

(Begin Belt 1)

March 26, 1974

PRESIDENT: The Legislature will please come to order. We'll have prayer by our Chaplain.

CHAPLAIN: Gave prayer.

PRESIDENT: Roll Call. Please record your presence. Clerk will record.

CLERK: Quorum present, Mr. President.

PRESIDENT: Any corrections for the Journal, Mr. Clerk?

CLERK: The Journal, Mr. President, is without error.

PRESIDENT: Any petitions or memorials?

CLERK: Yes, Mr. President. I have a communication from the Executive Office, under date of March 25, 1974. Clerk read message from the Governor. Attached thereto is a copy of an Attorney General's opinion. And also, Mr. President, your Committee on Enrollment.....

PRESIDENT: Senator Carpenter.

SENATOR CARPENTER: Mr. President, a point of order. Referring to the Governor's message indirectly and the bill specifically is the bill now in the hands of the Clerk or is it still in the Governor's office? Vetoes? Is it returned or do they keep it?

CLERK: No, he's returned it.

SENATOR CARPENTER: He returned it? Now, the point of order is why can't this Body take this bill and put it on Final Reading and take it back to Select File, suspend the rules. If we get the votes, make a Constitutional Amendment out of it. Now, I think he has a valid point that the subject is important enough that the people of this state ought to be allowed to express their desires on the matter. As one, I'm willing to let the matter rest if there's another way to handle it, probably a more practical way what he suggests. Now, can anyone answer that question? Can we put the bill on Final Reading, suspend the rules, and put it back on Select File for a specific amendment in order to put it on the ballot as a Constitutional Amendment in November.

PRESIDENT: Anybody have any thoughts on that? Senator Warner.

SENATOR WARNER: Well, Mr. President, in the first place, I would assume you'd want to inquire of the Attorney General or Senator Syas or someone who's a constitutional attorney. However, it would be my opinion that you couldn't do it in that fashion. I would assume.....having the Governor having vetoed the bill, I'm not sure of the effect. My assumption would be that the only thing you could do would be to possibly reconsider by having....but having the Governor having vetoed it, I doubt that you can. And the other alternative, of course, is to use some other bill on the board in an attempt to do it. Now, without getting into the arguments of the undesirability of putting a complex formula into the Constitution so that adjustments could not be made is another, another issue, of course. But, from a