

bracketing. There is a specific rule that calls for bracketing. When we read that rule and it says any stage of consideration, that means a motion to bracket can be considered at General File, Select File and Final Reading and we have made these motions at all these various stages. If you uphold the Chair, what you are going to say is that if I, although I don't do it, put up there a motion to suspend the rules and I missed some of the rules that need to be suspended, but I state at the bottom what my intent is, then even though I didn't include those rules, they are in fact included. See, courts don't behave that way when you're filling out legal documents. They say you must write what it is that you want to have considered and if you don't include it, it is not going to be considered. The State Supreme Court has said repeatedly in the last few days that because malice was not included in the document charging a person, the conviction for second degree murder would be overturned even if when jury instructions were given, the judge instructed them relative to malice, the appellate court just ruled the other day that even though the judge gave the correct instruction about malice, the fact that it was not included in the document charging the person with the crime, that conviction had to be thrown out. What I'm saying, if you want to suspend these rules to accomplish this purpose of allowing no motions and the rest of that, you should have to state which rules you're suspending and there is a specific provision of the rules which I am operating under again. I am following not the spirit of your rule, I am following the letter of your rule. What the Chair is saying is that since they're you all's rules you don't have to follow them. Senator Withem said that his motion put together to achieve this purpose is allowed under the rules and I cannot argue with that, but tell me this. Do your rules also allow a motion to include that which is not included in the motion? That sounds like a contradiction, doesn't it, because it is. If the motion does not cover a matter specified in your rules, it is wrong to say that well, yes, it is covered because that was the intent. When the lobbyist gave this to Senator Withem, Senator Withem should have made sure he was dealing with a lobbyist that knows your rules. So now the lobbyist is going to get you all to say not only will we do this, we will disrespect our rules and Ernie got us again. He read our rule, cited us to the provision, but we choose to disregard it because that's what we can do because we're in power, and we rule and we control those people, and we don't care how they present their case. We don't care if they rely on the laws and rules that we wrote, we don't care about all that. We're going to hold them