

1 differentiating between operational and mechanical pro-
2 visions could well be left to statute. It could be in the
3 infinite wisdom of the Constitutional Convention Commission
4 that they would want to take cognizance of these things.

5 For example, what you know now is in the budget
6 bill is the operating budget and the capital budget comes
7 up actually as a supplement, with its own source of revenue.
8 In the case of it being financed from bonds, this is a
9 source of revenue and, to my utter amazement, the Court of
10 Appeals has also ruled that this is, this appropriation
11 bill for capital improvements is a, well, it's both an
12 appropriation and revenue measure because it is supplementa-
13 lary billing. Usually these are differentiated.

14 This brings up the question that Lauber mentioned
15 about putting the appropriation in the specific bill
16 where additional legislation is introduced, and that I would
17 object to, on the basis that it is not considered good
18 legislative draftmanship to include appropriations in
19 substantive measures. As a matter of fact, at the Federal
20 level, this is prohibited.

21 THE CHAIRMAN: In bills of that nature, if you