

support it.

SPEAKER BARRETT: Thank you. Senator Scofield.

SENATOR SCOFIELD: Thank you, Mr. President. If Senator Warner would share with me a little...a few of his thoughts, I would like to direct a question or two at him.

SPEAKER BARRETT: Senator Warner.

SENATOR SCOFIELD: Senator Warner, having listened to Senator Withem's suggestions about why we ought to at least think about suspending the rules at this point, I would like for you to take some time and talk about what you would envision in terms of how your...I think I understand that your goal here is to get at the legal questions surrounding all of this and to make sure we get there in time, and correct me if I am saying something that isn't true about what you are thinking, that we get those kinds of decisions made in time to decide whether we need constitutional amendments or otherwise. And I am having a difficult time why, I realize you say I think this is the right thing to do and we ought to just do it, but I think there is a lot more to it than that as you would agree with me. I would like you to share with us your thoughts in terms of the process that would probably ensue if we happened to amend this into the bill in terms of what kinds of legal challenges would you anticipate, and where would we go from there, and how would we might resolve all this?

SENATOR WARNER: Thank you, Senator Scofield. As I have indicated before, obviously, the purpose is to address the substantive policy issue but the Attorney General's Opinion did create another question beyond which I...at least, beyond what I had anticipated. One of those, which seems to me that is directly going to influence the study by a consultant, is more clearly what is, in fact, the role of the state colleges, and I did not anticipate the narrow interpretation that, at least, was suggested in the Attorney General's Opinion. Secondly, of course, is how much legislative direction do we currently have power to do under the Constitution, which I also think materially affects the direction of that study. I would assume that based on what I have read, at least, the Attorney General saying that there would be a case filed as a test case, obviously, we have had legal opinions to the other effect that there is no problem. The bill, the amendment as it is proposed