January 4, 1990

interpretation as the proposal brought forth in rule 8. The fact of the matter is I think the members of the body need to look at the language that we are striking. If you remember in all of the germaneness rulings going back from the time this rule was put in there, usually what is quoted by the Chair is what the definition of nongermane is, and if you strike that part, all you have remaining very is a vague and nonunderstanding and very unclear definition of germaneness. I think you are opening it way up, and the problem I have with that is you are leaving it much, much more to the discretion of the Chair. And if one thing I find frustrating, it is a moving target when it comes to germaneness, depending on who is in the Chair, and depending on what the issue is, and stuff like that, because if you allow for that much discretion, you allow for that to be changed. Now Senator Chambers often finds offensive you operate under one set of rules one day and one set of rules the next day. That frustrates him and me even though sometimes we may not be in agreement on the issue. I think it is important that we have consistency, and by adopting the Warner amendment, you strike the language that really has made...has brought some consistency, well, I can't even say that word, SO the hell with that, but consistency to the germaneness ruling, and I guess because of that, I have another amendment that I am going to introduce that hopefully will... I guess I prefer to go with a laundry list of what is germane instead of taking out the language of what is not germane and opening the shebang way too far.

PRESIDENT: Thank you. Senator Warner, would you like to close on your motion, amendment?

SENATOR WARNER: Well, Mr. President, members of the Legislature, I appreciate the discussion because I think it has helped to give some ideas how future interpretations may occur. I suppose it would be the most accurate thing to say that I have, for myself I have some perception of what is germane with the word "and" and I don't have as good a perception if it is changed to "or". It is just kind of that simple, so I would urge the adoption of the word to retain my perception a little longer.

PRESIDENT: Thank you. The question is the adoption of the Warner amendment to the amendment. All those in favor vote aye, opposed nay. Have you all voted? This requires 25 votes. Have you all voted? Record, Mr. Clerk.