

PRESIDENT: Senator Schmit, please...no, Senator Schimek, excuse me.

SENATOR SCHIMEK: I think I'll wait until the amendment.

PRESIDENT: Okay. Senator Chambers, please. Did you wish to speak about the Warner amendment to the amendment?

SENATOR CHAMBERS: I would like to, if I may, Mr. Chairman and members of the Legislature, make a comment or two about something Senator Warner mentioned in the course of his discussion because it may have some bearing on whether people accept that amendment and ultimately the Schmit amendment as amended by it. Senator Schmit has told me that he would accept the Warner amendment so I'm not opposed to accepting that, but when you look at the Attorney General's letter I think Senator Warner correctly pointed to the portion of it that is of concern to us. I think you can disregard, and I don't mean don't pay any attention whatsoever, but for the purpose of arriving at a decision you can disregard what was written on the first few pages about all of the constitutional analyses because if a challenge is to be made, perhaps it should be done in a court after we have attempted to do something by way of this appropriation. But the Attorney General's Office did indicate that we can view this compact as a contract. And a determination, as Senator Warner mentioned, would be made as to whether the failure of a state to pay its amount and another state to pay part of its amount would constitute a sufficient breach of the contract to say that it no longer is in place. I think, because no state has been expelled, there still are five members to the compact. So the number required to have a functional compact is there and I don't see that as a problem. It would be similar to the Constitution setting out conditions under which a senator could be expelled from the Legislature. Let's say that that conduct had been engaged in, in the opinion of everybody in the world, but the Legislature did not take the action to expel that senator. The senator would not be expelled. So if failure to pay could provide cause for the loss of membership, the loss of membership would not automatically occur and I think for a member to be expelled, the others would have to initiate action to do that. Since that action has not been taken, the compact is intact and I think the appropriation should be made. The question of clean grain has been one that even a city slicker such as myself has come in contact with because I read things, Senator Johnson, other than the sports