

SENATOR CARSTEN: Mr. President and members of the Legislature, I rise only for clarification and would ask the Chair first, we are now operating, as I understand, under the amended call. Is that correct?

SPEAKER NICHOL: That is correct.

SENATOR CARSTEN: Then I would like to ask Senator DeCamp a question, if I may, Mr. President. Senator DeCamp, if what you are saying you believe is we are operating improperly, if we proceed, if I understand you correctly, then if that be true, what you are saying all that we have done up to this point then is gone and that we need a complete new call including the 1 percent income tax increase. Is that a fair statement to make or is that incorrect?

SENATOR DECAMP: No, let me try to clarify it.

SENATOR CARSTEN: For the record, I wanted that clarified.

SENATOR DECAMP: Absolutely. Absolutely. First of all, I think everything we have done on every bill I think is completely appropriate. In fact, and this is a very, very fine distinction I want to establish, I personally contend we can do anything we want on the income tax without the expansion of the call. I claim that is legislative inherent power. Okay, but I am arguing, I am arguing and arguing vigorously that if you are relying on the expansion of the call as your foundation for dealing with that bill, which the Speaker clearly indicated he was, and that is the basis of the ruling because he said at eleven o'clock it would have been outside of the call, one o'clock because of the expanded call it is now within the call. If you are relying on the expansion of the call as your technical basis for doing it, then that is erroneous. I claim it is inherent power. Do it anyway. But if you are going to rely on this as your foundation then I want that clearly the foundation on the basis upon which the Legislature relied to do the income tax increase. Then I think I have got a case. I don't think I had one before, quite frankly.

SPEAKER NICHOL: Okay, thank you. Senator Haberman.

SENATOR HABERMAN: I am reading an Attorney General's Opinion written to Senator Jerome Warner on October 23rd and