

SENATOR WESELY: Mr. President, I would ask a ruling from the Chair on what section of the rules this motion is being considered under. I raise the issue once again in the context of which...it seems to me that this ought to be considered as a bill would be and if we consider it as a constitutional amendment resolution, that is the way we have handled it in the past, if that is the case, it appears to me it would come under Rule 3, Section 17. Of course, under the ruling by the Speaker, Rule 4, Section 9 might be applicable but I would ask a ruling of the Chair at this time under which section of the rules this motion is being considered.

SENATOR BEUTLER: Senator Peterson, did you care to address that issue?

SENATOR PETERSON: Mr. President, Senator DeCamp was offered this the other day and was successful on a 25 vote. I feel that this is in the same category, constitutional amendment, and the same should apply on this.

SENATOR BEUTLER: Senator Peterson, it seems to me that we do have a problem here. In the first instance, yours was not filed within the 3-day period which perhaps constitutes a separate question, but Section 9, Rule 4, does indicate a 3-day legislative period. It would seem to me that it is a separate question though and that the first question we should decide is whether it is appropriate to file under Rule 4, Section 9, as you have done and granting you that this body did previously rule in the case of Senator DeCamp's motion that Rule 4, Section 9, was appropriate, notwithstanding that ruling it is the Chair's opinion that Rule 3, Section 17, is the appropriate rule and consequently the Chair would rule that the motion is not appropriate under Rule 4, Section 9.

SENATOR PETERSON: I challenge...I will move to override the Chair at this time.

SENATOR BEUTLER: Okay, the motion by Senator Peterson is to overrule the Chair. Okay, that is debatable. Senator Rod Johnson.

SENATOR R. JOHNSON: (No response.)