

deal with it but on personal property tax, and its replacement funds, we have said consistently, we don't care what is constitutional, we don't care what is fair because there is an underlying issue of fairness here. Many of the counties that Senator DeCamp is crying for gets more state aid than they pay in sales and income tax and frankly state aid is only half the budget. That is an amazing situation. If you look at the per capita charts that I sent out, you will see that what we have done is we've allowed many counties to have, not only their cake, that was the tax exemptions, but they are allowed to eat it, too, and they still have the cake. This issue is one of equity also but this Legislature for four years has said, you know, we ought not talk about equity, we ought not talk about constitutionality, we ought not talk about what is fair. We ought to do what we have always done because it benefits certain districts and to me it seems it is right. Well I think we have a situation today where we are asked to accept the DeCamp amendment and the DeCamp amendment simply says, look, we'll do what is unconstitutional unless the Supreme Court itself, not a district court, says John, not a lonely old district court, we want to be locked in as locked as we possibly can. We want the Supreme Court to tell us what to do, not just some district court, not the Attorney General, not anybody else and they haven't specifically said no yet to this issue. They have said no to so many other associated issues and related issues but those are to be forgotten. This is a more specific thing, therefore, it should be considered. Now let's talk about the difficulties with the old formula. Let's talk about the difficulties we are creating for local governments. The old formula was a two tier opinion, two tier system, and basically...

SENATOR CLARK: You have one minute.

SENATOR NEWELL: ...well I won't talk about the two tier system if I'm that short of time. I'll talk about local governments. We're going to have a lot of local governments that are going to have to set their budgets this year and they are going to set those budgets long before the Supreme Court can act and they are going to set those budgets not on 816 and not on 284, they are going to choose the lowest dollar amount and they are going to budget that lowest dollar amount and if they are right, everything will be okay and if they are wrong, they will have overbudgeted substantially. They will have a great surplus and there will be a great problem with the 7% lid because those are revenues which they can spend then next year. It is a way of getting around the 7% lid and I want to say that Senator DeCamp...

SENATOR CLARK: Your time is up. Your time is up, Senator Newell.