

into the court until '99, which makes it two more years, makes little sense if it goes to the federal court, I think, if I was an attorney, I believe the word in the federal court is an issue has to be ripe, that is it has to be in effect. We already know that the district court in one case in Lancaster County, within the state, refused to take it this year because it was...had not been passed yet, was not in effect yet. There is numerous reasons, it seems to me, that to lose that opportunity to make the check. Initially, I took the position, way back, of supporting the lower number in the event that the two-tier system was not upheld constitutionally, although I feel confident that it had a very good chance, but, certainly, if that two-tier system is going to be reversed in its process so that it does not come up until after the 1998 elections, or until 1999, I would be in strong support of significantly increasing the current number of petitions, or, for that matter, I would just as soon indefinitely postpone the bill if we are going to delay the opportunity to have that two-tier system tested as quickly as possible. So I would urge the body not to vote for Senator Dierks' amendment.

**SPEAKER WITHEM:** Senator Bernard-Stevens, on the Dierks amendment.

**SENATOR BERNARD-STEVENS:** Mr. Speaker, I'm going to raise a point of order, if I may. And the point of order I would like to raise is I believe that, in my...at least in my way of thinking that the Dierks amendment is actually a reconsideration which I don't believe is proper at this particular point. It's a reconsideration, in essence, of the Beutler amendment, and I'm going to ask you to rule on whether this amendment is even proper to be before us or not.

**SPEAKER WITHEM:** Senator Dierks, I would allow you to respond to that and then I would like to take this issue under a little bit of advisement.

**SENATOR DIERKS:** Thank you, Mr. Speaker, and members of the body, the amendment is different from the standpoint that we changed the date when the two-tiered system would go into effect. We changed it from January 1st, '99 to January 2nd, '99. Thank you.

**SPEAKER WITHEM:** Senator Dierks, this is a...and Senator Bernard-Stevens, this is a close call. It requires some