

be coming out of General Funds, because that's where we had originally put the money and actually had spent it.

SENATOR CHAMBERS: And when money is being taken from the General Fund, it can be done only by way of an appropriation made by the Legislature, is that correct?

SENATOR WEHRBEIN: Yes.

SENATOR CHAMBERS: Thank you. Members of the Legislature, this is very interesting, and I'm wondering why, when we're in debt to the federal government now, the Governor is trying to find a way to give some private entity several millions of dollars for finding additional money. Based on what we've heard this morning, it is not going to be allowed by the federal government to take money that comes to the state for one purpose and be expended for another one. So if this outfit finds 50,000...50 million dollars for the state, you cannot deduct a percentage from that money which would come here for a specific purpose and pay it over to a private entity. Now, if the Legislature is foolish enough to let any agency of the state government, or the Governor make appropriations indirectly, when that cannot be done based on the constitutional requirement, we would have an illegal situation existing. And here's what I mean, the Governor and his people could say, we're going to enter a contract with some private outfit and since a contract must be honored, the Legislature is compelled to pay them. That's not true. The Constitution gives only the Legislature the power and the right to make appropriations. And the Governor and no agency of the state can enter a contract and obligate the Legislature, thereby, in effect, appropriating money which only the Legislature has the power to do. So I don't care how many cock and bull contracts, as they want to call it, that they write,...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...they cannot, by writing that contract, overcome the constitutional provision authorizing only the Legislature to appropriate. So if this outfit finds \$50 million and they're given 12 or 13 or whatever number of millions of dollars. The only way they could be paid is if the Legislature would appropriate some money from the General Fund to give it to them. And I don't know that that would even be legal, because we'd be passing a bill to give something to a