

January 10, 1996

try to just talk about one thing this time and talk a little bit about the special order rule and this, what you've been hearing about, well, the Speaker can do it anyway, the Speaker can do it anyway. I wanted to give you a little bit of the history of the special order rule and tell you why we should not rely upon that. If you look in your Rule Books I don't think you'll find anywhere a sentence that says the Speaker, by special order, can put anything he wants up front. You won't see it 'cause it's not there. When Senator Landis and Wesely and I came into the Legislature back in 1978 we had a very powerful Speaker with a couple of very powerful Lieutenants and they'd put any damn thing they want right on top of the agenda every time and you didn't know it was coming until the morning it was there because they didn't distribute agendas the day before. That was...that was...there were several changes we made and we had some bitter battles. So that was the tool of a powerful Speaker and so eventually what we got in was a priority bill system which restored to individual senators and to committees some say, at least, in the agenda. But you know what was never resolved because we didn't want to resolve it? We never determined what the relationship was between the priority bill rule and the special ordering function. It's unclear right now and we could have a tremendous argument about this at any point in time whether a priority bill, whether the Speaker can put something ahead of a priority bill. Now the priority bill system helps, but it's not perfect by any means. I mean witness merely the fact that some people's priority bills are not particularly important bills, frankly, and we all know it. But, be that as it may, the problem with special order is that you don't know what's happening. Every individual member of this Legislature should be very concerned about the special order power because therein lies the potential for abuse of a powerful Speaker. As recited by the earlier Speaker, recent Speakers have not abused it, but part of the reason they have not abused it is because they know that their power is tenuous in terms of the ambiguities in our...in our rules. But the point is what we should do, what we should move towards is not a haphazard...

SENATOR CROSBY: One minute.

SENATOR BEUTLER: ..process by which you and I may or may not participate in determining what's the important issue, what comes to the top of the agenda, but we should...we should be in favor of a participatory process and that's what this rule would