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Advisory Opinion to the Attorney General: Prohibiting State Funding Involving Destruction of a Human Embryo

SC06-2286 | SC07-54

>> 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

AND IN ORDER TO SHOOT DOWN AN 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
PREGNANTED 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 EMBRYO, 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 "0 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 0 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 OO 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 THIGH 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 DESIGNATES THESE FUNDS FOR A USE MANDATED BY THE SETTLEMENT AND IT 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 ESTIMATE\$!!!!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 \$\$ CONVINCED'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

