

PRESIDENT: Senator Carpenter, will you yield to another question?

SENATOR CARPENTER: Certainly.

SENATOR MURPHY: And again it's a question I've asked previously. Why at this late date with a subject we are all so familiar with are we getting it on the last day, if it is not in truth something that should be the subject of an individual bill.

SENATOR CARPENTER: Mr. President, I answer the latter part of his question, because you cannot get a bill of this type out of the Committee. I have tried everytime I have been here and unsuccessfully. Now I didn't bring this about to be on the last day. If you recall, these bills were put ahead of General File a week or ten days ago and I had nothing to do with their delay and I don't think anybody else did. Now I think if you want to talk at the broad principle, if you are in the position that if you can't get a bill out of Committee, then this Legislature must accept it in the form in which the Committee recommended without any amendments to the bill. If that is one theory, then I think they ought to change the Rules to the point that it would say that. When a Committee acts, that's it and when you bring these bills on the floor, then we have no choice to accept the Committee's recommendation which may be only five of nine or five of eight, as the case might be, and we set here without any judgment exercise at all. If you want that, I think you ought to change the Rules and make it that way. If you want the Rules, for example, to say that in any case any amendment that's..automatically goes back to the Committee which heard it with the amendment, hold a public hearing on it. I have no objection to that. But the way to correct these abuses, if that's what you think they are, is by the change of the Rules. I attempt to operate within the elasticity of the Rules and that's the only thing that I am attempting. Now if you want to curtail everybody's activity, change the Rule. You've got it made. Does that answer your question?

SENATOR MURPHY: That answers my question. Thank you, sir.

PRESIDENT: Now, Senator Stahmer. I..Senator Carpenter closed before and I am trying to find out if you have a question on order or something like that. This is the time to ask it of the chair. Senator Stahmer.

SENATOR STAHMER: I would ask the chair, then, this question and I think it is a legitimate one. We talk of insurance companies and yet what we are amending deals with about ten different types of organizations chartered under various state laws and I just wonder whether we aren't back talking only of insurance companies or whether we are talking about all these other entities listed on the bottom of Page 10 and the top of Page 11. We've only discussed one type and there are at least ten different types that would be altered by this amendment, is the way I read the amendment unless (inaudible).

PRESIDENT: Senator Carpenter, go ahead and answer.

SENATOR CARPENTER: It is my understanding that what the Senator says is not correct from the interpretation. The existing laws for the most part pertain to the area in which he is discussing. The original tax law precludes them from paying any other taxes because the law says that the tax they pay is in lieu of all other taxes. Now it is in here but it really doesn't mean..I will say for your satisfaction. Why don't you go over and talk to the Tax Commissioner and he can explain it to you better than I can.