

January 8, 1986

PRESIDENT: Yes. Actually to get the argument into focus, I think, Senator Higgins, we should introduce the amendment at this time.

SENATOR HIGGINS: All right, then I will wait for the amendment.

PRESIDENT: Yes. I now recognize Senator Chambers to offer your amendment, Senator.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, if you will look at the sheet that you were given, I can tell you very quickly what the amendment will do and where it is to take place. The next to the last line has the word "not" in it. I want to strike the word "not". Then the language of the amendment that they are proposing will read "The provisions of this section shall apply to resolutions considered as bills pursuant to Rule 4, Section 2.", which means that it doesn't alter the nature of this proposition as a resolution, and when it comes to killing and raising, it will be treated as all other resolutions. The reason they said they would treat a proposed amendment to the Constitution as a bill is so that there could be a public hearing and all the other steps that are gone through. It is not a bill because the Legislature cannot amend the Constitution through any act of its own. So since the only two ways to do anything of a legal and binding nature is by resolution or bill, and the Legislature cannot do it through a bill, it has to do it by way of resolution. But the way resolutions are handled traditionally and in most instances is that you offer it, it lays over a day, then it comes before the body without going through a committee or having a public hearing. Because of the importance of trying to amend the Constitution, I suppose, it was determined that one of these resolutions would be handled in the same way that a bill is as far as a public hearing and so forth. The public hearing having been taken care of, should the committee decide to kill the bill, the proposed resolution, the proposed constitutional amendment, then 25 members should be sufficient to bring it before the body. Somebody might argue that if an issue is very important, if it cannot gather 30 votes from members of the Legislature to bring it out of a committee that has killed it, it doesn't deserve to be heard. That isn't always the case. Many times a controversial issue will be killed in a committee and those who may have obligated