a drug bust, but I have