

the language that the green copy of the bill had as new language and instead is reinstating an awfully lot of the existing language in the statute, in the same statute that is in the bill itself. Now I've never heard of a time when we couldn't amend, under our germaneness rules, the same statute, the same section of the statute that is in the bill itself and that is what Senator Withem's amendment does plus it adds two more sections which are the next succeeding statutes, next succeeding sections of the statute. So I think Senator Landis is exactly right as far as subject matter is concerned, but even more precise than that, it is the same identical sections of the statutes. Now to Senator DeCamp's other point about whether or not we could deal with the subject because of 662 and the fact that it is tied up by the initiative petition. We asked for and got an Attorney General's Opinion that indicated that, yes, that we could deal with the issue of free high tuition because that was not part of 662 itself. So I would argue that if Senator DeCamp believes you couldn't, we can't deal with this subject because of the Withem amendment, we certainly couldn't deal with it because of 1126 either because it is the same section of statute. I would urge you to rule that it is germane.

SPEAKER NICHOL: Senator Withem.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, I would remind the body of the discussion we had when Senator Warner questioned the germaneness of the amendment to...as a committee amendment. I believe at that time, although it could not be construed as an official ruling obviously, there were a lot of comments that obviously this amendment is germane to the bill, it's just not germane to the committee amendment. I believe both Senator Landis and Senator Vickers raised good points. We're talking about the manner in which nonresident tuition is calculated. Basically what the bill does is it puts the statute back in the shape that it was before the green copy to 1126 was written. I think not only is it the same section, I'm sure if you would compare the amendment that I am offering to the bill itself, you would see even most of the same words are in there, some of them changed obviously because we are making some changes, but that some of those that have little bitty lines drawn through are just put back in the bill and some that were new language have little bitty lines drawn through them. I mean it's I guess somewhat incredible that