

provisions of the current law the opportunity to change that tax rate would only occur with actual receipts were either 10 percent short or 10 percent more than the collection that was to be anticipated. The bill changed that from 2 percent less to 2 percent more. There was discussion on the floor as well as in the committee as to whether or not that 2 percent, particularly on the top side, was too narrow. It's permissive, the board does not have to meet, it merely gives them permission to meet. But the issue came up, and it's one that I hadn't thought about, but one I think is a legitimate concern, and that is, particularly on the top side, if that 2 percent, which is fairly small, certainly could cause instances in which there would be people requesting the board to meet whenever there was a justification. So what the amendment does, it retains the 2 percent on the shortage side, if the money comes up short, and the reason for retaining that is that you could well have contracts that are let, or at least anticipation to be let that could not be let because the funding wasn't quite there. So the option is there. I doubt that anyone would be clamoring for them to meet to increase the tax. On the top side, however, on the high side, it would move from 2 to 4 percent that the Board of Equalization, the Governor could not call a meeting of the Board of Equalization unless the receipts were in excess of 4 percent. The reason for that is just to ensure that it doesn't become some kind of an unnecessary political issue that you would, every quarter, potentially have people clamoring for the board to meet. The fact that it would be allowed to be 4 percent over before they were permitted to meet to adjust rates, again, as we all know has, in the long run, really no impact because any excess funds merely become the beginning balance for the following year. And, as a result, the collection in excess of the appropriation is...merely serves to keep the tax rate from being...going up for the following biennium, should the appropriation be higher, or in some cases remain the same so that there does not need to be adjustment. Unless there are questions, I'd move that the amendment be adopted.

PRESIDENT MOUL: Thank you, Senator Warner. I will now recognize Senator Moore.

SENATOR MOORE: Yes, Madam President and members, since Senator Warner touched on it as he talked about the amendment, I'll ask him a couple quick questions now. And, if Senator Warner would yield, I'll ask him those questions.