

situation is all about, maybe we should go to the amendment.

SPEAKER NICHOL: We have an amendment to the committee amendments at this time. Mr. Clerk.

CLERK: I have a series of amendments, but I do have an amendment from Senators Morehead and Withem to the committee amendments. (Morehead-Withem amendment is printed separate from the Journal and on file in the Clerk's Office, AM2632.)

SPEAKER NICHOL: Senator Withem, were you going to take the...

SENATOR WITHEM: Yes, Mr. President, members of the body, I am proposing an amendment to the committee amendments dealing with this bill. I thought in fairness to Senator Lamb, beings this is a complicated issue, he should be allowed to explain the bill initially. He somewhat ventured into arguing against the amendments prior to the time before which you had them in front of you, but that's okay I guess. What we're doing here with the amendment that Senator Morehead and I are advancing is Senator Lamb is right. We are changing the basis of the bill. It was about four years ago that the Legislature shifted from a per pupil basis of determining nonresident tuition. It's what we call a tax equity basis, a tax equity basis. What Senator Lamb's original bill, 1126, is purporting to do is to return to that per pupil expenditure. Now in his introductory statement I believe he indicated that that no longer is necessarily his goal, that a lot of what we have in this amendment is acceptable to it, but there is one key point that he is not going to particularly care for. What I'm going to suggest we do is we debate the amendment, you adopt the amendment, and then we'll have additional discussion on the particular provision that Senator Lamb finds objectionable. So let me argue why we should not change the method from tax equity to back to the old method of per pupil expenditures. First of all, what we have, if the will of a majority of this body holds forth after the November election, is effective very few short years down the road we have an elimination of the Class I school districts. The issue will basically be mute at that point. So there is no reason to make a radical shift backwards. What we do need, however, is a clarification and a cleanup of the existing tax equity law as it exists. First of all, philosophically why is tax equity a better method of charging for