

May 22, 1975

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the body. I believe that Senator Luedtke has just put his finger on the very issue at point. That is that the Judiciary Committee can just about study any matter that is related to its proper field of endeavor. I believe this is one of the reasons why the Executive Board felt that a specific resolution in this area was not necessary. I know that Senator Barnett feels strongly about the resolution. The Judiciary has the authority, ability and the confidence to delve into this. I think their history has been such that they will use it with proper discretion. I see no reason why we really need to adopt the resolution.

PRESIDENT: Is there any further discussion on this matter? Senator Rasmussen.

SENATOR RASMUSSEN: I wonder if Senator Barnett would yield to a question.

SENATOR BARNETT: No.

PRESIDENT: My gosh. It took the 88th day, but it finally happened. No further discussion? It's your motion, I believe isn't it, Senator Barnett.

SENATOR BARNETT: I have no closing.

PRESIDENT: Alright, the question is shall LR 82 be adopted not withstanding the action of the Executive Board. Record your vote. Have you voted? Record.

CLERK: 8 ayes, 25 nays.

PRESIDENT: Motion fails.

CLERK: Senator Anderson asks to be excused this afternoon until he returns.

PRESIDENT: Senator Carsten.

SENATOR CARSTEN: Now that's all the motions that he's got? Now, Mr. President, members of the Legislature, I'd like to ask Senator Mahoney for a further clarification, maybe he did and I missed it. The resolutions that you have presented this morning for study do not include I'm sure all of the studies that are going to be made in the interim. Our committee, the Revenue Committee for example, has two bills that we held in committee for study this Summer. My understanding is that, as the question I asked Senator Luedtke, the Executive Board has given chairmen and these committees the privilege of conducting studies if they see fit and it pertains to their committee. Senator Mahoney, is this true?

SENATOR MAHONEY: Senator Carsten, when the Legislature set up the new system here about two years ago on all studies, and particularly since the nine member Executive Board was