

SPEAKER BARRETT: Thank you. Anyone else? If not, Senator Kristensen, any closing statement?

SENATOR KRISTENSEN: Yes, Mr. Speaker. According to Senator Ashford, any time I would bring up a constitutional amendment, then if he has another constitutional thing that needs to be done in order to implement it, no matter if it's germane or not, it's going to apply because it's one big constitutional question. I think the rules, if we follow that, then all these drug bills that we're going to start debating in the coming weeks are going to open up other penalty areas because they're in the criminal area. They're going to start opening up additional penalties, so it's going to open it wide open for things that we want to do. And I think that the body better be aware that today is one of those turning days in the germaneness rule. It's true, we're still dealing with the appellate court but we're going off on an entirely different trail, an entirely different road and that road right here is that this is a constitutional amendment dealing with structure of the court and not whether we, as a body, are going to approve the people who serve on that court. I would urge that the members vote to overrule the Chair.

SPEAKER BARRETT: Thank you. Pursuant to Rule 1, Section 12, the question is, shall the Chair be overruled? A majority of those present shall be required to overrule the Chair. Those in favor vote aye, opposed nay. Shall the Chair be overruled? Have you all voted? At this point, it would appear to the Chair that 23 votes are necessary to overrule. Have you all voted? Please record, Mr. Clerk.

CLERK: 18 ayes, 14 nays, Mr. President, on the motion to overrule the Chair.

SPEAKER BARRETT: The motion to overrule fails. We are back to the Ashford amendment. The speaking order starts with Senator Wesely. Would you care to speak to the matter, Senator Wesely, followed by Senators Kristensen, Crosby, Chambers and Pirsch.

SENATOR WESELY: Thank you. Mr. Speaker and members, I have not discussed this legislation today but I am very much in favor of the Ashford-Chambers amendment which reflects a piece of legislation that was introduced by Senator Chizek, Senator Chambers and myself just, I believe even, yesterday, and will be