

cannot cover the cost?

SENATOR CULLAN: Senator Goodrich, the committee has not taken a look at that approach although I think that that is an approach that would be justified, and if the Appropriations Committee or any member of the Legislature would offer that type of an amendment, I personally would support it. But the Public Health and Welfare Committee did not look at funds spilling over from one examining board to another which is the concept I believe you are suggesting but I would personally...I don't think that a \$50 fee is excessive for someone who is practicing, who is in the professional practice, and it wouldn't bother me to see a reasonable fee set for everyone and have the funds spill over. I think that is a good concept and perhaps you can draft something before the bill reaches Select File and put it on.

SENATOR GOODRICH: Okay, I am not objecting to a \$50 fee either but I am just saying that we ought to take a complete look at this particular picture so that we then can generate as much revenue as we can from all of the fees, not just this section of fees, so that we then are in a position to pull money over into the general fund to offset the general fund appropriations we have to make to carry on some of these other accounting fees and some of the other costs of operating some of these departments. The Appropriations Committee, I believe, is going to come out with a legislative bill to do just that, and when we get to that point, we may want to even include some of these fees in that bill which would amend this particular bill. So this particular bill maybe go ahead and go through but get amended by the second, subsequent bill.

SENATOR CULLAN: The only problem I see with that, Senator Goodrich, is that if the fee is so high that it is a tax and not a fee, if it is not in some way related to a license, of course, as this related to some...to the regulatory process or to some service that the state has to provide for that profession to be practiced, and if the fee becomes excessive and is spilled over to the general fund, then I, personally, would question whether that is a fee, a license fee, or whether it is a tax and, of course, if it is a tax, we have all kinds of constitutional and legal problems that you do not have if it is a license fee. So I think you have to be awfully careful about making those fees too high for that purpose.

SPEAKER MARVEL: Do you want to close on the committee amendments, Senator Cullan? Senator Warner, will you respond to the Clerk please?