

SENATOR V. JOHNSON: Probably. That would be the probable way that it would go.

SENATOR DeCAMP: Then how is that a court cost? That is just money collected and put into the general fund.

SENATOR V. JOHNSON: I would assume that that would be just money collected and put into the general fund as other court costs are so collected and put in the general fund.

SENATOR DeCAMP: Could you give me an example?

SENATOR V. JOHNSON: It is my understanding that that is what happens to the court costs out of the state District Court, that they ultimately end up in the general fund.

SENATOR DeCAMP: They aren't put and credited to a specific account to be used only for a specific purpose?

SENATOR V. JOHNSON: That is my understanding, that they are not so credited.

SENATOR DeCAMP: Okay, and you don't feel there would be any problem with just collecting under the guise of court costs, putting it in the general fund with no guarantee that Donny or Jerry or anybody is going to give that money back, more or less or anything else. It is put into the general fund just like all the other little dollars that come from all the other places. That is all it is when it gets in there, right?

SENATOR V. JOHNSON: That is usually what money in the general fund is, yes.

SENATOR DeCAMP: Okay, I submit to you that that program is blatantly unconstitutional and I, therefore, support the motion to reconsider since the bill did not get to go back to committee. I did support sending it back to committee. I think it is important though that we have had this discussion today because quite frankly, the points raised by Senator Chambers and Senator Johnson to do with court costs, highlight this whole thing of how we have done with court costs over the years and this is one example. As I say, I think it is pretty thin and somebody may challenge it down the road a ways but right now at least it is raising money. So it is kind of the horns of a dilemma and I would have liked to see it go back to committee and get restudied and people learn about it but that didn't happen, so if you are going to advance the bill, you are going to be short half a million bucks almost which I don't think we can afford to do right now. If you put the dollar on like he wants to do, I think you make the dollar collection unconstitutional which means