

these are cash funds, they are needed for budgeting purposes. Therefore we need to return 174A and pass it on Final Reading with 30 votes, or more.

PRESIDENT: Chair recognizes Senator Venditte.

SENATOR VENDITTE: Mr. President, members of the legislature, Senator Cullan can you once again explain. I was not paying attention as to reasons why we should be reconsidering this particular motion this morning?

SENATOR CULLAN: Senator Venditte, there are cash funds involved. The bill was read once and failed to receive the 30 votes required and it does require 30 votes because it does exceed the Governor's budget recommendations. We are talking about \$1,700 in cash funds that would be generated from additional fees for changing the distribution system of prophylactics, Senator Venditte.

SENATOR VENDITTE: Okay then where is the money, ear marked, Senator?

SENATOR CULLAN: It stays in their cash funds so that they can regulate the sale and make sure that the items are not displayed improperly and to go along with the other means of enforcing Legislative Bill 174.

SENATOR VENDITTE: Senator, why do you think that the total number of votes was not acquired at the time? Can you explain why the legislature did not decide to vote to ear mark the funds at the time the vote was taken?

SENATOR CULLAN: No, Senator, I can not. It did fail to receive 30. It had sufficient votes to pass, but it did not have 30. I can not....I would not know why anyone would oppose it.

SENATOR VENDITTE: Thank you.

PRESIDENT: Chair recognizes Senator Fowler.

SENATOR FOWLER: I think perhaps in response to Senator Venditte's last question at the time the bill came up, the A bill on Final Reading, I guess more as an oversight than anything else people forgot to check whether or not it was in the governor's budget bill. It had not been announced that it would require 30 votes. Since that announcement had not been made, perhaps the vote had been closed sooner than it needed because it had been felt that it had been passed. So, I think that it was an oversight that the constitutional majority was not announced, the necessary votes, and that may