

into consideration. The second aspect or the second prong, in answer to your question, is that the...we have, as I mentioned in response to a question from Senator Pirsch, relied on the Attorney General's Opinion with regard to the constitutionality of 507, a two-year-old opinion along with, as I read this opinion from now from June 7, he still says that it's unconstitutional. So I mean I guess that's how it would...I think the spirit has been met but as far as whether we need to meet the letter of the law, the opinion says, no, we don't, could cause a legal cloud. I think any bill that we pass can easily have a legal cloud.

SENATOR ABOUD: Okay, thank you.

SENATOR HALL: Thank you, Senator Abboud. Senator Witek, your light is next.

SENATOR WITEK: Members of the body, Senator Kristensen, when you agree that 507 is a good bill and then you still vote to advance 371, the language in 507, and you can all look it up, it's in 51-29 in the statute, it says and Senator Abboud just read it, any legislation enacted after June 30 which does not include the estimates required by this section and is not accompanied by the required appropriation shall be null and void. So if 507 is, in someone's opinion, a good bill and even a constitutional bill, then it would follow that since we don't have 371 complying not only by an Attorney General's Opinion but in every single one of us knowing that the A bill has been killed on this bill, then you vote to advance 371, you are making it null and void with your vote for advancement. There's no dispute there. If you also read in 51-29, it says the appropriation shall be enacted in the same legislative session in which the legislation is enacted. I understand Senator Lindsay and the Governor's office as saying, but we put in extra money in the Department of Corrections in case 371 passed. That's not what this says. It says that it's supposed to be and shall be contained in a bill which does not contain appropriations for other programs. The A bill, or 392, the budget bill, does contain appropriations for other programs in it, several, many, many, the entire state budget, so it does not comply with that. We needed a separate A bill like the one that we had. I voted to kill the A bill. I'll admit that was a mistake. When I made that mistake I had reservations about it, but I wanted to get 371 through so badly and was in such a hurry that I thought, great, we'll kill that, we'll...and he's right,