

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

April 22, 2003 LB 759

Landis, Senator Kruse, Senator Cunningham. Senator Dwite Pedersen, Senator Landis, and Senator Cunningham. Senators Cunningham and Pedersen, Dwite. All members present or accounted for, the issue before the body is adoption of FA1332, which is an amendment to the first component of the divided committee amendments to LB 759. There's been a request for a roll call vote in regular order. Mr. Clerk, call the roll.

CLERK: (Roll call vote taken, Legislative Journal page 1355.)
19 ayes, 20 nays, Mr. President, on the amendment.

SENATOR CUDABACK: The motion was not successful. I do raise the call. Mr. Clerk, next item to the first component, divided question.

CLERK: Mr. President, Senator Thompson would move to amend this component of the committee amendments. (AM1448, Legislative Journal page 1355.)

SENATOR CUDABACK: Senator Thompson, to open on AM1448.

SENATOR THOMPSON: Thank you, Mr. President, members of the body. I'm going to explain this to you. It's a little complicated, but I think in the end you'll see that it's a reasonable thing to do and it just brings us in line with treatment of the money that goes to the Building Maintenance Fund, the new 2 cents from the special session, be treated the same as all the other earmarks. In 1996, the Legislature passed a 7-cent fund for the Building Maintenance Fund and it went into effect in 1997. But in the year 2000, 2 cents was diverted from the fund to the Information Technology Infrastructure Fund that we discussed earlier today. And along about that same time, during that time, the Legislature also passed in 1999 a hold harmless bill to say that if the cigarette tax dropped below what it was bringing in, in 1997-98, which was about \$1.3 million, that it would be subsidized from the General Fund. Because the 2 cents was diverted from the original 7 cents in 2000, in the 2001 Session a bill was introduced to change the hold harmless to five-sevenths of the previous amount, which was 7 cents. So if the whole 7 cents had still been there, wouldn't have been necessary, but because 2 cents was diverted for the