

April 4, 1973

(Start Belt #18)

I should recognize them Senator Clark and Senator Stahmer.
Senator Clark.

SENATOR CLARK: I'm really want to ask for the previous question, I don't think this requires debate.

SPEAKER: Senator Stahmer.

SENATOR STAHMER: Well Mr. President, in ordinarily I don't get involved in electricity bills, but in order to help sell electricity well, I think this is not a bad amendment, I think the Governor has demonstrated a very good talent of being executioners with bills before they are heard, so I think it's quite appropriate actually, I'll call for the previous question also.

SPEAKER: Well is it alright with everybody if we just put the question now, is there any objection to that? There being no objection, the question, now this amendment Senator Chambers, did you have two amendments up here, is this the first of them? Only one amendment now, alright does everybody understand the amendment, Senator Chambers' amendment, all those in favor of the amendment say aye, those opposed say no. Are you satisfied with that vote Senator Chambers, or do you want a machine vote?

SENATOR CHAMBERS: I want a roll call vote.

SPEAKER: Would you be satisfied with a record vote?

SENATOR CHAMBERS: Okay.

SPEAKER: Alright, he said okay, we will now have a record vote, all those in favor of the Chambers' motion vote aye, those opposed vote no. Have you all voted? The Clerk will record.

CLERK: Vote read. 7 ayes, 28 nays, 13 not voting.

SPEAKER: Amendment fails, any further amendments Mr. Clerk?

CLERK: Yes, Mr. President we have another motion (read), by Senator Carpenter.

SPEAKER: Senator Carpenter, alright the severability clause provides that if any part of the bill is declared unconstitutional it shall not affect the constitutionality of the other parts, does anybody else want to take up this motion? Do you want me to put the motion? Senator Carpenter isn't here, severability clause on this bill.

SENATOR CARPENTER: Mr. President I move the, we attach the severability clause to the bill, this is just a precaution sometimes it's effective and sometimes it isn't. It depends what the circumstances is and I'm not enough of an attorney to explain it in detail, but what it means that if the court should determine that a part of the bill is unconstitutional, it wouldn't necessary follow that the whole bill would be unconstitutional, normally if this has this clause in it, they will only take out that part which the court thinks is unconstitutional and leave the rest of it there if the leaving of the rest of it meets, makes sense.

SPEAKER: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker, I would object to adding the severability clause because the Lt. Governor, I mean the Attorney General has stated that this entire bill is his best guess and