

have 50 percent the first year and then over 50 percent of the tax, the excise tax, motor fuel excise tax will be the variable tax. I mean if we know that we have a 20-year plan here and we know that we're going to have these costs out into the future, then shouldn't we raise the fixed rate? Come back in like we did before 1980 and raise that fixed rate over and above that 12 cents? Why don't we just guarantee that it's going to be at 18 or 20 cents. I don't know, I can't remember, it may have fallen below 20 cents in the last few years but I just can't remember. I know that it has always hovered somewhere between 20 and 24 or 25 cents at any given time, but sometimes it has fallen below that, but we have a fixed rate in statute that we would have to raise up. We would have to vote to do that and raise it above the 12 cents that is in place right now. But in 1980 when we went to the variable rate, we did so for a lot of reasons. I think it was the right thing to do, but I don't think it's the right thing to do when we are now going to have the variable rate be in excess of the, actually it's going to equal and exceed the fixed rate. So you're saying that we're somehow, some day, some way, under this 20-year plan we might possibly have a rate that is going to fall below 12...down to again 12 cents or somewhere near that. That is just not going to happen. What we ought to be having out here is a bill that says we're going to raise the fixed rate, we're going to lock it into statute, we're going to do that and recognize that based on all these proposals, all the 20-year plan that is out there and all the road work that we want to do, we're going to at least be up front and say we know that we've got to have this fixed rate and we're not going to say that all of a sudden now we've gotten to the point where...

SPEAKER WITHEM: One minute.

SENATOR HALL: ...the variable rate is going to exceed the fixed rate. It just, it is I think rather dishonest on our part not to come in and make those same kinds of changes and I hope...I plan on introducing a bill to do that next year because I'll guarantee you, if you were to ask people and told them that well, we've got the fixed rate, we know that 12 cents is where we're going to lock in, but oh, by the way, at the end of the biennium we're going to have a 13.5 cent variable rate on top of that. Over half of the motor vehicle fuels tax is going to be that variable rate that was just meant to adjust up or down for purposes of meeting budgetary requirements and I think people need to be made very much aware that this is a \$25 million tax