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## **Advisory Opinion to the Attorney General: Funding of Embryonic Stem Cell Research**

**SC06-2183 | SC06-2261**

>> THE NEXT CASE, ON OUR  
JEANED THIS MORNING, IS THE  
ADVISORY OPINION TO THE  
ATTORNEY GENERAL, CASE  
NUMBERS, 0 # #  
>> REPLY IT PLEASE THE COURT  
LOUIS HUBENER WITH THE OFFICE  
OF THE ATTORNEY GENERAL THIS  
MATTER IS HERE ON THE REQUEST  
OF THE ATTORNEY GENERAL FOR  
ADVISORY OPINION, ON THE  
FUNDING OF EMBRYONIC STEM-CELL  
RESEARCH I PROPOSED NOT --  
AMEND -- STEPHEN GRIMES ON  
BEHALF OF OPPONENTS MAJOR HARD!!\$\$!!!!!!  
HARDING ON BEHALF OF THE  
OPPOSITION!!\$\$!!!!!!!!!!!!!!!!!!!!  
OPPOSITION, THANK YOU.  
>>T.  
>> MR. GRIMES.  
CERTAINLY, WITH FORMER MEMBERS  
OF THE COURT PRESTHEENTH  
ARGUMENTS PRESENTING ARGUMENTS  
WE HAVE ASKED CERTAINLY WE  
STAY WITH THE TWO ISSUES WITH  
WHICH THIS COURT IS CONCERNED  
THOSE ARE VERY NARROW ISSUES,  
AND DO NOT ADDRESS THE  
SUBSTANCE OF THE CONTENT OF  
THE MERITS OR DEMERITS OF WHAT!!\$\$!!!!!!  
WHATEVER THE PROPOSAL IS, JUST  
REMINDER SO WE STAY WITHIN THE  
PARAMETERS!!\$\$!!!!!!!!!!!!!!!!!!!!  
PARAMETERS.  
>> YOUR HONOR.  
>> YOUR HONOR MY NAME IS  
STEPHEN GRIMES, TOGETHER WITH  
MY COCOUNCIL HENRY HANDLER,  
PROPONENT REPRESENTING THE  
PROPONENTS OF THE EMBRYONIC  
STEM-CELL RESEARCH AMENDMENT.  
>> THIS AMENDMENT, IS CLEARLY  
ONE SINGLE SUBJECT IT PROVIDES  
FORTHRIGHTLY THAT THE STATE  
WOULD BE REQUIRED TO -- SPEND



INITIATIVE IT HAS GOT TO  
SUBSTANTIALLY AFFECT MORE THAN  
ONE BRANCH OF GOVERNMENT.  
>> THIS WOULD BE MY QUESTION  
THOUGH ON THIS FUNDING BECAUSE  
I SEE THAT AGAIN WE DID SAY IN  
THE 40% THAT THE MAVERICK  
RESTRICTIONS WOULD -- MASSIVE  
RESTRICTIONS WOULD LIMIT THE \$\$  
STATE'S OTHER FUNCTIONS  
REMAINING 60% THEN YOU HAVE  
TOBACCO CASE, WHERE, FROM LAST  
YEAR OR THE YEAR BEFORE, WHERE  
IT IS REALLY MANDATES\$!!!!!!ING THE  
STATES SPEND CERTAIN AMOUNT OF  
MONEY EVERY YEAR ON THE  
TOBACCO RELATED ISSUES.  
BUT AT WHAT POINT WOULD THE  
BUDGERY AUTHORITY OF THE  
LEGISLATURE BE SO RESTRICTED  
WITH CONSTITUTIONAL  
ADMINISTRATES!!\$\$!!!!!!!!!!!!!!!!!!!!  
ADMINISTRATES, THAT --  
MANDATES THAT THE MANAGEMENT!!\$\$!!!!!!!!!!!!!!!!!!!!  
MANAGEMENTURE COULDN'T PERFORM  
ITS FUNCTION APPROPRIATING  
MONEY WE'VE GOT CLASS SIZE  
AMENDMENT WE'VE GOT THE WELL  
WE HAVE LIKE I SAID I DON'T O  
MONOROYAL -- MONORAIL ANY MORE  
BUT WE HAD THAT, TOBTO, LITTLE  
AMOUNTS, AGAIN MAYBE WE HAVE  
GONE DOWN THAT PATH, AND MAYBE  
YOU ARE GOING TO SAY WELL THIS  
IS THE DROP IN THE BUCKET SO  
DON'T -- START HERE BUT MY  
CONCERN IS THAT THERE WOULD BE  
SO MANY SPENDING MANDATES,  
THAT THE LEGISLATURE WOULD  
ESSENTIALLY HAVE ITS ROLE AS  
YOU KNOW BUDGERY AUTHORITY,  
AND MAKING DECISIONS, HE IS  
VERY INDICATED.  
-- EVISERATED.  
>> I SUPPOSE THERE COULD BE  
SOME POINT YOU COULD REACH  
THAT I SUMMIT 20 MILLIONS 20  
MILLION OUT OF 59 BILLION  
DOLLAR BUDGET WOULDN'T BE  
THERE AS YOU POINT OUT THE  
TOBACCO REQUIREMENT, TO USE  
INFORMATION AGAINST SMOKING,  
THAT WAS MORE THAT WAS  
SOMETHING LYING RAN ABOUT 57

MILLION DOLLARS A YEAR THAT ACTUALLY, THAT TOBACCO MONEY WENT INTO THE APPROPRIATIONS WAS APPROPRIATED OUT, YOU KNOW, I THINK YOU POSE SOMETHING THAT I GUESS IT IS A MATTER OF DID HE GO -- DEGREE, AND IF WE EVER EVER REACH THAT POINT THEN I SUPPOSE IT WOULD HAVE TO BE A POINT WHERE THE COURT COULD STEP, IF AND SAY, TOO MANY TOO MUCH.

>> ASIDE FROM THAT PROBLEM, WHY ISN'T IT JUST A DIFFERENT SUBJECT WHEN YOU ARE SAYING ON THE ONE HAND LEGISLATURE MUST FUND X, AND THEN NUMBER TWO YOU MUST FUND X\$\$!!IN!!\$\$!!!! Y\$\$!!AMOUNT WHY IS NOT THAT TWO DIFFERENT SUBJECTS?

THIS AMENDMENT ALSO SAYS THEN LIMITS THE COMPENSATION THAT YOU MAY GIVE FOR THAT WHY IS NOT IT THREE DIFFERENT SUBJECTS?

>> WE SUBMIT THAT IS ALL RELATED TO THE SAME THING. IN OTHER WORDS, IF YOU JUST SAID SHALL FUND, EMBRYONIC STEM-CELL RESEARCH AND DIDN'T PUT AN AMOUNT, YOU KNOW, THAT WOULD HAVE NOTHING, I MEAN, YOU HAVE TO HAVE SOME PARAMETERS!!\$\$!!!!!!!!!!!!!!!!!!!! PARAMETERS, IT IS SIMPLY A STATEMENT.

WOULD IT BE SPEND THAT MUCH ON THAT.

AND THE OTHER PART IS SIMPLY RELATED DIRECTLY RELATED TO IT THE COURT HAS OFTEN SAID THE DETAILS, INVOLVING, WHAT I SUBMIT IS A SINGLE SUBJECT, I DON'T SEE HOW YOU COULD SEPARATE, WHAT YOU ARE GOING TO SPEND, WITH THE DIRECTION TO SPEND IT.

>> WHAT ABOUT, WHAT ABOUT PEOPLE WHO SAY, WE WANT PEOPLE COMPENSATED WE DON'T CARE IF PEOPLE ARE COMPENSATED FOR DONATING!!\$\$!!!!!!!!!!!!!!!!!!!! DONATING, FOR SELLING, EMBRYOS FOR EMBRYONIC STEM-CELL

RESEARCH?

WHY IS NOT IT LOG ROLLING TO PREVENT SOMEONE FROM MAKING A PROFIT ON SELLING EMBRYOS?

>> WELL, THAT -- THAT IS THE ARGUMENT THAT THE OPPONENTS ARE MAKING.

THEY SAY, OI WELL -- SAY WELL HOW ABOUT SOMETHING LIKE YOU SUGGEST, OR MAYBE THEY WON'T WANT WHAT WE CALL A THERAPEUTIC CLONING, THAT AND, THEREFORE IT IS LOG ROLLING. BUT THAT IS SIMPLY INVENTING ANOTHER SCENARIO.

IF THEY DON'T WANT THAT, THEY WILL VOTE AGAINST IT.

WE SIMPLY -- THE PROPONENTS OF SIMPLY WRITTEN THIS AMENDMENT AND IT SAYS THIS, IF THEY DON'T IF THE VOTERS DON'T LIKE THE SOMETHING IN THERE, THAT VOTERS DON'T LIKE, THEY WILL VOTE AGAINST IT.

OR IF THERE IS SOMETHING THAT THEY WISH IT WAS IN THERE MORE, AND BECAUSE IT IS NOT IN THERE THEY ARE GOING TO VOTE AGAINST IT THEY WILL VOTE AGAINST IT BUT THAT IS NOT A LOG A LOG ROLLING IS WHERE YOU PUT TWO DIFFERENT THINGS INTO THE SAME AMENDMENT, TWO DISPARATE IDEAS INTO THE SAME AMENDMENT.

>> WELL IT SEEMS LIKE, THE COURT HAS INTERPAT THE TIMED LOG ROLLING AS SAYING WE ARE GOING TO PUT ONE PROVISION IN, TO GET THOSE PEOPLE TO VOTE FOR IT, WHO OTHERWISE WOULDN'T VOTE FOR IT.

AND HERE IT SEEMS YOU ARE SAYING, WELL WE ARE DON'T WORRY, WE ARE NOT GOING TO MAKE LET THE PEOPLE MAKE A PROFIT ON THIS, WE ARE GOING TO MAKE IT STRICTLY RESEARCH NONPROFIT TYPE OF THING, AND, THEREFORE!!\$\$!!!!!!!!!!!!!!!!!!!! THEREFORE, GO AHEAD AND VOTE FOR IT.

>> I THINK THE VOTERS WOULD WANT TO KNOW THAT.

I MEAN IT IS JUST PART OF THE OF -- IT IS THEY LIKE THAT, FINE, OR OF COURSE IF THEY WANT TO HAVE BEING PAID FOR IT THEN THEY MAY WELL VOTE AGAINST IT BUT IT IS STILL, THIS IS THE PARAMETERS, OF THE AMENDMENT.

>> LET ME ASK YOU ON THAT, I WANT TO THE IN THE BALLOT SUMMARY!!\$\$!!!!!!!!!!!!!! SUMMARY, IT SAYS THAT THEY HAVE THAT THEY HAVE BEEN DONATED!!\$\$!!!!!!!!!!!!!! DONATED, TO MEDICINES, UNDER DONOR INSTRUCTIONS FORBIDDING, OR IS THAT ACTUALLY I DON'T KNOW IF THAT IS IN THE VOOIM THAT IS THE IN THE FIRST -- FORBIDDING -- INTERUTERINE EMBRYO TRANSFER, IS THE -- AND I GUESS THIS GOES BACK TO -- THE NEXT ONE.

>> THAT TERM IS HUMAN CLONING THAT IS WHAT IT IS FORBIDDING.

>> SO THAT IS SO ALONG WITH IT, AND I JUST WANT TO UNDERSTAND WHY IN YOUR VIEW, THIS IS ALL PART OF THE SAME SUBJECT MATTER BECAUSE WE ARE GOING TO HAVE THE NEXT ONE TALKS ABOUT WE ARE NOT GOING DESTROY LIVE EMBRYOS, IS THAT THE IDEA HERE IS THAT WHEN SOMEBODY WHO HAD A HUMAN -- HAD AN INTRO, BECAUSE -- EMBRYO THEY WERE TRYING TO GET PREGNATED THERE WERE EMBRYOS THAT WOULD OTHERWISE BE DESTROYED!!\$\$!!!!!!!!!!!!!! DESTROYED, THEY WOULD THEN THEY -- AT THIS POINT, THEY COULD ACTUALLY SAY, I THOSE COULD BE USED TO IMPREGNATE SOMEONE ELSE AND YOU CAN DO THAT; IS THAT CORRECT?

IS THAT ALLOWED?  
IN OTHER WORDS -- SOMEONE\$\$'S EMBRYO, CAN THEY --

>> WELL THERE IS MANY STATES, HAVE NOBODY, FAVORS THAT I KNOW FAVORS HUMAN CLONING.

>> BUT THESE ARE ALREADY EMBRYOS CREATED.

>> YEAH.

>> SO --

>> BUT YOU COULD NOT UNDER --  
UNDER THIS YOU COULD NOT PUT  
THAT INTO YOUR -- TRY TO  
CREATE A HUMAN CLONE IF COULD  
YOU DO THAT.

YOU KNOW, THAT HAS BEEN TRYING!!\$\$!!!!!!!!!!!!  
TRYING --

>> -- HAS TO DO WITH HOW  
CONFUSING THIS WHOLE AREA US  
BECAUSE WHAT WE GET TO THE  
NEXT ONE IT SAYS, WELL, CAN'T  
DESTROY LIVE EMBRYOS, BUT THAT  
THIS IS REALLY, THAT AMENDMENT  
DEALS WITH PREVENTING ANY TYPE  
OF RESEARCH, OR DEVELOPMENT,  
OF STEM-CELL RESEARCH; IS THAT  
CORRECT?

>> THAT IS TRUE, YOU CAN NOT  
HAVE EMBRYONIC STEM-CELL  
RESEARCH WITHOUT DESTROYING  
THE EMBRYO.

SO THIS NEXT AMENDMENT IS THE  
FLIP SIDE OF THIS AMENDMENT.  
THE OTHER SIDE UNDERSTANDS  
EXACTLY WHAT THIS AMENDMENT  
PROPOSES!!\$\$!!!!!!!!!!!!!!  
PROPOSES.

AND THEY ARE OPPOSED TO IT  
BECAUSE IT WOULD DESTROY A  
HUMAN EMBRYO SO VOTERS CAN  
VOTE UP OR DOWN, ASSUMING THEY  
BOTH GET ON THAT.

>> THIS AMENDMENT THE IDEA IS  
PEOPLE SHOULDN'T GET INTO THE  
BUSINESS THIS IS NOT ABOUT  
HUMAN CLONING NOT ABOUT MAKING  
A PROFIT ON TRANSFER ON THE --

>> YES, ON YES, UH-HUH.

>> WHAT IS THIS SET OF --

[INAUDIBLE]

MORE THAN, TO MAKE THAT OR --

>> OH, NO OF COURSE THEY COULD  
DO MORE IF THEY WANT TO, THIS  
I SEE THE STATE SHALL SPEND  
IT.

YOU KNOW, THERE WOULD BE NO  
PRO BUGS IF THEY WANTED TO  
SPEND MORE -- NO PROHIBITION  
BUT THIS IS A REQUIRING TO  
SPEND THAT AMOUNT.

BUT, ANYWAY, I WOULD -- LET'S  
GO TO OTHER QUESTIONS.

I WOULD I WOULD SUBMIT THAT THAT IS CLEARLY JUST A SINGLE SUBJECT, AND THE AS I SAY THE OTHER SIDE UNDERSTANDS THAT IT WOULD ALLOW THERAPEUTIC CLONING!!\$\$!!!!!!!!!!!!!!

CLONING, LET'S SAY OH, THAT IS A NAME FOR -- SOMATIC NUCLEAR CELL TRANSFER, WHICH WOULD ALLOW THAT WHICH I CAN GO INTO EXPLANATION WHAT THAT IS, I DON'T KNOW IF THE COURT -- IS --

>> I GUESS THAT IS ONE OF THE PROBLEMS THAT I SEE HERE, IS IN THE -- IT SAYS, THAT -- CONATED MEDICINE UNDER DONOR, INSTRUCTIONS FORBIDDING INTERRA UTERINE EMBRYO TRANSFER.

>> THAT IS -- THAT IS A PHRASE THAT THE AVERAGE CITIZEN IS GOING TO -- UNDERSTAND, IS THAT -- IS THAT PHRASE MEAN YOU CAN NOT PUT THIS EMBYRO, AND SOMETHING OTHER THAN A HUMAN?

>> THAT -- THAT PHRASE IS TECHNICAL PHRASE THAT YOU CABINET DO HUMAN CLONING.

>> OKAY.

>> AND HUMAN CLONING WOULD BE PUTTING THE EMBRYO IN SOMETHING OTHER THAN ANOTHER HUMAN BEING?

>> YES, IN A IN A WOMAN, ACTUALLY, FOR YOU KNOW -- FOR -- TRYING TO HAVE A -- DUPLICATE, LIKE THIS DOLLY SHEEP BUSINESS THAT THEY HAD IN SCOTLAND.

BUT EVERYBODY UNDERSTANDS THAT, IN OTHER WORDS, SURE, IF YOU READ IF YOU JUST REED THIS COLD MAY NOT UNDERSTAND THE TECHNICAL LANGUAGE BUT IT HAS TO BE WRITTEN TECHNICALLY FOR THE SCIENTISTS AND THE MEDICAL PEOPLE, TO UNDERSTAND WHAT IS ALLOWED AND WHAT ISN'T ALLOWED.

IF IT GETS ON THE BALLOT AND THE ARGUMENTS, AN FLUSH OUT EXACTLY WHAT THIS MEANS, THEY

HAD A MYTHED THAT THIS  
PRECLUDES ADMITTED THIS  
PRECLUDES HUMAN CLONING, THEY  
COME RIGHT OUT SAY THAT, AND  
-- BUT HE AND, WHEN IT GETS ON  
IF YOU WERE TO GET ON THE  
PLATT THE ARGUMENTS FOR AND --  
BALLOT THE ARGUMENTS FOR AND  
AGAINST IT MAKE IT QUITE CLEAR  
WHAT IT ALLOWS WHAT IT DOESN'T  
ALLOW BUT IT HAS TO USE  
TECHNICAL LANGUAGE SO THERE  
CAN BE NO DISPUTE IN THE  
MEDICAL AND SCIENTIFIC, BUDGE  
WHAT IS GOING ON WHAT IS  
ALLOWED, HAVING -- OF COURSE,  
YOU -- I AGREE WITH YOU, THAT  
IT YOU KNOW, IF YOU DIDN'T  
KNOW ANYTHING ABOUT IT.  
YOU MIGHT HAVE TROUBLE  
UNDERSTANDING IT.

BUT THAT IS WHAT -- THAT IS  
WHY AND THE COURT RECOGNIZED,  
THIS IN OTHER CASES THAT IT  
GETS ON THE BALLOT AND THEN  
THE PARTIES FOR AND AGAINST  
EXPLAIN IT OR NOT AND THE  
PEOPLE VOTE ACCORDINGLY.

>> CAN YOU EXPLAIN THE  
DIFFERENCE, BETWEEN THE TERM  
USED IN THE SUMMARY, WHICH IS  
"EMBRYO" AND THE TERM USED IN  
THE AMENDMENT, WHICH IS "O  
SITE" IS THERE A MEL  
DIFFERENCE M THE TWO OR  
SYNONYMOUS!!\$\$!!!!!!!!!!!!!!!!!!!!  
SYNONYMOUS.

>> I THINK THEY ARE SYNONYMOUS  
TO MY UNDERSTANDING -- WELL --  
I BELIEVE THAT IS CORRECT,  
NOW, I --

>> IS NOT THAT CRITICAL TO THE  
TERP -- DETERMINATION WHETHER  
THE SUMMARY ACCURATELY ADVISE  
THE AMENDMENT?  
BECAUSE IF IT IS SAYING EMBRYO  
THAT IS DIFFERENT FROM AN O  
SITE THEN IT IS NOT AN  
ACCURATE DESCRIPTION.

>> IT IS MY UNDERSTANDING IT  
IS SAME THING, I YOU KNOW, I  
REALLY CAN'T GO BEYOND THAT,  
THE --

>> AMENDMENT, AND THIS HAS

EMBRYO!!\$\$!!!!!!!!!!!!

EMBRYO -- AND THEN IT GETS TO  
NUMBER TWO -- [INAUDIBLE]

YOU USE THE WORD 00 SITE.

>> -- TERMS THAT THOSE --

[INAUDIBLE]

THE WORD EMBRYOS, HERE, CHANGE

IT -- OR HAS ANOTHER

DEFINITION!!\$\$!!!!!!!!!!!!!!

DEFINITION, THERE IS NO WAY

TO --

>> WELL, AGAIN, IF THERE IS

ANY PROBLEM, WITH THAT I I

BELIEVE THAT WOULD BE FLUSHED

OUT IN THE CAME FOR OR --

CAMPAIGN FOR OR AGAINST IT IS

MY UNDERSTANDING IT IS THE

SAME THING.

YOU KNOW, I WISH I COULD BE

MORE -- GIVE YOU A BETTER

ANSWER THAT IS JUST MY

UNDERSTANDING OF IT.

>> YOU ARE INTO YOUR REBUTTAL

IF YOU WANT --

>> OKAY, WELL, LET ME -- LET

ME HEAR WHAT THING MY OPPONENT

HAS TO SAY AND I WILL COME

BACK.

>> THANK YOU, MR. GRIMES.

>> MR. HARDING.

>> MAY IT PLEASE THE COURT.

MY NAME IS MAJOR HARDING AND I

HAVE A COUNCIL STABLE STEPHEN

EMANUELLE!!\$\$!!!!!!!!!!!!!!

EMANUELLE,AND RUTH, WHO WAS AD

MYTHED TO THE BAR SUBSEQUENT

TO THE FILING OF THE BRIEF IN

THIS CASE.

>> MR. HARDING LET ME ASK YOU

THE FLIP SIDE OF THAT QUESTION

THAT I OPENED WITH MR. GRIEMZ

AND THAT IS WE SEEM TO ALLOW

THINGS THAT WILL ACTUALLY

MAYBE EVEN COST A LOT MORE

THAN THIS, WHEN BULLET TRAINZ,

AND REGARDING TO DEVELOP IT,

LET GO HE THAT GO ON THE

BALLOT EVEN THOUGH WE DON'T

HAVE AMOUNTS YET WE THEN LOOK

AT ONE THAT HAS AN AMOUNT LIKE

THE EDUCATION, OR THIS ONE,

WHAT IT IS THE MAGIC IN THE

NUMBER?

AND IS IT DOES THAT MAKE IS

THAT COMMON SENSE THAT BULLET TRAIN WILL COST YOU KNOW, FAR MORE THAN 20 MILLION A YEAR YOU, HAD DWLAET CAN GO ON THE BALLOT AND THIS ONE COULD NOT.

>> CHIEF JUSTICE LEWIS THE AMOUNTS HAVE NEVER BEEN IN THE OPINIONS A MATTER OF SIGNIFICANCE!!\$\$!!!!!!!!!!!!!!!!!!!!!! SIGNIFICANCE.

>> OKAY?

THREE CASES ARE VERY INSTRUCT!!\$\$!!!!!!!!!!!!!! INSTRUCTIVE ON DEALING WITH THIS ISSUE OF WHETHER OR NOT IT IS SINGLE SUBJECT AND EFFECTS MORE THAN ONE BRANCH OF GOVERNMENT, THE FIRST IS OF COURSE THE PUBLIC EDUCATION, WHICH THE COURT SAID 40% IS A SPECIFIC AMOUNT AND IN THAT WOULD ALTER THE LEGISLATIVE DISCRETION MAKING CHOICES AS TO APPROPRIATION.

>> ON THAT -- THEN, SPECIFIC -- [INAUDIBLE]

-- IN IS THAT MASSIVENESS OF IT THAT IS GOING TO LIMIT THIS IS UNDERSTANDING QUOTING FROM IT -- ON THE HE OTHER FUNCTIONS!!\$\$!!!!!!!!!!!!!!

FUNCTIONS, 60% WHEN MANY OF THE GOVERNMENT FUNCTION TO YOU DO SEE THAT AS HAVING BEEN A SIGNIFICANT ASPECT OF THE -- OF THE PUBLIC EDUCATION FUNDING OPINION?

>> TO THE EXTENT, NO, TO THE EXTENT THAT HIGH-SPEED RAIL AND PROTECT OUR YOUTH, DO NOT MENTION THE AMOUNT AS BEING SIGNIFICANT.

THEY DISTINGUISH THAT CASE IN ALLOWING THE SPY SPEED RAIL NICHE TO GIVE ON THE BALLOT, AND THE -- PROTECT OUR YOUTH, AMENDMENT, TO GO ON THE BALLOT, BUT, THEY DO NOT DEAL WITH THE AMOUNT.

>> IT IS A LITTLE CONFUSING, ACTUALLY -- -- [INAUDIBLE] 99THE YOUTH -- DOES FUNDING PROVISION -- RIGID -- DESCRIPTIVE!!\$\$!!!!!!!!!!!!!! DESCRIPTIVE, TO THE

LEGISLATIVE EXECUTIVE THE  
PROPOSAL FUND THE PROGRAM, BY  
-- LT. -- SLAUR -- 16% OF  
THIS, I MEAN -- IT DOESN'T  
REQUIRE A -- ACCEPTED BY -- OF  
THE BUDGET, SPECIFIED  
PERCENTAGE OF THE BUDGET ON  
THE PROGRAM.

>> AND I THINK THAT IS VERY  
CRITICAL, THE COURT, MADE IT  
VERY CLEAR SPECIFIED  
PERCENTAGE OF ITS BUDGET.

>> BUT IT ACTUALLY IS -- WE  
SAY IT IS -- IT IS WHATEVER  
THE 15% OF THIS TOBACCO  
SETTLEMENT IS TO THE ENTIRE  
BUDGET,\$\$!!!! -- ONE HALF OF ONE  
PERCENT BUT SOME YOU KNOW,  
BECAUSE A CERTAIN AMOUNT MUST  
BE SPENT, EVERY YEAR, IN THE  
FIRST YEAR -- 57 MILLION, IT  
IS A -- PERCENTAGE OF THE  
BUDGET.

HOW DOES THIS -- HOW ARE YOU  
-- LEGISLATURE THAT THAT IS  
GOING BACK -- THAT AMOUNT OF  
MONEY EVERY YEAR?

>> BUT, THE TWO THINGS, THAT  
ARE SIGNIFICANT, ARE THE  
SPECIFIC PERCENTAGE OR THE  
SHEFK AMOUNT BOTH -- SPECIFIC  
AMOUNT BOTHING PROTECT YOUTH  
AND HIGH-SPEED DEAL WITH SHEF!!\$\$!!!!!!  
SHEFIC AMOUNT, AND -- SPECIFIC  
AMOUNT, AND THE -- AND THE  
FACT THAT IT COMES OUT OF THE  
GENERAL REVENUE BUDGET, AND  
THAT WHAT IS THIS AMENDMENT  
SAYS, IT COMES OUT OF A  
GENERAL REVENUE BUDGET.

>> WHY AREN'T THOSE CASES -- I  
GUESS I'M NOT QUITE FOLLOWING  
YOU, BECAUSE IT SEEMS TO ME,  
THAT THOSE CASES ARGUE IN  
FAVOR OF THIS SPECIFIC AMOUNT,  
BEING OKAY.

IF WE HAVE THE SPECIFIC AMOUNT  
PERCENTAGE, AND THE TOBACCO  
CASE, HOW REALLY IS THIS  
DIFFERENT?

>> IT IS DIFFERENT, BECAUSE IT  
COMES OUT OF THE GENERAL  
REVENUE!!\$\$!!!!!!!!!!!!!!  
REVENUE, AS OPPOSED TO THE

LANGUAGE IN PROTECT OUR YOUTH,  
WHERE THE COURT SAID MORE  
IMPORTANTLY THE PROPOSAL DES  
NATURES THESE FUNDS FOR A  
DESIGNATES THESE FUNDS FOR USE  
MANDATED BY THE SETTLEMENT  
AND ITS SAID THAT IT DOES NOT  
COME OUT OF ITS BUDGET, TO  
FUND THE PROGRAM, A SPECIFIC

-- HE --

>> YOUR ARGUMENT IS THOSE  
MONIES ARE NOT IN THE GENERAL  
SFLEVEN!!\$\$!!!!!!!!!!!!!!  
SFLEVEN.

>> -- REVENUE?

>> ACCORDING TO -- PROTECT THE  
YOUTH, THE COURT MADE A  
SIGNIFICANT DISTINCTION AND  
THAT DISTINCTION HAS BEEN MADE  
IN OTHER CASES, ABOUT, FEES,  
AND TAXES HAVE FUNDED --

>> WHAT ABOUT THE HIGH-SPEED  
RAIL!!\$\$!!!!!!

RAIL?

WAS THAT SOMETHING -- SOME  
OTHER FUND OF MONEY, OTHER  
THAN GENERAL REVENUE?

>> NO THAT CAME OUT OF THE  
GENERAL REVENUE BUT THAT WAS  
DISTINGUISHED FROM THE PROTECT  
-- FROM THE PUBLIC EDUCATION  
FUNDING CASE, BECAUSE THEY  
SAID HIGH-SPEED DID NOT SET A  
SPECIFIC PERCENTAGE OR A  
SPECIFIC AMOUNT, AND IT.

>> -- REALITY, IF YOU ARE  
GOING TO FUND SOMETHING, LIKE  
THE HIGH-SPEED RAIL, AND YOU  
ARE REQUIRED, TO DO SO, WE  
WOULD CERTAINLY BE TALKING  
ABOUT A LOT MORE OF THE \$\$  
STATE'S BUDGET THAN THE 20  
MILLION THAT WE ARE TALKING  
ABOUT HERE, IN THE STEM-CELL  
RESEARCH.

>> HIGH SPEEDY DID NOT DEAL --  
HIGH-SPEED DID NOT DEAL WITH  
THE AMOUNT.

>> AS LONG AS YOU LEAVE THE  
AMOUNT OUT, YOU ARE FINE?  
I MEAN IF THIS AMENDMENT SAID  
THE LEGISLATURE MUST  
APPROPRIATE MONEY FOR  
STEM-CELL RESEARCH FOR THE

NEXT TEN YEARS THAT WOULD HAVE BEEN FINE?\$\$!!.

>> WELL -- WE ARE ALSO MISSING JUSTICE QUINCE THE FACT THAT THIS IMPACTS THE ABILITY OF THE GOVERNMENT -- GOVERNOR TO VETO AND THAT HAS BEEN BROUGHT OUT IN THE CASES, AND AS --

>> BUT ANY TIME THAT YOU ARE REQUIRING!!\$\$!!!!!!!!!!!!!! REQUIRING, THE EXPENDITURE OF MONEY, YOU ALWAYS AFFECTING THAT SO HE IN SOME MANNER SO IN ANY SITUATION, WHERE AN AMENDMENT HAS BEEN ALLOWED ON THE BALLOT THAT WOULD REQUIRE THE LEGISLATURE TO SPEND SOME MONEY, IT NECESSARILY IMPACTS THE \$\$GOVERNOR'S VETO RIGHT, DOESN'T IT?

.  
>> YES AND IN HIGH-SPEED YOU SAID IT DOES HAVE SOME IMPACT ON THAT, BUT BECAUSE OF THE WIDE DISCRETION, THAT WAS GIVE UNDER THAT INITIATIVE, THE IT DID NOT IMPACT IN A PRECIPITOUS OR CATACLYSMIC WAY, AND --

>> THAT COULD NOT BE SAID ABOUT THE CLASS SIZE AMENDMENT, I MEAN THAT HE CLASS SIZE AMENDMENT SPECIFICALLY WAS A MANDATE FOR CLASS SIZE, WHICH EVERYBODY RECOGNIZE!!\$\$!!!!!!!!!!!!!! RECOGNIZED, IN THE OPINIONS, THAT THAT WAS GOING TO BE AN ENORMOUS IMPACT ON THE \$\$STATE'S BUDGET, AND THE GOVERNOR HAD NO POWER OR THE GOVERNOR ANNOUNCE DZ ON MULTIPLE OCCASION!!\$\$!!!!!!!!!!!!!! OCCASIONS, HE WOULD HAVE VETOED IT.

IS NOT THAT RIGHT.

>> WELL OF COURSE WE WERE NOT DEALING WITH A SPECIFIC AMOUNT.

>> BUT YOU HAD THE PROBLEM WITH IT IS -- AS YOU KNOW, WHAT LED TO THE -- OF THE NEAR FINANCIAL IMPACT STATEMENT WAS THAT THE CITIZENS WERE PASSING

ALL OF THESE ENORMOUS  
CONSTITUTIONAL AMENDMENTS THAT  
HAD SIGNIFICANT IMPACT ON  
SPENDING, AND SO, THE IDEA WAS  
LET'S LET THE VOTERS KNOW WHAT  
THE IMPACT IS GOING TO BE SO  
THE WHOLE IDEA OF THESE  
FINANCIAL IMPACT STATEMENT IS  
TO TRY TO ESTIMATE HOW MUCH  
WILL HAVE TO BE SPEND EVERY  
YEAR.

HERE WE'VE GOT A VERY MODEST  
AMOUNT THAT IS BEING PROPOSED,  
AS A FLOOR AND IT WOULD BE TO  
ME -- -- FUNDING MAYBE WE NEED  
TO CLARIFY IT, SOME AT WEATHER  
IRONIC THAT THE -- THAT WAS  
BEING REQUIRED COULDN'T PASS  
BUT SOMETHING THAT WAS SAY WE  
WANT THE LEGISLATURE TO FUND  
ENOUGH RESEARCH, SO THAT AS  
MULTIPLE -- ELIMINATED IN THE  
NEXT FIVE YEARS, YOU KNOW,  
SOMETHING, OF THAT NATURE.  
AND, HOW THIS -- EASIER ONE IS  
BEING SO ARE THE VOTES TO  
UNDERSTAND, AND FINANCIAL  
IMPACT STATEMENT IS PRETTY  
CLEAR -- MONORAIL, AND, MAYBE  
ONE OR TWO OTHERS, THAT --  
WHAT YOU DO SAY ABOUT THAT?  
THIS IS -- ASSUME -- HE  
SOMEONE TO SAY THAT DOES THAT  
MAKE SENSE TO YOU FROM A  
JURISPRUDENTIAL POINT OF VIEW  
FOR SINGLE SUBJECT MATTER --  
>> FROM THE STATEMENTS THAT  
HAVE BEEN MADE BY THIS COURT,  
AND HIGH-SPEED AND IN PROTECT  
OUR YOUTH, AND IN THE 40%  
CASE, IT MAKES SENSE THAT IT  
IS CLEAR THAT IF THERE IS A  
SPECIFIED AMOUNT OR SPECIFIED  
PERCENTAGE AND IT IMPACTS THE  
-- IT REMOVES THE LEGISLATIVE  
DISCRETION!!\$\$!!!!!!!!!!!!!!!!!!!!  
DISCRETION, AND IT ALSO  
IMPACTS THE ABILITY OF THE  
COURT OF THE GOVERNOR TO VETO  
IT IMPACTS THE AREA OF CONCERN  
OF SINGLE SUBJECT THAT DEELTZ  
-- DEALS WITH ALTERING MORE  
THAN ONE BRANCH OF GOVERNMENT.  
AND WHEN YOU READ THE

LANGUAGE, THAT -- IT -- IT IS VERY CLEAR AND IT IS VERY SPECIFIC AS TO THE REASONS THE COURT DISTINGUISHED THOSE CASES FROM THE 40%, THE SCHOOL MANDATE CASE.

AND JUST PARIENTE, IN REGARD TO YOUR COMMENT, OF COURSE, I DON'T KNOW THAT IT IS FOR THE \$\$ COURT'S IMMEDIATE CONCERN TO DETERMINE WHEN OR NOT THIS -- WHETHER OR NOT THIS IS THE WRITTEN OF A LINE, BUT YOU HAVE WITH THE HIGH-SPEED CASE WITH THE PROTECT OUR YOUTH, AND WITH THE 40% FUNDING, YOU HAVE SPECIFICALLY SAID ENOUGH TO SAY THAT YOU CAN NOT GO ON TO THE STATE TO THE CHANGE A CONSTITUTION UNDER THOSE CIRCUMSTANCES WHERE THERE IS A SPECIFIED AMOUNT AND YOU CAN NOT AND WHERE IT ALSO IMPACTS THE ABILITY OF THE GOVERNOR.

>> BUT, AGAIN, LET'S -- COST -- POINT THAT IT WAS APPEALED!!\$\$!!!!!!!!!!!!!! APPEALED -- TALKS ABOUT HUNDREDS OF MILLIONS OF DOLLARS!!\$\$!!!!!!!!!!!!!! DOLLARS, THAT IS THE COST, AND THAT IS A -- BECAUSE OF TREMENDOUS COST.

IS GOING TO BE SOMETHING THAT GOVERNOR COULDN'T VETO, AND THAT LEGISLATURE IS GOING TO HAVE TO APPROPRIATE. IT WAS IT HAD SAID WE WOULD WANT THE LEGISLATURE TO DO THIS, BUT THEY DON'T HAVE TO SPEND MORE THAN YOU KNOW 30 MILLION DOLLARS A YEAR, SEEMED LIKE THAT WOULD HAVE BEEN A MORE REASONABLE WAY TO LOOK -- TO APPROACH IT YOU ARE SAYING NO, THE WAY WE ARE COMING UP WITH THIS OPINION, THAT WOULD BE, A CONSERVATIVE APPROACH, TO SAY AT LEAST -- COMMENT, IS NOT -- REQUIRING A MANDATE ACTUALLY DEVELOP A SYSTEM AND NOT PUT A DOLLAR -- PRICE TAG ON IT, REALLY HAS -- I'M -- >> I UNDERSTAND, I UNDERSTAND,

YOUR CONCERN BUT I THINK THAT  
IF A CAREFUL READING OF HIGH  
SPEEDY A CALIFORNIA READING OF  
PROTECT OUR -- A CAREFUL  
READING OF PROTECT OUR YOUTH A  
CAREFUL READING OF THE 40%  
ALSO IS VERY CLEAR THAT IF  
THOSE AND --

>> YOU KNOW, OF THE OPPOSITION  
SAYS, THAT THERE IS A LOT OF  
DISCRETION HERE, AND --  
CHASTISED US FOR NOT CITING A  
CASE WHERE A LACK OF  
DISCRETION WAS THE REASON TO  
REMOVE SOMETHING, FROM THE  
BALLOT.

BUT -- WITH ALL DUE --

>> A PROBLEM WITH THIS  
ARGUMENT, STILL, ABOUT THE ON  
ME, BECAUSE I -- THE MONEY, O  
WHAT WOULD YOU SUGGEST WOULD  
BE A WAY@Kr

AMENDMENT LIKE THIS, BECAUSE  
IF YOU SAY SOMETHING TO THE  
EFFECT JUST THAT THE  
LEGISLATURE MUST FUND, OVER  
THE NEXT TEN YEARS, STEM-CELL  
RESEARCH, I MEAN THE  
LEGISLATURE COULD IN THEORY  
COMPLY WITH THAT  
CONSTITUTIONAL AMENDMENT BY A  
-- APPROPRIATING 500 DOLLARS!!\$\$!!!!!!!!!!!!!!!!!!!!!!!!!!!!\$500, OR  
5,000 DOLLARS, OR SOMETHING,  
BUT WE KNOW THAT THAT WOULD  
NOT BE A MEANINGFUL WAY TO  
FUND STEM-CELL RESEARCH.

SO IF THE CITIZENS ARE TRULY  
INTERESTED IN HAVING STEM-CELL  
RESEARCH, AND WANT THE  
LEGISLATURE TO FUND IT IN A  
MEANINGFUL WAY, HOW CAN THEY  
DO THAT WITHOUT PUTTING SOME  
PERCENTAGE IN, SOME KIND OF  
DEFINITE SUM OF MONEY IN?

>> I DON'T KNOW THAT I HAVE  
RESEARCHED THAT PARTICULAR  
ASPECT.

I DO KNOW THAT I HAVE -- WE  
HAVE RESEARCHED IN THESE CASES  
ADDRESS HOW YOU CAN'T DO IT.  
AND YOU CAN'T DO IT BY  
AUTHORIZING NOW A SPECIFIC  
AMOUNT SO AS TO REMOVE THE  
DISCRETION FROM THE

LEGISLATURE AND ALSO, TO REMOVE THE ABILITY OF THE GOVERNOR TO VETO.

>> AGAIN, MAYBE THIS IS YOU AGREE, AND CERTAINLY CLEAR, THAT THE -- OPINION STANDS FOR THE PROPOSITION THE CONSTITUTIONAL AMENDMENT CAN MANDATE THAT THE LEGISLATURE FUND SIGNIFICANT PROGRAMS AND THAT BY SO DOING, THE GOVERNOR CAN IMPACT BY NOT BEING ABLE TO VETO THOSE PROGRAMS, WE HAVE ALLOWED THAT --

>> IN SOME RESPECTS, YES, BUT, IN -- IN A SPECIFIC AMOUNT OF PERCENTAGE, YOU HAVE NOT.

>> WELL WHY DON'T, LET'S FOLLOW UP ON JUSTICE WELLS' QUESTION I'M TRYING TO SEE WHETHER WE ENT -- ENDS UP WITH SOME RATHER SORT OF BLATANT HYPOCRISY IN THE THING, IF WE HAVE THE MANDATE HERE WITH CLASS SIZE, AND THE COMMISSION THAT GOES ABOUT ESTIMATES\$!!!!!!ING THE EXACT THE FISCAL IMPACT COMES UP WITH A STATEMENT THAT SAYS, IN ORDER TO ENACT THIS MANDATORY PROVISION PLACED IN THE CONSTITUTION, THE LEGISLATURE FOR THE NEXT FIVE YEARS WILL HAVE TO APPROPRIATE 250 MILLION DOLLARS!!\$\$!!\$250 MILLION FOR THE CAPITAL EXPENDITURES NECESSARY TO FULLY ENFORCE THE CLASS SIZE AMENDMENT.

SO I'M HAVING DIFFICULTY SAYING IF HERE THAT ACTUALLY COMES UP THAT APPEARS ON THE BALLOT, AND IT SAYS, IF YOU VOTE FOR THIS, WHAT YOU ARE VOTING FOR IS A MANDATE THAT THE LEGISLATURE MUST SPEND AMOUNT OF MONEY OF 250 MILLION DOLLARS A YEAR, FOR THE NEXT FIVE YEARS, IN ORDER TO ACCOMPLISH THAT YOU, THAT THAT WOULD BE PERFECTLY ALL RIGHT. BUT THAT PUTTING IN 20 MILLION DOLLARS FOR SOMETHING LIKE THIS WOULD NOT BE ALL RIGHT. HELP ME DISTINGUISH THOSE TWO SITUATION!!\$\$!!!!!!!!!!!!!!!!!!!!

SITUATIONS.

>> WELL, I THINK, JUSTICE ANSTEAD!!\$\$!!!!!!!!!!!!!! ANSTEAD, THAT THE COURT HAS DISTINGUISHED IT, AND THAT IT ALLOWED THE CLASS SIZE AMENDMENT TO GO ON, AND DID NOT ALLOW A SPECIFIC PERCENTAGE AND SAID THAT THAT REMOVED, FROM THE LEGISLATURE, ITS DISCRETION AND IT REMOVED THE ABILITY OF THE GOVERNOR TO VETO.  
NOW.

>> BUT I THINK, DOESN'T IT ALL GO BACK TO I GUESS JUSTICE PARIENTE WAS ASKING YOU WITH THE ADVENT BY A LOT OF THESE CASES WERE DECIDED PRIOR TO THE TIME WHEN WE HAVE TO HAVE FINANCIAL IMPACT STATEMENTS, AND SO, WITH THE ADVENT OF FINANCIAL IMPACT STATEMENTS, DOESN'T THAT REALLY CHANGE THE LAND ESCAPE POSSIBLY OF WHAT SHOULD BE INCLUDED IN THE PROPOSED CONSTITUTIONAL AMENDMENT?

BECAUSE WHAT WE WANT IS THE PUBLIC TO KNOW HOW MUCH THIS IS GOING TO COST THEM.

>> TO ANSWER THAT, THE COURT HAS NOT SAID THAT IT HAS CHANGED THE LANDSCAPE. THE COURT IN ITS MOST RECENT OPINION HAS SAID THE SPECIFIC AMOUNT THE SPECIFIC PERCENTAGE IS -- IS THE PROBLEM.

-- AND YOU HAVE DISTINGUISHED THE --

>> CERTAINLY WHEN THE 40% CASE CAME OUT, THERE WAS NO FINANCIAL IMPACT STATEMENT REQUIREMENT!!\$\$!!!!!!!!!!!!!! REQUIREMENT.

>> I'M -- I'M NOT FOM --

>> LET'S BE CLEAR, THE COURT HAS NEVER SAID THAT A SPECIFIC AMOUNT CANNOT BE IN THE AMENDMENT.

>> THE SPECIFIC AMOUNT IN PROTECT OUR YOUTH OF 15% WAS PERMITTED BUT IT CAME FROM A SEPARATE FUND, AS SOME OF THE

OTHER CASES HAVE INDICATED.

>> THE COURT HAS NEVER SAID A  
NUMBER OKAY, IS NOT  
PERMISSIBLE!!\$\$!!!!!!!!!!!!!!!!!!!!  
PERMISSIBLE.

>> THE COURT IN HIGH-SPEED  
DISTINGUISHED IT FROM THE --  
>> THAT IS MY QUESTION IS  
FAIRLY SIMPLE.

AND THAT UT -- HAS THE COURT  
EVER SAID THAT YOU CANNOT HAVE  
A NUMBER A NUMBER BEING LIKE  
IN THIS INSTANCE, 20 MILLION  
DOLLARS!!\$\$!!!!!!!!!!!!!!

DOLLARS, OR IN JUSTICE \$\$  
CONVINCE'S EXAMPLE, FIVE --  
QUINCE!!\$\$!!!!!!!!!!!!

QUINCE'S EXAMPLE 500 DOLLARS!!\$\$!!!!!!!!!!!!!!!!!!!!!!\$500 HAS THE  
COURT EVER SAID YOU CABINET  
PUT A NUMBER LIKE THAT, IN A  
CONSTITUTIONAL AMENDMENT  
MANDATE TO THE LEGISLATURE?

>> NOT SPECIFICALLY BUT THEY  
SAID THE REASON THEY  
DISTINGUISHED THAT A WAS  
BECAUSE OF THE FROM THE 40%  
BECAUSE THERE WAS A SPECIFIC  
AMOUNT.

AND I ALSO HAVE ARGUMENTS TO  
MAKE ON LOG ROLLING, ALSO HAVE  
ARGUMENTS TO MAKE ON THE  
SUMMARY ACCURATELY REFLECTING  
WHAT IS IN THE OPINION, I  
THINK!!\$\$!!!!!!!!!!!!

THINK, SOME OF THOSE ISSUES  
HAVE BEEN RAISED BY THE  
JUSTICERSORS JUS TISSES.

>> YOU CERTAIN DO NOT DISAGREE  
WITH THE PRINCIPAL OF LAW THAT  
AMENDMENT SIMPLY BECAUSE IT  
CONTAINS DETAILS, SOMEHOW,  
CONCENTRATE SUBSTITUTES LOG  
ROLLING, HAVE TO; CORRECT?

>> NO, I UNDERSTAND THAT IT  
DOES BUT I THINK THERE IS A  
SIGNIFICANT ISSUE WHETHER OR  
NOT THESE THINGS CONSTITUTE  
DETAILS, I THINK THE FACT THAT  
THE LEGISLATURE HAS AND THE  
PUBLICITY THAT IS SURROUNDING  
THE LEGISLATION REGARDING  
STEM-CELL RESEARCH OVER THERE,  
INDICATES THAT THERE ARE  
SIGNIFICANT ISSUES MORAL, AND

ETHICAL!!\$\$!!!!!!!!!!!!!!

ETHICAL, AND --

>> THAT IS NOT PART OF OUR  
DISCUSSION AT ALL THIS  
MORNING.

>> I\$\$ND, BUT --

>> --

>> LOOKING SIMPLY AT THE TWO  
CRITERIA AND MORAL OR ETHICAL  
ISSUES HAVE NO PLACE IN THIS  
ARGUMENTS!!\$\$!!!!!!!!!!!!!!  
ARGUMENTS.

YOU UNDERSTAND THAT.

>> BUT FROM THE STANDPOINT  
THAT THERE IS AN ISSUE AS TO  
WHETHER OR NOT THEY CONSTITUTE  
DETAILS OR WHETHER OR NOT THEY  
CONSTITUTE, AREAS OF THIS  
INITIATIVE!!\$\$!!!!!!!!!!!!!!

INITIATIVE, THAT IS SOMEONE  
WOULD VOTE AGAINST THE  
INITIATIVE!!\$\$!!!!!!!!!!!!!!

INITIATIVE, BECAUSE THAT MIGHT  
LIKE TO HAVE STEM-CELL  
RESEARCH BUT BECAUSE IT  
PROVIDES FOR COMPENSATION,  
UNDER CERTAIN CIRCUMSTANCES, I  
THINK IS MORE THAN A DETAIL.

>> WELL YOU CAN'T PROVIDE THAT  
YOU CAN PAY FOR THE  
REIMBURSEMENT THAT IS WHAT YOU  
ARE SAYING AS SEPARATE SUBJECT  
WHEN YOU GO INTO YOU ARE GOING  
TO SPEND THIS MONEY, AND YOU  
SAY THAT YOU CAN REIMBURSE FOR  
THE COST SOMEBODY ENTAILS, FOR  
THAT BUT YOU ARE NOT GOING TO  
PAY THEM FOR A PROFIT BEING --  
THAT IS SEPARATE YOU SEE THAT  
AS A SEPARATE LOG ROLLING.

>> I THINK IT VERY SIGNIFICANT!!\$\$!!!!!!!!!!!!!!  
SIGNIFICANTLY COULD BE, AS  
WELL AS THERAPEUTIC CLONING,  
AND THOSE OTHER SORTS OF THING  
FOR WHICH COMPENSATION --  
THANK YOU VERY MUCH.

>> MR. GRIMES DO YOU HAVE A --  
YOU HAVE A FEW MINUTES'  
REBUTTAL!!\$\$!!!!!!!!!!!!!!  
REBUTTAL.

>> THEY USE TOBACCO THEY USE  
TOBACCO CASE, IT SAID -- ALL  
DUE RESPECT IT SAID THAT ONE  
OF THE REASONS IT SAID THAT

THERE WAS MANDATED BY THE SETTLEMENT, IT WAS BUT IT WENT IN TO APPROPRIATIONS AND THE LEGISLATURE WASN'T APPROPRIATING IT THAT IS WHY THEY HAD THE USE TOBACCOALD IN THE FIRST PLACE.

>> THE PROBLEM IS, IN THE OPINION ITSELF, THAT --

>> I KNOW IT.

>> THIS -- WE STARTED DOWN THIS ROAD THE OBL TIME WE REALLY STRUCK SOMETHING BECAUSE OF FUNDING WAS PUBLIC EDUCATION!!\$\$!!!!!!!!!!!!!!!

EDUCATION, IT IS SO CLEAR AT LEAST TO ME, THAT IT WAS BECAUSE THE -- AMOUNT 40% AND -- ENTIRE STATE BUDGET IS NOT GOING TO -- ANYTHING LEGISLATURE CAN DO, BUT, IT DOES SEEM LIKE WE HAD THIS KIND OF PIECEMEAL BY WELL THIS OKAY BECAUSE OF THIS, AND, NOT A SPECIFIC PERCENTAGE OF THE BUDGET!!\$\$!!!!!!!!!!!!!!!

BUDGET, YOU AGREE THAT ACTUALLY EVEN THOUGH WE SAY THAT -- SETTING ASIDE 15% OF THE ANNUAL -- TOBACCO SETTLEMENT SAID IT DOESN'T REQUIRE THEM TO APPROPRIATE A SPECIFIED PERCENTAGE OF THE BUDGET, IN FACT, IT COULD ENDS UP BEING --

>> IN FACT, IT'S WAS IT THAT WAS A MISSTATEMENT IN ALL DUE REPUBLICAN -- RESPECT. BUT, YOU KNOW THE COURT.

>> --

>> IS IN THERE

>> IT IS IN THERE.

>> # YOUR HONOR UNLESS THERE IS ANY OTHER QUESTIONS, I WOULD ASK IN ALL DUE RESPECT, THE DEADLINES WERE GETTING SIGNATURES!!\$\$!!!!!!!!!!!!!!! SIGNATURES, IS IN JANUARY, AND WITH THE \$COURT'S INDULGENCE IF THE COURT WOULD RENDER A\$\$!!!! AIZATION IN REASONABLY RENDZER A DECISION REASONABLY SOON IT WOULD BE HELPFUL.

>> 15 MINUTES?

>> THAT WOULD PROBABLY BE  
THANK YOU VERY MUCH.  
>> WE ARE GOING TO HEAR ON THE  
NEXT ONE, I GUESS THERE IS NO  
OPPOSITION!!\$\$!!!!!!!!!!!!!!!!!!!!  
OPPOSITION, ON THE BALLOT --  
THE IDEA OF WHETHER -- SUBJECT  
OR BEING -- TOGETHER -- ISSUE  
I DON'T THINK -- IS IN \$\$  
PUBLIC'S SENTIMENT, BECAUSE --  
HUMAN -- [INAUDIBLE]  
EMBRYONIC!!\$\$!!!!!!!!!!!!!!!!!!!!  
EMBRYONIC STEM-CELL  
RESEARCH -- YES, THAT THAT IS  
-- WHY EMBRYOS -- I A OPINIONS  
HOLD THE IDEA WHAT YOU HAVE  
DONE -- -- LIMITED  
COMPENSATION THE IDEA OF  
PROHIBITING -- [INAUDIBLE]  
EMBRYO!!\$\$!!!!!!!!!!!!  
EMBRYO, PART OF IT SAYING THIS  
IS AN AMENDMENT THAT WILL  
REQUIRE SOME --  
>> SUPPOSED TO BE ONE MORE --  
>> THAT IS --  
>> -- YES --  
>> LATEST -- AS OPPOSED TO  
JUST SAYING, GOING TO BE --  
MILLION DOLLARS --  
>> STARTED OUT THAT ONE --  
>> YES.  
>> --  
>> TRIED TO BE SPECIFIC AS TO  
WHAT IT WAS.  
IF THE OTHER, YOU KNOW, AND,  
IN THE COURSE AS I SAY, IT IS  
-- IT WOULD DESTROY THE HUMAN  
EMBRYO TO DO EMBRYONIC  
STEM-CELL RESEARCH.  
>> WELL, I HAVE A PREDICTION!!\$\$!!!!!!!!!!!!!!!!!!!!  
PREDICTION -- ON THE BALLOT I  
DON'T KNOW IF THEY WILL OR NOT  
BUT -- AND --  
>> [LAUGHTER]!!\$\$!!!!!!!!!!!!!!!!!!!!LAUGH.  
>> THEN YOU REALLY HAVE A  
DECISION TO MAKE, THANK YOU.  
>> THANK YOU WE APPRECIATE THE  
ARGUMENTS TO THE COURT WE WILL  
TAKING THESE CASES UNDER  
ADVISE!!\$\$!!!!!!!!!!!!  
ADVISEMENT.  
WE WILL MOVE ON TO THE NEXT  
DAIS, THIS MORNING, WHERE,  
REALLY IT IS GOING TO BE A

ONE-SIDED DISCUSSION, WE ARE DEALING WITH,,,,,,

>>.

>> OKAY.

>> THIS GOES ON THE BALLOT, AND -- [INAUDIBLE].

>> WE'LL HAVE FUN IN THE FUTURE.

>> THE RELIEF ACTED.

>> UNLESS THERE ARE QUESTIONS, WE WOULD JUST SUGGEST THAT THIS MEET THE REQUIREMENTS OF THE SUBJECT AND CLARE REHABILITATED OF SUMMARY AND

--

>> I HAVE ONE QUESTION. WHICH HAS TO DO WITH THE -- HAVING EMOTIONAL APPEAL, THAT, -- SO AGAIN, I -- [INAUDIBLE] IF WE HAD THOSE -- WHATEVER IS -- [INAUDIBLE] IF IT USES WHAT MAYBE -- [INAUDIBLE] DO WE LOOK AT THAT ISSUE OR -- [INAUDIBLE].

>> JUSTICE PARIENTE I WOULD THINK IS THE CHIEF JUSTICE HAS INDICATED EARLIER THAT GOES TO THE MERITS AND THE COURT HAS CONSISTENTLY SAID IT DOES NOT GET --

>> BY USING DESTRUCTION YOU ARE USING A NEUTRAL TERM AND SO PROBABLY IS -- [INAUDIBLE].

>> I GUESS THE QUESTION IS, IS IT ACCURATE TO SAY THAT EMBRYONIC STEM CELL RESEARCH DESTROYS HUMAN EMBRYOS.

>> I THINK AS JUSTICE PAIR QAENT -- PARIENTE INDICATED EARLIER, WE HAVE ALL SEEN -- AND THIS IS NOT LEGAL RESEARCH AND IF I AM PERMITTED FROM THE NEWSPAPER, THAT THERE ARE SIGNIFICANT STEPS BEING MADE FOR YOUR EMBRYONIC STEM CELL RESEARCH, CAN BE DONE WITHOUT DESTROYING THE EMBRYO AND OF COURSE THAT WILL CERTAINLY BE A MATTER OF GREAT CONCERN TO ALL --

>> IN THE FUTURE, EVEN IF THIS AMENDMENT PASSES, AS JUSTICE PARIENTE MAY BE INCORRECT THEY ARE MUTUALLY EXCLUSIVE.

>> IF STEM CELL RESEARCH CAN BE DONE AND BOTH OF THESE PASSES AND STEM CELL RESEARCH CAN BE DONE WITHOUT THE DESTRUCTION OF HUMAN EMBRYOS, THEN THAT CERTAINLY IS A POSSIBILITY.

>> BUT RIGHT NOW IF THERE ARE EMBRYOS -- [INAUDIBLE] THOSE EMBRYOS ARE -- END UP -- [INAUDIBLE].

>> NO, THIS ONLY SAYS STATE FUNDS CANNOT BE USED FOR RESEARCH AND EXPERIMENTATION THAT DEALS WITH THE DESTRUCTION OF A HUMAN EMBRYO. THANK YOU VERY MUCH.

>> THANK YOU.

THE COURT WILL TAKE ITS MORNING RECESS.

>> PLEASE RISE.....

>> COURT IS NOW IN RECESS.....

[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS].

>> 1, 2:3, 4, 5, 6, 7, 8...

[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,,,,,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS].

>> CHECK T 2, 3, 4, 5.....

[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,  
[INAUDIBLE CONVERSATIONS],,,,,,,,,,,,,,,,,,,,,,