

January 17, 1995

PRESIDENT ROBAK: The Chair recognizes Senator Withem. (Withem amendment appears on page 288 of the Legislative Journal.)

SPEAKER WITHEM: Yes, Madam President, members of the body, I would ask that the...I did not when I was up there, I would ask that the Clerk might have this amendment distributed on the floor, please, have it copied and distributed on the floor. What I'm doing is forcing a choice by the Legislature. Again, it's not a life or death issue for me, but I do think it is an important enough one when we start dealing with the germaneness ruling that we have before us the alternatives. What my amendment would do, it would state simply for purposes of germaneness, even if the question is germane prior to a request for division, each and every other component or proposition of the divided question will...and I strike the new language in the rule and insert "be subject to germaneness rulings." This would clarify for the presiding officer that if, in fact, the question has been divided, it then has a number of component parts all standing on their own and each one of them will, in fact, be subject to the germaneness ruling. That's what the amendment does.

PRESIDENT ROBAK: Thank you, Senator Withem. Senator Hall, do you wish to speak to the Withem amendment?

SENATOR HALL: Thank you, Madam President. I will take the time now. I had my light on for the original amendment but if I could ask, Senator Withem, if you would please repeat the amendment and the purpose behind it. I understood that it was to give a choice to the body but if you would restate that while we're waiting for the draft to be circulated.

PRESIDENT ROBAK: Senator Withem.

SPEAKER WITHEM: I would be happy to, Senator Hall. It simply moves in the opposite direction. If you like the rule change as it's written here, you should vote no on my amendment. If you don't like the rule change as it is proposed, then you should vote for my amendment. It inserts the word "even" between germaneness and if, that's just a grammatical change to make the sentence flow properly, but the effect of the amendment is I strike the language "likewise be germane to the bill or pending amendment" and I insert in its place, "be subject to germaneness rulings." The issue no longer would be ambiguous but the rule would come down on the side of each individual component part