

SENATOR WARNER: And they can select which program they wish then within the total?

SENATOR VICKERS: Yes, that's my intent. My intent is so that they could select somewhat within their appropriations, within their programs as far as the 2 percent cut is concerned.

SENATOR WARNER: The problem...there was such a proposal in the 1975 Special Session which was to cut a budget and the attempt was to cut the total and leave the agency director the option of which program that was to be reduced and the Attorney General's letter at that time said that did not constitute a valid appropriation, I have it here, because you cannot give the...the Legislature cannot give to the agency the discretion to pick out of whatever program they want and the only way I know you can do what you are attempting to do, I think, because you just have one lump sum to the agency and you disregard aid or operations. If you want to give them that kind of a flexibility, I don't think they will have a specific appropriation otherwise. At least it would imply that from this, well it does more than imply, that's what it says. Mr. President, I would...without raising the technical question, I think I understand what Senator Vickers is talking about, but I'm not sure that you could do it, but aside from that, assuming that it can be...

PRESIDENT: May we have order, please. (Gavel.)

SENATOR WARNER: ...I still would suggest to you that this particular approach of a 2 percent across the board is the same thing that the previous amendment is conceptually. It seems to me that certainly they were those who had, without exception, seemed to say last week and for years that...

PRESIDENT: One minute.

SENATOR WARNER: ...the reduction in scope of government was the ideal way to bring it back, that you should not be just doing arbitrary cuts at a point like this. Sometimes in the middle of a special session you revert to that because it's the only kind of feasible thing you can do in mid-term, but certainly the beginning of fiscal year you have a great deal more discretion on what sort of adjustments can be made and