

January 18, 1995

SENATOR CROSBY: Senator Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature, I'll tell you what the purpose of the amendment is, then I'll read you the specific language. It's to say that if you're going to deny a member the right to divide the question as a matter of right, then it would take a two-thirds vote of the elected members to deny that right to divide the question. Like Senator Warner, and I've tried to make it clear, I'm opposed to the amendment, period. Here is what the language says, and if you look at your amendment that Senator Elmer handed out to you, in line 5 after the word "allowed", you would strike all the remaining language through the period, and you would insert the following: "If two-thirds of the elected members vote against allowing the division of the question", and this is the way the sentence would read. The motion to divide shall be debatable and will be allowed if...I might have to strike "allowed", oh yes, will be allowed if two-thirds of the elected members vote against allowing the division. It would probably be better to rewrite the sentence but here is what it would mean. You're going to allow the division...it probably should say "unless two-thirds vote against", So instead of the word "if", I would put the word "unless". Then the sentence would read, "the motion to divide shall be debatable and will be allowed unless two-thirds of the elected members vote against allowing the division of the question". So I'll change that word "if" to "unless". This is a bunglesome amendment. I'm going to ask Senator Elmer a question and I'm going to see if his answers bear out what I have just said.

SENATOR CROSBY: Senator Elmer.

SENATOR CHAMBERS: Senator Elmer, the original Rule 7, Section 3(e) which you're amending starts out in this fashion. Any member may call for the division of a question. Do you agree that is the language?

SENATOR ELMER: That's, Senator Chambers, yes, that's the language.

SENATOR CHAMBERS: Then when your language comes in you say if any member objects to the division, when you say the division, are you referring to the division of the question mentioned in the first sentence?