

based upon 1984 revenue of banks and income of banks, will produce the amount requested by the Governor, the net amount. If 1985 bank revenues decline, that will change the picture. If they increase, that will change the picture. That is going to happen whether it is any formula you want to put up. It depends on what actually happens in 1985. But in terms of offering legitimately, precisely what the Governor and the Revenue Department wanted, you have a proposal before you in the form of the amendment I'd offer...

PRESIDENT: One minute.

SENATOR DECAMP: ...that gives you that money.

PRESIDENT: One minute.

SENATOR DECAMP: In terms of the constitutionality, I will guarantee you this, if 717 is passed in its present form, it will immediately be challenged by the banking industry because it is unconstitutional. I think I would ask that they would have had an Attorney General's Opinion on that today. On 717 there is no way the Attorney General can say one particular form is unconstitutional without dealing with 717 in its present form and it is blatantly unconstitutional. As for the argument Vard Johnson gave on unconstitutionality of this, that has been specifically dealt with. The very thing, impairment of contract he mentioned, has been dealt with. The federal case I have before me, I guess I'm out of time so I'll ask for...well I'll put my light on and talk later. But as for unconstitutionality, we are satisfied that that very thing he raised is completely overcome. I will read you the federal court case he was talking about and give you how it was overcome in this specific amendment.

PRESIDENT: Thank you, Senator DeCamp. The speaking order is this--Senator Beutler is next in speaking order, then Senator Pappas, Miller, Morehead, Higgins and Lamb. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, why is it...I just don't understand, why is it when we've just suffered a fiasco because of the unconstitutionality of this very law that we want to take the risk immediately on the same subject of a similar fiasco? Can you imagine what