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was essentially written that way in the first place, as you will recall, been explained a number of times, this is the...an income excise tax on the surcharge on depreciation and the question comes up from time to time of the constitutionality of this whole surcharge issue. Very clearly, a surcharge related...on depreciation related to income or rather to sales, is much more directly related to income will raise any doubt there's some relationship to the property issue that some have wanted to contend, it's not, but for those reasons I think it's appropriate to return the language to the bill in its original form which used the sales factor for the multistate corporations (inaudible) directly related to the income. That is the way the bill is currently amended.

PRESIDENT MOUL: Thank you, Senator Warner. I recognize Senator Chambers.

SENATOR CHAMBERS: Madam President, and members of the Legislature, this matter had been reconsidered and lost, so this is an additional reconsideration and I believe it can be done only by suspending the rule.

PRESIDENT MOUL: Thank you, Senator Chambers. Senator Warner, would you like to respond?

SENATOR WARNER: No, Senator Chambers' point is well taken and I would...should have thought of it myself. I would move to reconsider so that it can be brought before the body properly at this point. Otherwise, I might add, it's a fairly significant, from my viewpoint, on the legality of this whole personal property tax issue we're working with and refund issues, litigation and, obviously, if...do not change the rule or suspend the rule for the reconsideration, I suspect I would have to move to do the same thing after it got on E & R for engrossment, returned for a specific amendment. I assume it would be appropriate then without reconsideration. But I'm very willing to do reconsideration at this point.

PRESIDENT MOUL: Thank you, Senator Warner. Senator Chambers, I will rule that your point is well taken. The motion for the amendment is out of order. Senator Warner, do you wish to suspend the rules?

SENATOR WARNER: Yes, ma'am.