

March 19, 1979

LB 59

It couldn't be reconsidered because it's dead. But an amendment, I think, can be offered to any bill as long as it's germane. This is germane. The bill is on Select File, and I did notify the body what I was going to do. As far as the vote, Senator Murphy, on the attempt to reconsider, there were 29 votes. We needed 30, and it was a day when the body was decimated by absences. So there is not a tremendous amount of opposition to the merits of the amendment. But I do think on the issue that you raised that this is germane and it is a proper amendment to be offered.

SENATOR MURPHY: If I may, Mr. President.

PRESIDENT: Yes, Senator Murphy, proceed.

SENATOR MURPHY: Section 79...Chapter 79, not section but Chapter 79 deals with education totally in this state. It runs the gamut from champagne to grapenuts, and to say that it is germane by virtue of being in the same chapter is, to say the least, stretching it beyond all limits. The actual subject matter of these two bills is one, that all children shall be immunized, and two, that we shall order a local school board to develop and present a particular facet of education in a particular class. Now, I very much dislike disagreeing with Senator Chambers, but I very much do. To say that because they're both in Chapter 79... I can find you ten thousand subjects in Chapter 79, and the only thing they have in common is the fact that it is a chapter dealing with education and the operation of our schools. But to say they're germane goes beyond all limits of actuality.

SENATOR CHAMBERS: Mr. Chairman, may I?

PRESIDENT: Yes, Senator Chambers.

SENATOR CHAMBERS: Senator Murphy, you are dealing with what I would consider to be in the nature of the police power of the state to legislate relative to the welfare and health of children. That's what LB 59 as it reads would do. The amendment falls in the same category. It relates to the type of diseases and ailments that could befall children. Now, I don't really see that great a difference between the two, and if I saw what you see, the attempt to amend would be an exercise in futility, because as you say, there would be no germaneness and the whole bill would stand the chance of being struck down. So what I would suggest that the body do is adopt the amendment, then I