

March 11, 1982

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suggested that those afternoon committee meetings were illegitimate or illegal because the Legislature had adjourned for the day or that somehow it wasn't a part of the regular proceedings? Are then all the meetings that the other committees have had in the evenings? The Appropriations Committee, how much action have they taken in the evenings? Are their actions illegitimate or somehow don't count? To interpret final action as requiring the administrative detail of the filing of the report with the Clerk really to me defies common sense. Senator Labeledz knew the action that the committee has taken. She filed the motion, and despite the fact that she doesn't have clean hands, she is arguing for 25 votes today. I suggest to you that it would be a terrible precedent and an obvious misconstruing of the rules and that it has other implications, if you are going to say that the members of the committee did not take final action when they voted to indefinitely postpone which we did on the 19th day. Thank you.

SENATOR CLARK: I would like to make two announcements here. There is 10 one to seventh grade students from District 69, Senator Warner's District. The teacher is Mrs. Jones. They are in the North balcony. Will you stand and be recognized please. Welcome to the Unicameral. Also, this is Vard Johnson's 43rd birthday and I think rolls are being passed out now. Happy Birthday, Vard. Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, I will tell you that as Rules Chairman the question that Senator Labeledz brings to you is not a new one and I will tell you this, that it would set a precedent counter to what has been the case in the past in this Legislature, and I think would set us in the direction that would be wrong for us in the future. I think clearly the whole question, and Senator Beutler outlined it fairly well, is that this is a question of intent. If the sequence were switched around and if the motion to lift out of committee was first made by Senator Labeledz and then the committee met and decided to kill the bill, the intent then would...the question could be raised as to the good faith effort of the committee in this area and you could ask the question, well, the motion was made before the committee action was taken, thus it seems clear in my mind that probably 25 votes would be appropriate. But sequentially remember this, the 19th day was when the vote was taken. At that point the committee action was clear, and after that fact, Senator Labeledz made her motion. She knew full well that the committee had killed that bill for all intents and purposes. So I think the intent in her own mind was that the bill had been killed, the time was right to bring the bill out of committee. So reverse those and you have a different situation.

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