

SENATOR LINDSAY: One minute.

SENATOR WITEK: ...should be adopted so that this portion of the bill can be brought back into the range of being constitutional provision. I have not voted for 337. I will not support the bill, but those of you who have supported it should want to have it in the condition that is at least constitutional that will not be challenged and, obviously, if you leave it the way it is and don't change it with the Bromm amendment, it can be challenged. Thank you.

SENATOR LINDSAY: Thank you, Senator Witek. Senator Chambers.

SENATOR CHAMBERS: Mr. President and members of the Legislature, any controversial piece of legislation can be challenged. The fact that it is challenged does not mean the challenge will be successful. I had handed out some material to you all the other day with reference to the Maximus issue and I pointed out one of the cases that dealt with our getting expenses as legislators. Starting in 1937, the Attorney General had said it is unconstitutional for legislators to receive expenses during session. Other Attorneys General followed that same line and said we could not receive these expenses. I didn't believe what the Attorney General said was correct. I felt he was not properly construing the Constitution. I offered a bill which the Legislature passed. Then Governor Thone vetoed the bill. I worked to try to force Paul Douglas, who was then the Attorney General, to go ahead and file a suit to challenge the bill because he had instructed DAS not to honor vouchers I had filed pursuant to the bill. When he seemed like he was going to drag his feet I told him I was going to hire my own attorney and challenge his refusal to allow my vouchers to be paid. At that point, he initiated action against the bill. At the lower court level, the court agreed with Paul Douglas that the bill was unconstitutional. Lower courts will often do that because that had been the pattern of these Attorneys General Opinions. However, when it went to the State Supreme Court they disagreed with the Attorney General who was presenting the case, with the opinions of various Attorneys General saying we could not get expenses and you know that I must have prevailed because you all get expenses now. The fact that the Attorney General gives an opinion should be kept in perspective. All it is is an opinion. This man in office is the most political creature to ever sit in that position and it's bad when you have an Attorney General who is also running for the U.S. Senate because he panders to the