

PRESIDENT MOUL: Thank you, Senator Will. Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President, members of the Legislature. I rise to support the motion to overrule the Chair for this reason, germaneness appears to be very similar to beauty, it's in the eyes of the beholder, the way the Legislature has done it. The evil that is sought to be protected is that we don't bring many unrelated items onto a bill, thus catching people unprepared, oppositions not able to respond, and basically is to try to make it...the playing field as fair as you can, so that you talk about related items and related topics at the assigned time, under the assigned bill. And it seems to be a fairness ruling as well. Clearly, the Withem amendment is germane to the bill. It deals with absolutely everything the bill does. It deals with the areas that are policy choices for or against that particular one. You may agree or disagree, but the fact is, it is extremely germane to the bill. The issue has become once you have tactically divided, are they germane to each one of those divisions? And, to me, you have to look at the Withem amendment as a whole, even though it's divided. If the Withem amendment had all sorts of other things that were unrelated here and you divided them out, yes, absolutely. For example, if he was going to start to increase perhaps other fees, or was going to do something in the area of liability for political subdivisions or some other area, I think you could properly claim foul, the division rule would work, and you could properly, I think, declare that to be not germane. But the Withem amendment, I suppose the other alternative is he can move to suspend the rules and work that way. But what you...in the long run what you really do is you just create more debate and you have, if you choose for tactical purposes, the overruling of the Chair is just as good as, I suppose, is a motion to suspend the rules, because you get the same debate. At this point in time, to me, looking at the whole, the Withem amendment is germane to the bill. The committee amendments are certainly germane and deal with the exact same area. And I think that you should apply a standard that the germaneness, at least in this point, all runs together and fits together nicely. I don't believe there's any end runs that he has in here, or any land mines, and certainly would support his motion to overrule the Chair. Take up the debate if you don't like the particular parts, obviously, it's your prerogative to vote them up or down.

PRESIDENT MOUL: Thank you, Senator Kristensen. Before we