

January 4, 1990

SENATOR LYNCH: I hate to go through this again, but it's my understanding that with your...with your amendment to the amendment to the amendment, as I understand it, that the person who offered the original resolution or amendment to divide could, in fact, after activity on, say, the first part of those three divisions simply move to withdraw the other two parts but a vote of the body would simply be taken to give you permission to do that. Is that right?

SENATOR BERNARD-STEVENS: Yes and no. Actually, it's no and yes. I believe we're not talking about an amendment to the amendment to the amendment. I think it's just...I just have one amendment at this point so we don't have to have two votes. But, to answer your question, yes, that is, in essence, I could ask then the body to give me permission to withdraw the rest.

SENATOR LYNCH: Right. And in the absence...could I ask you one more question? In your opinion, if the kind of a rule change amendment suggestion that you made did not exist and we didn't accept, for example, the original recommendation of the Rules Committee, at least, possibility exists that persons, anyone in the body, could challenge the rule of the Chair which said they could withdraw it and would have a vote anyhow. Is that right?

SENATOR BERNARD-STEVENS: I suspect if the body does not vote for either this amendment or the one that the Rules Committee has pending, that we will be in that position and I suspect we're going to find different rulings and different appeals process because we do not have a clarification and precedent is both ways.

SENATOR LYNCH: Yeah. So it just provides that we have to have a vote one way or the other. I think that should satisfy Senator Chambers' concern that, in fact, that activity is the body's decision, not an individual's, and, hopefully, that would satisfy the problem. But what it would do, and the reason I will support it is, it would, in fact, clarify a procedure so that it would overcome what we did experience in the last Legislature. So I would support Senator Stevens' recommendation.

PRESIDENT: Thank you. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Are there any other lights at this time, or...?