

January 8, 1996

PRESIDENT ROBAK: The Chair recognizes Senator Withem to open on his amendment.

SPEAKER WITHEM: Thank you, Madam President, members of the body. Senator Wickersham, you were speaking with Senator Chambers, I didn't get a chance to visit with you about this. I don't think this does any violence to what your original intention was. Senator Landis and I were visiting about this and I'll give him some of my time if he'd like to respond to this. What this amendment does is in Rule 6, Section 3(h) would strike the period and add a comma, and then say "unless proposed as part of a committee amendment." I think what you are referring to here are amendments, bills that have been viciously killed, with malice to get into a debate we may have later on in here. Committees, on occasion will, as we referenced in a previous discussion, on occasion will friendly kill a bill. They'll actually kill a bill but keep its contents alive as part of a committee amendment. So this would allow that process to continue without, without doing any...hopefully you comment on it as it comes up. If it does violence to your amendment, I'd be happy to take it off. Let me comment as long as I have the floor and then I won't speak again, on the discussion that you and Senator Chambers were having about the definition of the term substantial. In the Rules Committee we did talk about this, whether or not it is a judgment call. And it will be. I would, I would analogize, though, to the dilemma that the Chair now has in terms of the finding whether an amendment is germane or not germane. It's a judgment call. You will be giving the presiding officer the judgment call of determining whether a proposal is the same, substantially the same, or not substantially the same. Is an amendment appropriating \$1 million substantially the same as a bill that appropriated \$2 million? That would be the judgment call given everything else that the presiding officer would have to make. That is...I'm comfortable giving presiding officers that, that ability, other members may not. With that, Senator Landis, if you'd like to speak I'll give you my, the remainder of my time.

PRESIDENT ROBAK: Senator Landis, you have two and a half minutes.

SENATOR LANDIS: Thank you, Madam President. The language offered to us by the Speaker came out of a brief conversation