

SPEAKER MARVEL: Senator Goodrich.

SENATOR GOODRICH: I would challenge Senator Beutler on that and I submit that Senator Beutler has tied the two questions together because he recognizes for example, that the Governor's discretion is the very point that raises the constitutional question and it is the only point in the whole thing that raises the constitutional question. So he figures that if he can tie the forcing the speed limit back to 55 to that, that we have a large amount of sympathy for eliminating constitutional question so just tie your 55 mile an hour back to that question and then you've got more strength for running it back to 55. Well I submit that I would vote no on the first part of this question. That would leave it at 65 and I would vote yes on the second part of the motion which would take away the Governor's discretion and also take away the constitutional question about the whole bill so I would suggest that we do divide the question and that we vote no on the first half and yes on the second half. Thank you.

SPEAKER MARVEL: Senator Beutler, do you want to pose your argument to Senator Goodrich?

SENATOR BEUTLER: As I understand it, I hope I'm not confused, as I understand it now, the Governor's discretion is in the law. Is that correct, Pat, as it stands right now? It is in the bill, all right. If you accept my amendment which would reinstate the 55 mile an hour speed limit, then obviously you have to take away the Governor's discretion because the Governor doesn't need a discretion any more. If you reject my amendment you are rejecting the 55 mile an hour speed limit and you are rejecting the deletion of the Governor provision. So the provision with regard to the Governor's discretion will still be in the bill as I understand it and Senator Goodrich will have what he wants. So, therefore, I see absolutely no reason to divide the question, if I understand it correctly.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: As I understand what Senator Goodrich wants he wants eventually to get rid of the provision with regard to the Governor's discretion because he fears its constitutionality. If he wants to do that, fine. Let him put a motion up after this motion to do that and that would handle that quite adequately. By dividing the question you only further confuse things and possibly end up with a situation where you have a provision in the law that makes no sense. You could conceivably end up with the Governor's discretion provision in the law that has a 55 mile an hour speed limit.