

no. Record.

CLERK: 28 ayes, no nays to go under Call, Mr. President.

SPEAKER MARVEL: Please record your presence. Senator Clark, will you record. Senator Hefner, Senator Koch, will you record your presence please. Senator Maresh, Senator Landis, Senator Wagner.....Barrett are both excused. All right, all are present and accounted for. The motion before the House is the DeCamp amendment. All those in favor of that amendment vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: 27 ayes, 12 nays on the adoption of Senator DeCamp's amendment to the bill Mr. President.

SPEAKER MARVEL: The motion is carried, the amendment is adopted. What is the next one?

CLERK: Mr. President, I have an amendment that is signed, by Senators Howard Peterson, Schmit, Lamb, Kahle, Maresh, Kremer, Hefner and Goll. It is request 2293, Mr. President.

SPEAKER MARVEL: Senator Lamb, do you want to discuss the amendment? Senator Schmit, do you want to be recognized?

SENATOR SCHMIT: Mr. President, members of the Legislature, yes I want to be recognized. I think that it is important, even though the DeCamp amendments have a substantial vote, I think that as Senator DeCamp pointed out to you that the Schmit amendments were based upon a dollar figure. We did not draw those figures out of the air. Those figures were developed. They were developed as I explained, and Senator DeCamp understands this full well of course, they were developed as a result of the assessed evaluation of rural property and urban/commercial. Those figures were developed on a three year basis. We took them to the Attorney General and asked if we distributed the funds on that basis if it would be constitutional. The Attorney General said that he could defend those figures. If, as Senator DeCamp indicated, we were to deviate from the 30 million dollars in the one category to some other figure, it would not be constitutional, it would not be constitutional. Now Senator DeCamp either, I'm sure not deliberately, mislead you. The figures that are developed are developed on the basis of the percentage of urban real estate, urban/commercial real estate and rural estate. That is why we believe that they have some relationship to the amount of revenue lost from the personal property tax. When we ran the figures, and we prorated the numbers, we discovered that there was a relationship and that is why a minority, a smaller number of counties lose revenue under my amendments than under