

January 4, 1990

on this proposition.

PRESIDENT: Thank you. Senator Withem, please, followed by Senator Warner.

SENATOR WITHEM: Thank you, Mr. President, and members of the body, this is an important change. I know some of the other things we have been doing, some of us that are really interested in the rules maybe have looked at internally and nitpicked things a little too much. This is a very important rule change and it is one I would urge you to support. First of all, I do not necessarily agree with Senator Chambers that the germaneness standard that we should apply to ourselves is simply what will pass constitutional muster. No, I am not entirely against the Constitution, Senator Chambers, but I don't think that that is...but I think we do need to restrain ourselves a little more, but I think what has evolved in here since I have been in the Legislature is a germaneness ruling, series of rulings, by reading the language that is in our rules that, in essence, puts handcuffs on us. I guess I think as a legislator that brings an idea to the floor, that I recognize a problem, and as I bring my solution to that problem to the floor, for me, individually, it is more comfortable that the only thing that can be considered is my particular solution to that problem. For me to be able to stand up and say, no, Senator Chambers is offering an amendment to my bill with an alternate solution to my problem, I don't like it, so just ask for a germaneness ruling, and I have caught myself doing that recently, and I will probably continue to do that as long as we have a narrow germaneness rule in the books. But that is not the way a Legislature should operate. If I bring an educational issue to the floor of the Legislature and the problem is the manner in which we accredit schools, and I have a solution to that problem, the Legislature ought to be free to say they agree with me that the problem, we have a problem with the way we accredit schools, but they want to see an alternate solution to that, and we can't do that currently because of the germaneness rule. People have made reference to striking "and" and putting in "or" as being the main change here in the bill, the rest of this just superfluous language. I don't agree with that at all. And I think if you recall back when you have, whoever is in the Chair, Senator Barrett is right, he is there, usually, and they are asked for a germaneness rule, quite frequently the presiding officer will read the germaneness rule, and they will get to the language that says, "accomplishes substantially different purpose than