

January 17, 1995

PRESIDENT ROBAK: Senator Withem.

SPEAKER WITHEM: Certainly.

SENATOR BROMM: For clarification, Senator Withem, let's say that we have a proposition that's been divided and at the inception...at the inception of that division there was a germaneness question and the Chair ruled that the proposition was germane...

SPEAKER WITHEM: In it's totality.

SENATOR BROMM: ...in it's totality, and we adopt the rule that the germaneness question has to be raised and decided at that point and that you can't question germaneness on each segment of the divided bill, which is your proposal now that we could question it at each...

SPEAKER WITHEM: My proposal says you could; if you would adopt the Rules Committee, then you will not be able to.

SENATOR BROMM: All right, let's say we adopt the Rules Committee version and then one of us wants to amend one of those component parts, after the subdivision, and one of us would raise the germaneness question about the proposed amendment to the divided part, it still would be in order to have a germaneness question on that proposed amendment to the divided part. Am I correct?

SPEAKER WITHEM: I believe you would. I think our rule on germaneness talks about germane to the original question. There's some debate what that is. I would think that the question that is being amended would be the division and it would still be appropriate to ask whether the amendment to the divided point is, in fact, germane to that divided point.

SENATOR BROMM: Thank you, Senator Withem. That was a question, I think, that I wanted to try to clarify for the body that germaneness questions still could come up if there are amendments proposed to the divided parts that are taking us an entirely different direction, to an entirely different subject matter, you still have that ability to raise the germaneness question. I have...I think there are two good arguments here but I believe, weighing it, I have to...I have to support Senator Chambers' position and that is that if we have a germane