

that happens we need to fall back to the spirit of what makes the body work and the spirit of what makes the body work is that individual members have an opportunity to have their proposal considered and this issue of germaneness ought to be applied to the totality of the amendment and not to specific parts. Now I'm one that believes that we set precedents by these rulings and I would be fearful of the precedent set that would give me the opportunity to, after I've asked for a division of a question, to prohibit a portion of that to be considered by the body, simply by asking a germaneness standard of a divided portion of the amendment. The germaneness question needs to apply to the totality of the amendment and I believe Senator Hall had indicated he did not question that when the original amendment came up because he thought it was clearly germane. And that's a fine enough standard for me and I support the Chair.

PRESIDENT MOUL: Thank you, Senator Withem. Senator Lynch, did you wish to address the germaneness and the challenge?

SENATOR LYNCH: Madam President and members, I would rise to support the position of Senator Hall. You know, we seem to develop...we developed a system in this state where a governor can line-item veto an issue, any kind of a spending measure with any kind of spending in the whole kind of a proposal. Now we've done that because it's important, obviously, for a governor, administratively, in spite of what the Legislature may think is important, to separate out what whoever the governor thinks is not as important as some other priorities and veto out that money. I think what was done here by Senator Hall in separating the issues was simply that. I think what he offered...what he attempted to do was to offer to this legislative body that same kind of line-item veto concept and there's nothing really wrong with that. But most importantly, what this amendment does is provide potentially for a sales tax increase I would guess. You're not going to have enough money to pay a refund back without using a sales tax and then you're talking about a sales tax issue, and this has nothing to do with sales tax, in my opinion at least. It has to do with the personal property tax issue. So there is legitimate concern and I think what has been recommended by Senator Hall in overriding the Chair is correct and I think the Chair was wrong in suggesting that this, in fact, is germane.

PRESIDENT MOUL: Thank you, Senator Lynch. Does anyone else