

decision-making process to the Board of Regents about whether certain taxes should be raised for certain projects. That is not technically true. The tax issue and the funding issue can be restricted by the Legislature on the amount of money we would appropriate back to the Board of Regents, if this amendment is adopted. The Legislature could, in fact, say, instead of all of the requests that the Board of Regents submitted, we're going to limit that and cut that request back by four or five million dollars, and here, Board of Regents, we've cut this, these are our suggestions, this is the intent language of where these cuts should be made. But the final authority, on how the money would be distributed and how the cuts would be made, would be with the Board of Regents. As a practical matter, I'm not sure how many times it would make a significant difference, because I suspect as the Legislature appropriates money and maybe has intent language about how appropriations should be made, and it goes back to the Board of Regents, that probably in 99 percent of those cases the Board of Regents would carry out the intent of the Legislature as re...as expressed in those appropriations matters. But there may be occasions on a particular issue where the Legislature intends that certain appropriations go back to a particular institution, or for a particular program, and the Board of Regents says, hey, we are supposed to be the body who are coordinating higher education, we are supposed to be the body making those decisions, we are not necessarily going to follow the recommendations and designations of the appropriations made by the Legislature. We are going to use this small...this amount of money, instead of for this specific program, as the Legislature wants us to do, we're going to use it for another program, or to help various other funding requests. And that is the real issue, who has the final discretion? If we continue in the present form, then the final discretion on appropriations directed back to the institutions will be the Legislature. And, in effect, then when you have that process you encourage the end run process being made by the various seven institutional bodies. You encourage the type of debate that has occurred on the floor, you encourage the parochialism and the narrow focus of interest, and you, in effect, make the Legislature the final authority and not the Board of Regents. The Legislatures can always make recommendations.

PRESIDENT: One minute.

SENATOR McFARLAND: The Legislature can always appropriate the