

April 1, 1980

LB 651

Chair be overruled.

SPEAKER MARVEL: Okay, the motion before the House is, shall...the motion is, shall the Chair be overruled? Senator Beutler, do you want to...it's debatable. The Chair rules it's debatable.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I would like to encourage you not to overrule the Speaker. We have on a number of occasions in the past followed the rule that the same chapter, same article, if it is in the same chapter and the same article that it should be ruled germane, but I think that this particular case illustrates very well why we should never follow without exception a rule like that. Senator Haberman has pointed out that we are talking about alcoholism here. We are not talking about the guest statute which is not at all related, and I am very encouraged by the Speaker's distinguishing this bill from previous occasions and not following hard and fast rule that doesn't make sense on all occasions. So I would urge you to support the Speaker.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: In closing, Mr. Speaker, now Senator Beutler is arguing against the rules we have and he has admitted that this rule has been invoked but it is the rule, and so I ask that we overrule the Chair.

SPEAKER MARVEL: I may point out that you weren't closing yet, so I will come back to you. Senator Murphy and then Senator Nichol, and then Senator Dworak to close. Senator Murphy.

SENATOR MURPHY: I think I have the honor of supporting the Speaker in this motion. If you want to start calling it germaneness by the section number, God help us all because we can go through section 48, our executive government, from stem to stern and call it germane. To pick a number out of a volume in that book and say that constitutes germaneness has to be completely out of the picture. The subject matter...the subject matter we are dealing with is the germaneness of the issue, and I strongly support the Speaker's position.

SPEAKER MARVEL: Senator Nichol, do you wish to be recognized?

SENATOR NICHOL: Yes, Mr. Chairman, I just ask you to use your common sense in this. Whether it's germane or not, it is