

January 17, 1995

PRESIDENT ROBAK: Thank you, Senator Hall. The question before the body is the adoption of proposed rule change number 11. All those in favor vote aye. All those opposed vote nay. Have you all voted? Please record.

CLERK: 2 ayes, 22 nays, Madam President, on the adoption of rules amendment number 11.

PRESIDENT ROBAK: Proposed rule change number 11 fails. The Chair recognizes Senator Hall.

SENATOR HALL: Thank you, Madam President, and members, the next rule change is listed as rule change 11 (sic) in your handout from last week. It is found also on page 222 of the Legislative Journal. It would read...it would be an amendment to Rule 6, Section 6, as follows. It would add a new subsection (2). That section reads that, "On a motion to return a bill to Select File for a specific amendment, a majority of the elected members must concur. No other amendment shall be considered when the bill is so returned. Such amendment, when considered, may be adopted by a majority of the elected members." The new language in the rule change would be this, it would be a new subsection (2). It would say, "A point of order to determine the germaneness of a specific amendment may be considered during a motion to return a bill to Select File for a specific amendment." If you remember, in the past, this issue has been raised I know at least by myself on a couple of different occasions with the presiding officer who is currently in the chair, arguing that the issue before the body that is being returned by the motion from Select...to Select File for a specific amendment is not ripe for the question of germaneness. What this rule change would do is say that during that debate for...on a motion to return, that the question of germaneness can be considered and would be appropriate at that time. So it is a rule change that would have that effect. As it currently operates, that motion or that question of germaneness has been ruled out of order and it follows the question of whether or not the bill is returned to Select File in terms of its order in debate. With that, I would turn the discussion over to Senator Beutler and Senator McKenzie who are the authors of this rule change. Thank you, Madam President.

PRESIDENT ROBAK: Senator McKenzie.

SENATOR MCKENZIE: Thank you, Madam Speaker, members of the