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FLOOR DEBATE

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so that there'd be funds there to give to you. But you wouldn't need to do that now. There's about \$700,000 worth of money. You see, this isn't a small sum anymore. It used to be that there was no money in the fund, nobody was foolish enough to want to appropriate General Funds for this scheme, so there was no real danger. So we...you can put all the limits you want in here for Governor and Attorney General and so on, but there's no money, there's no money, because down below there's a deal that Senator Beutler and I made earlier where you only spend the money based on there being the money. Well, now, there's real adult money in the fund. And I think the Attorney General must have forgotten, because he gave me an Opinion in 2003 that says that those monies shouldn't be there; those monies should be going to the Lancaster County school fund, like all other fines and penalties do. But I don't believe he's called for a grand jury to investigate why that isn't being done. You know, it's hard to wrap yourself in the American flag when you're dealing with your own Opinion that you've apparently forgotten, that says that most of the \$700,000 that's in the fund now should be in the Lancaster County school fund because it's fines and penalties, and you all know about the constitutional provision that says fines and penalties go to the schools. And it isn't...you don't have to...if we're not from Lancaster County, we don't have to be jealous of the money, because you see, if the money went to the Lancaster County school fund, then, under the TEEOSA formula, their aid would go down, and that \$700,000 would be spread over all our school systems, in a very fair and equitable manner. So you may want to think about...I made this accommodation. I enjoy debating with Senator Beutler. (Laugh) It makes me sad that we only get a couple rounds of this and it's the last time we'll get to do it.

SENATOR CUDABACK: One minute.

SPEAKER BRASHEAR: But the fact of the matter is, I haven't agreed to vote for this. I've agreed to accommodate a process and by procedure by which we either make it as good as Senator Beutler can persuade you to make it good...that doesn't mean I'm not going to continue to point out what I think is the difficulty of it and the unconstitutionality, which has never been litigated. Somebody, sometime, if they're not serving in