

January 8, 1996

cases involve the suspension of the rule in order to cut down from two days to one day, it seems to me to make sense to have the rules follow the logic of what we do and if there is reason for an exception, allow that to be brought to the floor by a motion by Senator Chambers or other to extend from one to two days, but otherwise to follow direction of the people of the state as they put it into the constitution and require only the one-day layover. Thank you.

PRESIDENT ROBAK: Thank you, Senator Beutler. Senator Chambers.

SENATOR CHAMBERS: Madam President and members of the Legislature, the reasons given by those who support this rule are sound from their point of view, so I'm not challenging their rationale for wanting to change the rule. But I do want to touch on what is in the constitution as opposed to what's in our rules. The constitution empowers the Legislature to formulate its own rules. What the constitution does is put a limit on the Legislature instead of granting us authority. Anything not limited to the Legislature to do, based on the constitution, the Legislature can do. Obviously the federal Constitution and federal law impact on us. But the one day is a limitation saying the Legislature cannot allow a vote to be taken with less than one-day period of time for the bill to be on Final Reading. It in no way says that the Legislature cannot require more than one day. The rule, as it exists now, was using that plenary power the Legislature has to put into its rules that which is not prohibited by the constitution or by a statute which the Legislature has enacted. So for the reasons that I have given, I think the two-day rule should stay there. I think in the main and for the most part it serves a valid purpose. And if we are going to read a bill that has not been on Final Reading for at least two days, I think we, as a legislature, should take a formal vote to say that we don't think any one of these bills is of a type which requires it to stay on Final Reading for two days in order that the best interest of the public be served. So for the reasons that I've given and as Senator Beutler pointed out, this is not one of those that should take an over amount of time for discussion. I will not have much more to say, but as with other provisions that have come before us and proposals, I want there to be something in the record which carries the concerns that I have with reference to changing this provision from two days currently in our rules to one day. I'm going to vote against this change although I doubt there will be