

meantime the Revenue Committee, bless its collective heart, will go back and spend some time with the financial institutions to arrive at a just tax system. But you have on your desk the amendment. I will be glad to entertain any questions on it. This is...this amendment, incidentally, is the essential bill that the Revenue Committee agreed to several months ago when 717 came on the floor.

SPEAKER NICHOL: Senator DeCamp.

SENATOR DECAMP: Okay, Mr. President, I would like to quickly attempt to deal with the issues raised by Senator Johnson and respectfully suggest that you pass the bill on to the Governor. Would the Pages please hand out three things? I am handing out three items. These items I am handing out deal with the constitutionality question. I have two opinions. Yes, indeed, they are paid for by the banking industry. I think FirstTier is one. They are from Cline, Williams. For those of you who are familiar with Cline, Williams, when you write an opinion from a major law firm like that that is one of the biggest firms in this state in banking, you better be sure you are right. They say that 717 in its original form, as Senator Johnson is proposing it, is unconstitutional. They further say that this bill, as it is proposed now by me, is constitutional. But let's take it a step further, and I am going to try to prove something to you to cast doubt on the Attorney General's Opinion. In one of my handouts you will see a single page that looks like this. Okay. Look at the bottom of it. And, Senator Johnson, please do this with me because I don't often get a chance to do things like this. The Attorney General of this state has rendered an opinion that says the definition in the DeCamp amendment of average deposits, which is a critical part of the bill, is unconstitutional. Are you following me? He has, however, said that the other proposal by Senator Johnson is constitutional. Now here is the rest of the story. The definitions are identical word for word. Now I am going to suggest to you, and I think Senator Chambers would appreciate this more than anybody, I am not sure the Attorney General anymore is concerned about what the Constitution says. I think they have gotten to that point where it is, who asks for the opinion, and if it is the Governor or one of the agencies that they are supporting, then the Constitution says different things for them than it does for me. I repeat, look, the definitions are