

rule by overturning the Chair on a legitimate decision of germaneness and it takes less votes because you're talking about a simple majority of those voting that are in the Chamber at the time. I would give some thought though as a matter of practice that you give some thought that the appropriate way to suspend the rule on germaneness is to suspend the rule and I understand that takes 30 votes. So it is more difficult. I can think of once or twice where Chairs that I recall, and there's probably more, where a Chair was overruled clearly when an issue was germane or was, excuse me, was not germane because the votes were not there to suspend the rule to do the same thing. It's not a practice I would think the Legislature wants to ordinarily make and I think to argue germaneness here is, you know, it's really stretching it. But I want to call your attention to one other thing because the ultimate germaneness rule may be more significant than the legislative rule, and the ultimate germaneness rule is found in our Constitution, the constitutional section dealing with the Legislature, Section 14, that no bill shall contain more than one subject and the same shall be clearly expressed in the title. In my opinion, this is clearly more than one subject. I would assume if this was ultimately successful that because of the vast interest in many areas of the state over the utilization of these funds that the potential for a lawsuit is fairly significant and the whole thing could go down. I can't make a judgment to that because I don't know, but I do know that that possibility, in my opinion, is there because I believe they are not only an issue of germaneness but I believe it probably constitutes the two subject matters and I suspect it would be one that would be tried. But more importantly I would hope that we would begin as we go into these final days to try and strive as closely as we can to the issue of germaneness because when the efforts come to put all kinds of things together, once we start down that route there is hardly any place to stop and if we consistently do it with overruling the Chair as opposed to suspension of the rule, I think you will have started a route that you will subsequently wish that we perhaps never started. So I would urge that the Chair be sustained and not...you would vote no on the motion to overrule the Chair.

PRESIDENT MOUL: Thank you, Senator Warner. Senator Moore.

SENATOR MOORE: Well, Madam President, members, I commend both Senator Warner and the Chair for their new return to a tight germaneness rule. I get a kick out of Senator Warner. Last