

January 22, 1974

PRESIDENT: The chair recognizes Senator Chambers. Did you want to be heard on the amendment?

SENATOR CHAMBERS: Right. Mr. President and members of the Legislature. I think the offering of the amendment in my opinion was a frivolous gesture. This bill is very serious. Those who have spent considerable time working on this bill in related areas have not done so in jest. There are some bills where I think perhaps a jesting amendment can be offered to bring a point in clear focus. If Senator Murphy objects to the bill and to it's general thrust I think he ought to say so, but this is a frivolous amendment. It ought not be added to clutter the bill. As was pointed out by Senator Fellman, Senator Luedtke and I are not the Governor's spokesman. But in the same way politics makes strange bed fellows, certain large issues occasionally will bring together people in alliance who ordinarily would not be walking the same path at the same time. I think this is a worthwhile bill and all these types of amendments should be defeated so that when we finally vote on it, we'll vote on the bill in it's essence. And while I'm speaking to this amendment, I'd like to address a word to something else, the offer of the amendment stated. He said the Lt. Governor shall vote means he must vote. I don't think there is anywhere in the democratic assembly which this is supposed to be, but which it often is not. If you can take away an individuals discretion and freedom of will about casting a vote. I don't think we can impose on the Lt. Governor, or anybody else who under any circumstances would be granted the privilege of voting on a measure. We cannot take away his or her discretion about casting that vote. No Senator is compelled to vote at any time. No Senator is prevented from voting if he or she is on the floor at the time the vote is taken. And I think that once a procedure for voting is established that most obtain for everybody who would cast a vote. So I think you ought to disregard everything Senator Murphy said this morning. Perhaps in the case of Scroog when he wanted to treat Bob Cratchet in the hearts fashion, a spot of mustard did not quite digest from last night's meal.

PRESIDENT: The chair recognizes Senator Murphy.

SENATOR MURPHY: What can a fellow say after a speech like that? The issue at hand as I understand it is the drawing of checks on an insufficient account. I maintain that this is a check, a note, a negotiable instrument, and if it is forged it is certainly a forgery drawn on an insufficient account. I will however, admit that I am exaggerating a point. I will not however admit that the terminology as used in this Legislature and as used in our Constitution permits any other interpretation of the word shall. Now if someone would like to change that word to may, then let us properly state the conditions under which the Lt. Governor will vote.

PRESIDENT: Any further discussion then of the Murphy amendment? Question is then, Senator Murphy were those your closing remarks or do you have any closing. You do have the right.

SENATOR MURPHY: No my closing remarks is that this is a no longer redeemable in money. That it is a note on our federal government, on an insufficient account. I move for its adoption.

4775