

closing?

SENATOR WARNER: I understood, Mr. President, that you said there was no other lights, and I assumed it was a closing.

SENATOR CONWAY: That is what I announced but I wanted to make sure you were aware because you did have your light on.

SENATOR WARNER: You are right. I meant it to be the closing. Thank you.

SENATOR CONWAY: Thank you. There are no other lights. Senator Warner closed, so we will be voting on the amendment to the amendment by Senator Warner for Section 3. All in favor vote aye, opposed vote nay. Mr. Clerk, record.

CLERK: 18 ayes, 2 nays, Mr. President, on the adoption of that portion of Senator Warner's amendment.

SENATOR CONWAY: The amendment is adopted. We will now move to the fourth division on the amendment. Senator Warner.

SENATOR WARNER: This particular amendment deals with the section which I am sure we will discuss again, and Senator Hall and I were discussing it earlier. But this proposed amendment affects the provision which has the retroactive application of a constitutional amendment, that is the one which...the reason we are passing implementing legislation before the constitutional amendment is approved by the citizens, or rather voted on by the citizens, and in order that they can know how it is going to be implemented. And there has been a question, I doubt that this is a serious question, but there has been some that have considered that if we do this, as a matter of fact, this could be a factor with some even if you didn't have a constitutional amendment at this particular time, but this is to make sure that a change in the Constitution during this calendar year, 1992, which will change the method of taxation that we currently are required to have by the courts, that that would not be considered a computation of taxes which are prohibited under the Constitution. Most of us, you will recall the court case that was last year in which the courts held that because of...I guess it was two years ago...but the court held that the change in the law occurred after November 1, and they indicated that then became a computation of taxes which were constitutionally prohibited. Most of us were assuming, at least I was assuming