

fight. I haven't seen any of their lobbyists around here if they have one. But the facts are there is about 10,000 of those vending machines across the State of Nebraska, they tell me. They cost new around \$2,500. If they are depreciated down to 40 percent of that value, that is \$10 million worth of business equipment which is out there. My concern is that when we decide, for reasons of protection to the children, to take a piece of equipment which is presently legal and declare it illegal, we are confiscating tens of millions of dollars worth of private personal property. Now I guess I would not feel bad if the bill, Senator Schimek, contained a provision that said if we are going to take legal machines, legal equipment, and declare it illegal, we will then reimburse the owner of that equipment. Now I don't own a vending machine. I don't own a cigarette machine. But if I were to wake up some morning and have a vending machine route, which included several hundred thousand dollars worth of cigarette vending machines, and find out that, number one, they are either totally illegal or else, number two, that the use of them was severely restricted to the point that they were of no value to me, I guess I would feel very, very upset about the State of Nebraska and the Nebraska Legislature. I guess I would have to ask Senator Schimek a question. How do you feel, Senator Schimek, about that confiscation of private property, and is that not what we are doing here?

PRESIDENT MOUL: Senator Schimek.

SENATOR SCHIMEK: I don't believe I heard all of your question.

SENATOR SCHMIT: Then you may have to answer it at a different time, I am sure you will have time to answer it. I just want to say again, the Legislature can do what we wish in this area. We can say it is not legal to use a vending machine to sell cigarettes. But for many, many years, it has been legal to use vending machines to sell cigarettes. If the state chooses to make it illegal, then, in effect, it has become something of no value. It has no value to the people who have earned a living, who have hired people, who bought the machines in good faith. I want to say this, I have not spoken to a single person who has a cigarette vending machine on their route. But I know they are in existence in restaurants, cafes, bars, motels, hotels, many other areas. What do you tell these people? That the Nebraska Legislature has decided that we will make this piece of equipment worthless, and I guess that causes me some concern. I