

May 27, 1981

LB 544

do you have any further argument on that, Senator Beutler, at this point? I think we have received your reasoning, unless you want to add to that.

SENATOR BEUTLER: Well I will just close at the appropriate time, Mr. Speaker.

PRESIDENT: All right. Now who wants to...I think maybe since the motion is by Senator Cullan I will allow Senator Cullan to argue why it should not be overruled regarding germaneness.

SENATOR CULLAN: Mr. President, members of the Legislature, I would already point out that this bill already has a number of amendments on it and certainly it is as germane as any of the amendments that has already been adopted to this bill or LB 285 which we added a number of issues to yesterday or LB 472 which was an appropriations bill which is now a Christian prayer bill so I guess what has really happened in the past is the germaneness issue is not an issue at all unless someone raises it and no one objected to the many, many amendments to LB 285 or to the previous amendments to this bill and so they were adopted and so now Senator Beutler raised the germaneness issue. It does deal with roads. It is in the same chapter. I would ask you to give me the opportunity to do this. Let me also say that next year I do plan to come in with some legislation to clarify this whole area but it is important that we do this this year because the ETSI Company is acquiring right-of-way in the State of Nebraska now and they could, if we fail to do something, acquire these permits automatically between now and the next legislative session and then I would be powerless to do anything and the Legislature would be powerless to protect the interests of the State of Nebraska and lastly, I would say that we are not putting very stringent requirements on them with this bill. It would just simply try and protect the public interests of the State of Nebraska. So I would say it is in the same chapter. It is similar to many, many actions the Legislature has taken on many, many bills in this last few days and I would ask your indulgence. Please sustain the Chair on this issue. Vote no.

PRESIDENT: I am not going to have too much more debate on the matter of germaneness since I have already decided and it is just an overruling. So, Senator Beutler, if you would just close on your motion to overrule the Chair and then I will call the motion. I think that there is no sense in delaying it any further.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature,