

collected than had been anticipated, which is the end result of a point that Senator Landis brought up, that there was just simply \$7 million of construction of roads that had been planned, put in a one-year precise program to be funded that it simply could not be funded because the revenue was not there. In most cases, it has run slightly over. And I think in all but one case, when the receipts were over what was projected and over what the budget required, that that simply became the beginning balance for the following year to fund whatever level of appropriation had been approved, and resulted in a smaller tax per gallon as a result for that fiscal year. I have some sympathy, I think, personally, for Senator Landis's position that there is more concern if there is a shortage of collection for the simple fact that that means some road projects simply cannot be done that had been, in effect, promised to citizens across the state, because the funds simply weren't received. And I'm more concerned about that end, as Senator Landis had indicated. The overlevy, obviously, it's preferable not to collect any funds above what is necessary from the citizen's point of view. But, even if it does occur, the result is that the tax does not need to be as high the following fiscal year because of that higher beginning balance, assuming that the budget that is adopted by the Legislature is at a level that is anticipated to be consistent with the one and five-year programs as is reported to the Legislature, in December of each year, by virtue of legislation enacted in 1989, I believe. With that, Mr. President, I move the bill be advanced.

SPEAKER BAACK: Further discussion. Senator Hefner, did you wish to discuss the bill again?

SENATOR HEFNER: Thank you, Mr. President. Yes, I would like to get something into the record here. Okay, Senator Lamb and Senator Nelson mentioned that maybe the variance should be 5 percent on either side, 5 percent more or 5 percent less. But, this is just the 98 percent...or the 102 percent is a figure that they may use. It says here, on the last page of the bill, "the Governor may call a meeting of the board", that would be the State Board of Equalization and Assessment Board, "to determine whether the rate shall be changed." It doesn't say that they have to. So, had this been in effect in December, the Governor could have called a meeting. And I understand that they did have a meeting, but they didn't have the authority to change it, because the surplus or the reserve wasn't over 10 percent. Had this been in effect, they would have been able