

January 11, 1995

think Senator Hall has hit upon that in his remarks where it is preferable to make some corrections in divided portions of amendments as they are before us rather than having to wait till the very end. On the other hand, allowing those to be divided after they are no longer divided amendments but part of the original question really doesn't limit any particular amendments either. So you know my preference would have been to have had a rule change in front of us that would have given, would have made it more difficult for an individual member to bring about multiple divisions of the question and we have kind of a spotty record of that in our body anyway. There are some times when the body has allowed that to happen. There are other times when the body has rather arbitrarily said we're not going to allow a certain number of divisions as Senator Bernard-Stevens well remembers. But I guess I don't see that this particular rule change bringing about a positive change and it would add to our confusion so I do not plan to support it.

SENATOR LINDSAY: Thank you, Senator Withem. Senator Elmer.

SENATOR ELMER: Thank you very much, Mr. Chair. I'd like to make a suggestion here and visit a little philosophically about the division of the question. As our rules now stand any individual of the Legislature can ask for the division of the question. And if it's divisible it is automatically done without consideration for any other member or the original sponsor of the division. I would suggest our way out of this to be if the sponsor of the motion that is going to be divided objects to the division that is requested, he makes a point of order, gets up and objects to the division. If this objection is accepted by the Legislature through a majority of those voting or a majority of those present or whatever we decide upon, then it is divided or not depending on the will of the body rather than the will of an individual. I would suggest that would make a lot more sense and if it's divided go ahead and be able to amend the divisions. If it's not divided we can amend them individually as Senator Chambers and Senator Hall has talked about. But I do believe the check and balance needs to be there. If the majority of the body does not wish to have the question divided, it's not divided merely on the whim of one member. Thank you, Mr. President.

SENATOR LINDSAY: Thank you, Senator Elmer, I appreciate that. Senator Hall.