

# Daily Nebraskan

Tuesday

WEATHER

Tuesday, mostly sunny and colder, high 35-40, north wind 10-15 miles per hour. Tuesday night, clear and cold, low around 15. Wednesday, sunny, high around 40.

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February 27, 1990

University of Nebraska-Lincoln

Vol. 89 No. 107109

## Bill to tax drugs advanced by Legislature

By Emily Rosenbaum  
Senior Reporter

The Nebraska Legislature on Monday advanced a bill that would require anyone in possession of marijuana or a controlled substance to pay a tax on those illegal drugs.

LB260, introduced by Sen. Gerald Conway of Wayne, would establish a tax of \$100 for each ounce of marijuana and \$150 for each gram of a controlled substance, to be paid to the Department of Revenue. The department would issue a certificate to dealers verifying that the tax was paid.

The bill would apply to "dealers," meaning anyone who manufactures, produces, ships, transports or imports into Nebraska, or in any manner

acquires or possesses 6 or more ounces of marijuana, 7 or more grams of any controlled substance sold by weight, or 10 or more dosage units of any controlled substance not sold by weight.

Under the bill, which advanced to a second round of debate by a 27 to 3 vote, dealers would have to go to the Department of Revenue to pay taxes on their drugs. If police later arrested a dealer and discovered he or she didn't pay the taxes, the dealer would have to pay the tax and a fine equal to the amount of the tax in addition to

facing criminal penalties, the bill states.

Under the bill, facts contained in the tax report required by the bill could not be released by the Department of Revenue.

That is to ensure that Fifth Amendment protection against self-incrimination is maintained and the bill retains its constitutionality, said Sen. Tim Hall of Omaha.

Sen. Ernie Chambers of Omaha said the bill is "affirmative encouragement to sell more drugs."

By raising drug dealers' cost of doing business, he said, the Legislature would be encouraging them to sell more drugs.

"This bill, in my opinion, is not going to make any difference in the amount of drugs being sold," he said. "It casts an aura of legitimacy on the

sale of drugs."

The bill's attempt is to take away "some of the ill-gotten gain," Hall said.

"I don't want to leave the impression that this is a godsend regarding the drug war," he said.

Conway said the main thrust of the bill would be to "extract some of the economic gains" that are made illegally.

Sen. Don Wesely of Lincoln said the bill represents a "bizarre twist of fate." He said it sends a message that the Legislature is going to "sic the IRS on drug dealers."

He said it would resemble the case of gangster Al Capone, who engaged in numerous illegal activities and was eventually prosecuted for federal tax evasion.

Conway said similar legislation has been enacted in 17 states and that Minnesota's model has been studied by the Revenue Committee. Minnesota's Department of Revenue has been able to collect a tax on illegal drugs that "far exceeded" the cost of maintaining the program, he said.

An amendment by Conway to change the tax to 50 percent of the street value of the marijuana or controlled substance failed. Under the amendment, dealers arrested for possessing marijuana or a controlled substance who had not paid the tax would have to pay a fine equal to 25 percent of the street value added to the original tax.

Fifty percent of the tax would go to

See TAX on 3

## March held for environmental justice

James P. Webb  
Staff Reporter

University of Nebraska students and other protesters helped carry a nationwide message to government leaders Monday to protect remaining native virgin forests owned by the government.

The protesters marched from Broyhill Fountain to the offices of U.S. Sens. James Exon and Bob Kerrey in the Federal Building. They then marched to Gov. Kay Orr's reception room and Attorney General Robert Spire's office at the State Capitol.

The Nebraska March for Environmental Justice, organized by Ecology Now in conjunction with student protests in 50 states, called for support of the Forestry Protection Act of 1990 and for increased paper recycling in Nebraska.

The act, which has not been introduced in Congress, would halt commercial harvesting in national forests, ban exports on raw wood, retain and restore forests and provide alternatives for workers in the forestry industry.

J Burger, project coordinator for Ecology Now, said exploitation of 1,000-year-old forests owned by the U.S. Forest Service is destroying complex ecosystems. That destruction contributes to depletion of the ozone layer and displaces native animals, he said.

Dave Regan of Ecology now said Congress subsidizes commercial harvesting by appropriating money to the Forest Service, allowing it to sell trees for less than their value and to construct roads in national forests, giving access to timber.

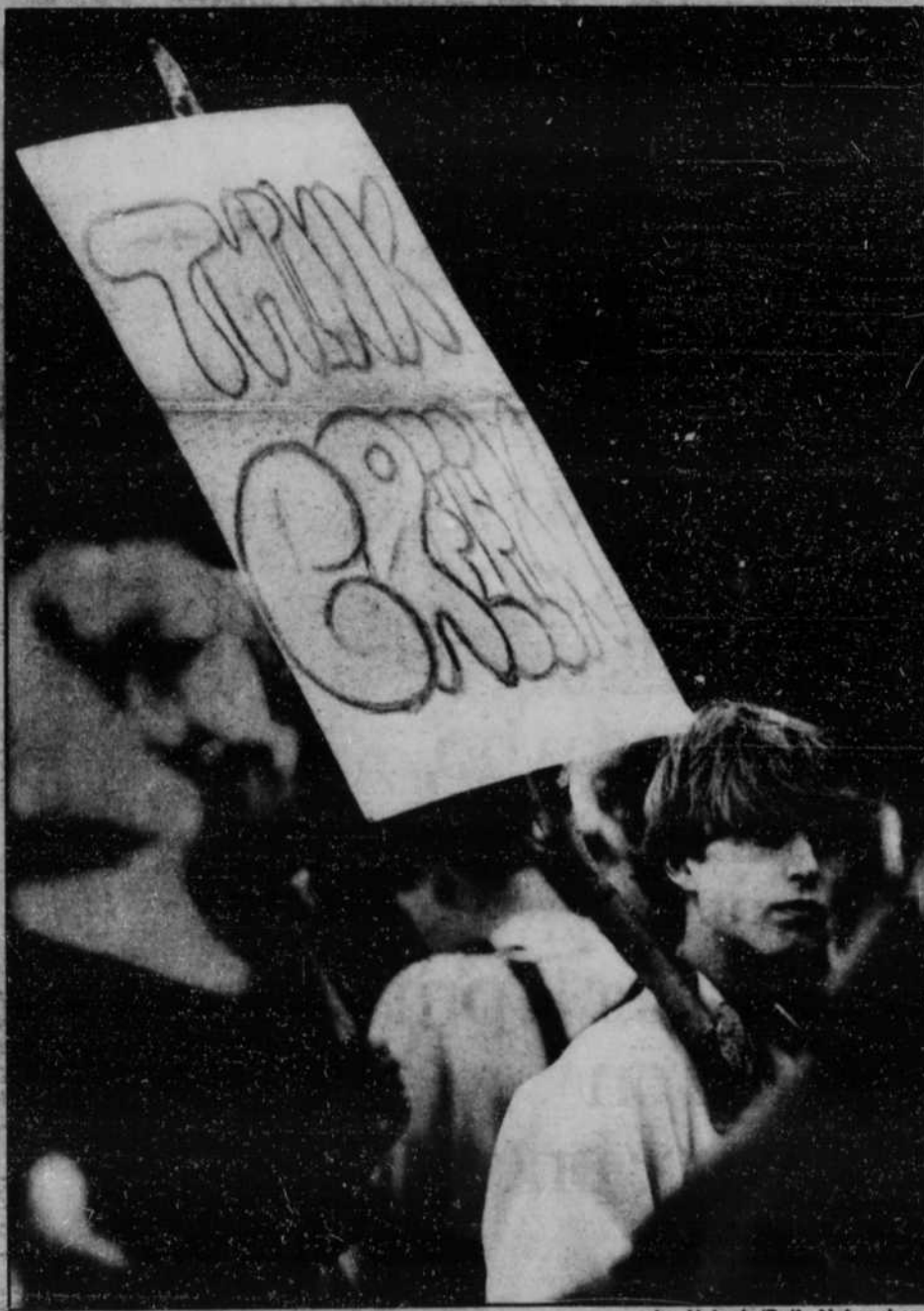
"We do have a right and a duty to get Congress to adopt better policy on our federal lands," Regan said.

"We're directing our attention to the Forest Service because that's where we can have the greatest effect," he said.

As national forests are slowly converted into tree farms, their "biological blueprint is lost forever," he said.

Protesters said they want Spire to investigate the city of Lincoln's purchase of land in Cooper Park at Sixth and D streets.

Protesters also said they support Orr's executive order in October requiring state government to use recycled paper whenever possible.



Joe Heinzie/Daily Nebraskan

University of Nebraska-Lincoln junior Steve Arnold, 20, makes a statement Monday outside the Nebraska Union. Arnold was participating in the Nebraska March for Environmental Justice.

## LB799 advanced Monday, proposes harsher penalties

By Victoria Ayotte  
Senior Reporter

The Nebraska Legislature on Monday advanced to a second round of debate a bill to stiffen penalties for driving under the influence of alcohol or drugs.

LB799, sponsored by state Sen. Emil Beyer of Gretna, would include drugs in the driving-under-the-influence laws and would authorize the Department of Motor Vehicles to automatically revoke drivers' licenses 30 days after arrest.

Officers could arrest those who refuse to submit to breath, blood or urine tests for alcohol, and those who do not pass those tests. Officers would impound the drivers' licenses and issue 30-day temporary licenses.

Officers then would report to the director of the Department of Motor Vehicles within seven days, and revocations would become automatic 30 days after arrests unless petitions for hearings were filed.

Petitions would have to be filed within 10 days, and the hearings would be within 20 days after that.

Within seven days of hearings, the director of motor vehicles would decide if licenses should be revoked.

Licenses would be revoked for one year for the first offense, three years on second offense and five years for third and later offenses.

Beyer said the bill would provide a "swift and sure" suspension of driving privileges, which would deter drunk drivers.

But Sen. Tim Hall of Omaha said the bill would be a "serious policy change" in moving the driving-while-intoxicated procedure out of the courts and making it an administrative procedure.

Hall said drivers facing license revocation "should have the opportunity to go to court," and the bill would put them at the mercy of the director of the Department of Motor Vehicles.

Sen. Rex Haberman of Imperial said senators should look at the issue from the point of view of the victims, not the drunk drivers.

"Consider the parents who have had members of their family killed by drunk drivers," Haberman said. "You can't bring a life back."

"If the legislation passes and it saves one life -- just one -- it's well worth it. We need stricter laws. We need them to be enforced and if they're going to be enforced faster and quicker in the Department of Motor Vehicles, so be it."

Sen. LaVon Crosby of Lincoln also said legislators are spending too much time defending drunk drivers and not their victims.

"We work too hard at protecting the people who are breaking the law," Crosby said.

Sen. Howard Lamb of Anselmo said, "We could nit-pick this to death, but the basic down-to-earth fact is, 'Do you want to reduce drunk driving?'"

Sen. John Lindsay of Omaha said the bill's automatic revocation provision would be "crumbling" the principle that people are innocent until proven guilty.

Beyer said the bill provides a tough approach, but "drunk driving is a serious crime."

The bill now faces a second round of consideration, select file, with several senators planning to propose amendments.

## Community leaders denounce hate groups

By David Burchell  
Staff Reporter

A coalition of community leaders denounced the Ku Klux Klan and other hate groups Monday during a press conference on the east steps of the County-City Building, 555 S. 10th St.

About 85 people gathered for the press conference to hear speakers call the Klan a racist organization that does not belong in Lincoln.

The Rev. Norman Leach of the Lincoln Interfaith Council said those who attended and

spoke at the conference were responding to recent advertisements for new Klan members in local newspapers.

Leach said the purpose of the conference was to demonstrate that the community thinks the KKK is "abhorrent."

A petition denouncing the Klan was circulated. Leach said the coalition had gathered more than 500 signatures before the press conference.

The Rev. Micheal Combs, a representative of the National Association for the Advancement of Colored People, said the Klan "has been a foe of freedom and democracy since it

was founded in the 1860s."

John Taylor, representing the Coalition for Gay and Lesbian Civil Rights, said the same hatred that causes discrimination against racial and religious groups is behind homophobia against gays and lesbians.

Donna Polk, director of the counseling center at the Multi-Cultural Awareness Center in Lincoln, said this was the most serious issue she had been involved with in recent years. She said the names of petition signers would not be released to the public to protect signers from possible retribution.