

kill the bill. Passion has left my veins this weekend and I conclude that the better part of discretion is to at least keep LB 190 alive to debate in a more deliberative fashion the earmarking contained in LB 190 and to ultimately make certain though we do have a pickup cigarette tax in place come October 1st, 1985. It is for that reason that Senator Wesely and I filed the motion to revive LB 190 and let me just quickly describe for you the bill. As you may remember, Senator Harry Chronister and a variety of other senators brought to us this bill which says that come October 1st, 1985, the State of Nebraska shall have an additional eight cents cigarette tax, assuming that the federal cigarette tax for eight cents falls off or if the federal tax for eight cents doesn't fall off in toto, but maybe two cents falls off or four cents falls off or six cents falls off, then we will increase our cigarette tax by an equal amount to make certain that there is never a momentary lapse in time, not a scintilla of time difference in terms of taxing on a pack of cigarettes. I suppose there is some sense that it might be proper to actually permit a package of cigarettes to go without any tax for any period of time. In any event, a whole host of states are following suit. In fact, I checked with Policy Research yesterday and they tell me that something like 33 states have now adopted legislation or are considering legislation to effect the pickup tax on cigarettes. Anyhow LB 190 would have us increase the cigarette tax to pick up where the federal government reduces the tax and it would then earmark, it would then earmark permanently the funds from that tax for three purposes. One is the State Scholarship Program, another one is the Natural Resource District Program and a third one is a program in the Department of Economic Development. Now our great dispute, I believe, a week ago erupted over the earmarking. The Revenue Committee didn't like the earmarking and, in fact, we struck it from the bill as we put the bill on the floor. But there were a whole host of people in the rotunda that loved the earmarking. They were representing interests that would benefit from the earmarking and we arrived at an impasse. Twenty-three members voted for the committee amendment to strip the earmarking and 23 members voted to dump the committee amendment so that the earmarking was retained and as a result a majority of us ended up voting to kill the bill. Well the bill cught not to be killed. We ought to make certain we've got the pickup tax in place and we ought to just go on with our traditional legislative squabble over