

SENATOR HALL: Thank you, Senator Fisher. Senator Withem, I'm going to rule that the amendment is not germane to the bill. The proposal of the amendment is in a totally different section of the statute as the Day bill. It addresses the firefighters. I would rule that the amendment is not germane to the bill. Senator Fisher, you're free to overrule the Chair if you so choose. Senator Fisher.

SENATOR FISHER: I move to overrule the Chair.

SENATOR HALL: The motion is, shall the Chair be overruled as it relates to the issue of germaneness on the amendment? Those in line to speak on the issue are Senator Landis, Moore, Abboud, Hohenstein, Wesely, Pedersen, Byars, Crosby and Horgan. If you would care to speak to the issue of germaneness, Senator Landis, you're first. Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, there is a way for Senator Fisher to offer this amendment in a timely and appropriate fashion without overruling the Chair on what is pretty clearly not a germane amendment. Different chapter, different section, different subject matter, that's not germane. What Senator Fisher needs to do is to move to suspend the germaneness rule and this is not a constitutional rule, this is one of our rules. And we don't have to live by that rule if we don't want to. What you should do, rather than to break a rule but say that you are actually following the rules by overruling the Chair is to follow the Chair's advice, I think in this case when it's clearly not germane, but understand that rule is suspendable by any of us that can choose to do so. It is, I think, a mistake to get to the issue of, look, I want to do this thing so let's...let's ignore germaneness, overrule the Chair and then do what it is that we want to do. You get to do what you want to do. Simply suspend the rules and then having suspended the rules move to adopt the amendment. That means that keeps our germaneness rule alive and it also allows majorities to do as they wish. That's the appropriate way to go here but it is not the appropriate thing to label as germane that which under our rules has traditionally not been ruled as germane. And, by the way, if Senator Fisher would like to, I will be happy to vote to suspend the rules to allow him his day in court without regard to whether I'm going to vote for or against the amendment.