

January 31, 1973

and if this is what your saying, I agree, if indiscriminately we approve deficiencies, then all we're doing is giving away the major tool that we have and that's the appropriation tool.

SENATOR CARPENTER: Well how can we correct that if this body desires to correct it.

SENATOR MARVEL: Well first of all you can vote against 253 or you can restrict the deficiencies to this bill and just not approve any additional deficiencies.

SENATOR CARPENTER: Well I'm not concerned

(End of Belt #1)

(Start of Belt #2)

about this bill, I only bring it up as a vehicle to discussion. Now what I want to know what would you recommend if this body wanted to do it, to put in the law that these people could not do what they have been doing every since I've been in this legislature.

SENATOR MARVEL: I think we have the muscle, we have the muscle if we want to use it, to keep deficiencies down to a minimum, this is what I propose to do this session, and the only reason that we fronted for any these items in 253 is that at least the majority of us on that appropriations committee were convinced that at least these items were important enough to bring to the legislature, and I even got up and asked and it's not too popular to do these days, as you well know, is to have the bill put on general file without a public hearing. Senator Schmit got up in your absence and had the first item knocked out of the deficiencies, so instead of talking about eight major items, we reduced this to one. I think we have the muscle to stop indiscriminate deficiencies and I for one intend to fight most of them in the future, and there are some that are rather flagrant that I intend to point out as time goes on, so I think we got the muscle, Terry if we want to use it.

SENATOR CARPENTER: Well now I'm a great exponent of muscle,

SENATOR MARVEL: Yes I'm aware of that.

SENATOR CARPENTER: but this body recently indicated that they were not in the mood to accept it, and I don't know believe in giving muscle and I don't believe in giving you or your committee or anybody else the discretionary authority to bring about the payment of money spent beyond those appropriated by this legislature, now again I ask you can we bring a bill in here, to which this body will specifically indicate they are in favor of that or whether they are in favor of muscle. Any objections to that?

SENATOR MARVEL: I don't know of any piece of legislation that you can introduce that's going to solve the problem anymore than simply deny deficiencies on the floor of the legislature.

SENATOR CARPENTER: But if I was the head of a department and I had the reason to believe because of precedence irrespective what I thought the appropriate meant I could spend and I could expect with some debate in this body to have it approved because I didn't think you had any discretion in the matter, now if you want to operate on the theory that the department can spend whatever it wants to and they expect this department to eventually approve it that's fine, but it seems we ought to have law that says the appropriation bill means exactly what it says, and when you don't get enough then you shut it down. You can't expect us to bring about what every method is necessary those things and the reason we didn't authorize because we didn't expect them to spend it. I want this body to take back it's authority, and I