

of whether something in addition can be superimposed on that. I think it's very unlikely that with my amendment, in the event that the court should find the two-tier system unacceptable or unconstitutional, I think it's very unlikely that they would not find it severable. Okay? So I think it's more easily separated...

SPEAKER WITHEM: Time. Senator Wesely.

SENATOR WESELY: I call the question.

SPEAKER WITHEM: The question has been called. Do I see five hands? I do. Question is, shall debate now cease? All those in favor vote aye, opposed vote nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays to cease debate.

SPEAKER WITHEM: Debate is ceased. Senator Beutler, to close.

SENATOR BEUTLER: Senator Withem, members of the Legislature, this amendment doesn't present any revolutionary change from what we've done. It builds upon the structure that we created during General File. It allows for the testing of the two-tier system, but it switches the timing of the two-tier system experiment off to a period that will be two years into the future. So that instead of the two-tier system being tested and put into effect immediately upon adoption of the amendment by the voters in November of 1996, in November of 1996, if the voters adopt this amendment with the Beutler amendment, what will go into effect is the law that existed prior to the court's adverse interpretation of a couple of years ago. Now Senator Hall said he doesn't want the system that was prior to, and what he was talking about is the old language that led to the misinterpretation and of course we're not going back to the old language that led to the misinterpretation. We're going back to the new language which was the same language as in the Schimek amendment. So it would restore the 1075 percentages that pertained all along and in doing that, we start to separate two questions. First of all, we make good to the public our promise to restore things to the way they were and then we go ahead and for the two-year period beginning after the next set of elections, try the experiment with regard to the two-tier system. I think that this particular structuring of the sequence of events has the advantage, has two advantages. One, I believe that it makes severability easier and severability