

March 24, 1980

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date shall state the amount, a rate, a time-price differential to be charged and paid pursuant thereto. In addition to the sale price of the goods or services and the time-price differential provided for in Sections 45-204, 45-208, no further or any amount whatsoever shall be directly or indirectly charged, contracted or received." Now I wonder if you know what the penalty is if any merchant would change this. Let me read you what the penalty is...the stiffest penalty, I think, of any place around. "Any person who willfully and knowingly violates any provisions of Section 45-207 shall be guilty of a misdemeanor and shall upon conviction thereof be fined in a sum of not more than \$500, or imprisoned for six months, or both such fine and imprisonment. In addition...in addition, the seller shall forfeit all time-price differential paid and cancel the outstanding indebtedness". Now you can't get much more penalty than that unless they cut your head off. And I would ask the Chair to rule on the germaneness of this issue and the fact that there is two subjects in the same bill and there is certainly two different chapters.

SPEAKER MARVEL: Senator Clark, have you finished?

SENATOR CLARK: Yes.

SPEAKER MARVEL: Senator Simon, do you want to respond to Senator Clark before we make a decision up here?

SENATOR SIMON: Thank you, Mr. President, yes, I would. I was trying to understand just exactly what the point Senator Clark was trying to make by quoting the section of law and I am still not sure that I understand. The basic point is this, Mr. President, that I have an amendment which I have had before the body. It is the same section of law. Now it seems to be very clear that the precedent of this body has always been that if we have an amendment that deals with the same section of law even though it may be of a little bit different subject nature, that amendment has still been offered and voted up or down by the body and has never been rejected by the Chair in terms of being something that was not germane, and I would just say that I would rest my case on the precedence that has been set. Any time that there has ever been an amendment that... since I have been down in this body and I haven't been down here as long as you have, Senator Clark, but in the past four years that I have been down here, I have never seen that I can recall, Mr. President, an amendment that has been rejected that is not from the same chapter. It is from the same section of law and therefore the amendment is entirely germane.

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