

March 5, 1973

(Start of Belt #6)

each individual did when he went to vote. The way the bill is it says, "not to exceed". That's always...people have always understood. I don't think it is tricky. I think people know what "not to exceed" is. They want to see that we don't get more than. Now, if some of them are fooled as Senator DeCamp says, I don't know how you can write anything in any bill that everybody would understand. I think that would be an impossibility. You talk about a tricky amendment was his that we are now discussing. So, I couldn't answer his question on how each individual went to the polls. I suppose some go to the polls for one reason and some go for another. This is the way that people have accepted when we use "not to exceed". They have always accepted that as the only successful elections we've ever had has had that in there twice. Now, let's recognize the fact, Senator, that they are not going to allow us to set our own salaries without a figure in here. We've had too much of that. I've tried to tell some of these novices last session that, but you weren't listening then and evidently you are not going to listen this time either.

SENATOR DeCAMP: Senator Syas, I would ask another question then. Since I can clearly see from today that what is said on the floor is not necessarily what is said elsewhere. Let me ask this. You said my amendment was more tricky. My amendment does inform the people of the existing salary and it does inform them that it is an increase and it does inform them of the maximum amount of increase. Now, how is that tricky or less informative than your amendment which does not tell them the existing amount, does not tell them of any potential increase, and in strictly legal terms somebody reading "not to exceed" usually understands this as preventing, stopping, or limiting something, and isn't this true?

SENATOR SYAS: Certainly, but it doesn't say if we are "not to exceed" that we have to take \$675.00 either.

SENATOR DeCAMP: And I agreed that I would be happy to let you provide an amendment which would make it even more clear in my amendment that it could be flexible up to that amount.

SENATOR SYAS: Well, see now, if you want to get really down to the technical part of your amendment if you are begging the question, you say approximately sixty-five...three per cent. You don't say exactly.

SENATOR DeCAMP: That's because it comes out sixty-three and a fraction. If you want me to put in the fraction, I would be happy to.

SENATOR SYAS: I think if you are as honest as you claim you have been all of a sudden in the last ten minutes, I think you should get it right down to the fine point.

SPEAKER: All right. Let's see if somebody else has something to say about the subject because...Senator Whitney, did you wish to be heard on this amendment? We are still speaking on the DeCamp amendment. Senator Whitney, then Proud, then Nore, then Chambers.

SENATOR WHITNEY: Mr. President, I feel that they turned down my amendment because they want to turn down Senator DeCamp's amendment and now I'm in favor of turning down Senator DeCamp's amendment. I feel that there might be a question. For example, what if we stated in the Constitution the salary has to be a fixed amount. Does that mean then that this Legislature could not have a deduction from that salary and that deduction go toward a Retirement program which this Legislature may want, and I think maybe some of us Senators might want a Retirement program and not have the full tally, but only a portion of it.