

numbers that we may not have any idea what's going on particularly in the depreciation surcharge and certainly I think in the end of putting on the centrally assessed tax which at least, in my opinion, is probably a clear violation of the federal act and is going to get us in court quicker than anything else we've done so far this year. But if that's true, the subdivisions help share the loss and I think they need to be as concerned as we are about making sure we get the correct amount of replacement revenue and getting it from the right places. With that, I would support the Moore amendment.

**PRESIDENT MOUL:** Thank you, Senator Kristensen. Before we proceed with debate, I would like to direct the senators' attention to the area under the south balcony. Special guests of the Legislature today are former Lieutenant Governor Don McGinley and a friend, Nelson Moore, of New York City. Would you please rise and be recognized. Welcome back, Governor McGinley. Thank you. Is there anyone else who wishes to speak to this amendment...or this motion? Seeing none, do you have closing, Senator Moore?

**SENATOR MOORE:** Well, I'm almost concerned if Schmit, Hall and Kristensen are all agreed that this is a good amendment. But, nevertheless, that does make sense because I think it is. And as far as Senator Kristensen's comments, you know, obviously, it's not...our estimates are just that, estimates on what amount of whatever we finalize here today that money will bring in. Now, obviously, if we decide that we're only going to estimate that this biennium, well, it's only going to bring in \$87 million and we prorate it back, obviously, that will probably be the prudent course now. It's certainly my opinion, at least, that if, indeed, that depreciation surcharge brings in much more than anticipated, which some say it will, then come January we ought to go back in and that...that tax was put on to reimburse the locals, if indeed that tax is generating more money to be projected, the honest thing for us to do at that time would be go back in and if you prorate them back \$10 million now, we ought to come back in in January and February and give the locals another \$10 million to make up the difference. But, for the time being, if we do prorate it back, they would indeed have to eat it through either their budget side or the revenue side. And I guess also this amendment, in our final two days, it gives us some additional flexibility, as we eventually come sine die on Wednesday, it gives some additional flexibility on how we choose to balance our books.