

PRESIDENT: Well, we're back to the Schmit amendment then, I guess. Do you have anything further? Senator McFarland, for what purpose do you rise?

SENATOR MCFARLAND: Mr. President, I am rising for a point of personal privilege. I would like to raise the whole question of the germaneness of the Schmit amendment. I was not here when this was originally suggested as an amendment. As I read the germaneness rule, it says that germane amendments relate only to details of the specific subject of the bill and must be in the natural and logical sequence of the subject matter of the original proposal. This bill came through Education Committee. It calls for amending the education law, the school law in Chapter 79. As I read the sales tax amendment, it would amend the revenue and taxation section of the law which is Chapter 77. I think it's entirely nongermane and, as a matter of fact, it would be absurd to rule this amendment germane because in that...if you do that, then any A bill or any bill that calls for an appropriation of funds then a sales tax amendment becomes germane to that bill as well. So, for that reason, I would like a ruling on the germaneness of this particular amendment as it applies to an education bill.

PRESIDENT: Thank you. Senator Schmit, would you like to respond.

SENATOR SCHMIT: Well, first of all, I am disappointed, I guess, that my good friend, Senator McFarland, didn't challenge the germaneness a long time ago. We could have either decided that issue up or down and have saved a lot of time. Secondly, I am disappointed that my friend, Senator Withem, withdrew his amendment before I had a chance to comment upon it. Third, I want to point out, and there are those here who are more knowledgeable about this than I am, and he might...I hope that Senator Warner and others might address the issue, but I would just like to point out that my amendment dedicates 1 percent of sales tax toward the continued support of this program. This is not just a funding mechanism as of today, this is for on down the road. This guarantees that from this point forward there will be one cent of sales tax allocated toward the funding of this program. That makes it, in my opinion, a germane amendment and one which is applicable in this instance. It is not just simply, as Senator McFarland has said, an A bill type approach. I want to point out another thing that I think is very, very