

January 17, 1995

having to be germane, whereas the original proposal from the Rules Committee comes down on the side of each...if the original...and I'm taking too much of your time. I think you probably understand what I'm trying to do so I will give your time back.

SENATOR HALL: Thank you, Senator Withem, I appreciate that. It gave me time to insert the language as you would make the change. I do rise to oppose Senator Withem's amendment and I do so because I support the original proposal. Even though I think Senator Bernard-Stevens makes good arguments on this issue, the fact of the matter is that the division of the question can be used in a proposal that is the same subject matter to carve out a piece of that and, in effect, to allow for the opportunity for it to be declared no longer germane to the original proposal. Now that will not happen very often. It will not be the norm, it will be the exception to the rule, but it will allow for that to happen. And I believe that under the original proposal that came from Senator Will, without the Withem amendment, you also make it very clear that it is understood that any question that is divided, if the original proposal in its totality were germane, then that component part of it would continue to be germane. It does not affect whether or not the issue can be divided. It does not affect whether or not the body has the ability to vote it up or down on its face, that individual part. It just says that the bond is not broken from its original amendment as it was brought in, or the original proposal, whatever it may be. It should be able to be put together and stay together for purposes of germaneness. I mean, I question whether or not this amendment that Senator Withem offers, the amendment to the rule change, could not wreak havoc with regard to committee amendments. I could see a case in point where committee amendments could be divided that were brought in in good faith to deal with the same subject matter, especially in the case of some committees that do have a tendency to stack issues together mainly because of time and, in some cases, because of efficiency, I think that it could prove to be very detrimental to that process. I would urge you to vote against Senator Withem's amendment...

PRESIDENT ROBAK: One minute.

SENATOR HALL: ...and support the original rule change as offered by Senator Will. Thank you, Madam President.