

going to be supporting the Chair. I think he is right. I think this is, in fact, a germane amendment and that the effort to override the Chair is inappropriate. Let me just tell you that, first off, if the Ashford is not germane, I wonder what is, because the concept ties directly in with the subject matter at hand. The question is how these judges will be appointed. Now there is legislation pending that will be heard next week by the Judiciary Committee to have all judges confirmed by the Legislature. If Senator Ashford had proposed that, that would have been nongermane. That would have been a bigger change than what was contemplated in this proposal. This proposal deals with an appellate court. But Senator Ashford only is talking about the appellate court and how those judges are confirmed by the Legislature. To me, the Speaker is absolutely right to have ruled that germane and I would ask all of you to likewise support the Chair. And just to give you further information, we have looked at other states and how they confirm or appoint justices to different courts and they will distinguish. It's not always the same. They may have a situation where the Supreme Court is appointed in one fashion, where another court is appointed in yet a different one. And so there is absolutely nothing wrong with the idea of differentiating between the way we handle different courts. And so for this to be singled out to be handled differently at this point though, I would like to see it universally applied to have the Legislature confirm. Nevertheless, even if that didn't happen in a broader sense, it would still be appropriate and proper to consider this amendment with this proposal. So I support the Chair and I ask the Legislature to likewise support the Chair in his ruling that this was germane.

SPEAKER BARRETT: Thank you. Anyone else care to speak to the challenge? Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, I, unfortunately, missed some of the discussion today, but as I understand the issue at the moment, it is that the Chair's ruling, based upon a change in the rule of germaneness the other day and as one who voted yes on that, I do not see the significant change that perhaps some do. The elimination of one item what was not germaneness with no change in what was germane doesn't seem to me to change the basic thrust of the rule on germaneness in a very appreciable extent and I would be in support of overruling the Chair so that...not on this issue but as a matter of precedent.