

May 14, 1981

LB 146E

don't feel that they are germane and I would ask the Chair to rule.

SPEAKER MARVEL: Senator Schmit, before I make any comments, do you have any comments to Senator Sieck's question? If you do, I would appreciate hearing them.

SENATOR SCHMIT: Mr. President and members of the Legislature, we have researched the bill. The bill deals with Natural Resource District responsibilities. It deals with the problems that they have with reference to their carrying out those duties. A part of the responsibility includes, of course, in this instance an acquisition of property. Therefore, I feel it is germane.

SPEAKER MARVEL: You've got two bills...you have two bills that deal with water which some then would declare to make the combination germane, but you have in LB 146, those of you who are interested in following this and want to make comments later, you turn to the first page of LB 146 and we are talking about sections 46-146, 46-609, 46-656, 46-674. In LB 243 you are talking about section 2-3234. If you will check the discussion that we have had in this area of germaneness over the last at least three years you will find that this particular Chair has gone by the section numbers as one method of measurement, and, therefore, the Chair will rule that the two bills are not germane. Okay, that Schmit's amendment is not germane. Now, Senator Schmit, do you wish the floor?

SENATOR SCHMIT: Yes, Mr. President, I would respectfully challenge the decision of the Chair and hope that we would not take a lot of time on it.

SPEAKER MARVEL: Okay, the motion that you would be speaking to and finally voting on is posed by the question, shall the Chair be overruled? In this case it takes a majority of those present which is 24 to overrule the Chair. The motion is debatable. It is debatable. Okay, the first name is Senator DeCamp. Senator Haberman, do you wish to be recognized?

SENATOR HABERMAN: Mr. President and members of the Legislature, I ask that you think real seriously at this late date and with time running out as it is, to vote to overrule the Chair. We have been sustaining the Chair, and in this case this is obviously a ploy to a bill that has been twice... has not advanced. There is no emergency that it can't come up next year. I do not like tactics like this. I think the Chair has made a good ruling. And once we start overriding