

April 5, 1982

LB 568

SENATOR LAMB: Senator Higgins.

SENATOR HIGGINS: I would like to ask Senator Landis a question. Senator Landis, you said that in the past we have ruled germaneness just on the basis of Chapter, is that correct?

SENATOR LANDIS: In interpreting what I have heard the Chair to say, that is true. I have served in the body when decisions have been made on subject matter and on Chapter heading. Recently it seems that the Chair has been using the Chapter as a determining basis.

SENATOR HIGGINS: Can you give me any examples in the past when we have ruled germaneness based upon Chapter only?

SENATOR LANDIS: I am sorry, I cannot bring them directly to mind. Perhaps Senator Chambers knows.

SENATOR HIGGINS: But has it been done frequently?

SENATOR LANDIS: It is a mixed question. As I understand the Chair interpreting as I have sitting out here, the Chair has used the Chapter number as one of the indices of germaneness.

SENATOR HIGGINS: Which Chair are you talking about? Are you talking about Speaker Marvel, Speaker Clark, Speaker Lamb? I mean, when you say the Chair, are you speaking about this specific evening or the past, what has been traditional in the Legislature? Have we traditionally ruled something germane by Chapter or has it had to be chapter and verse? Okay, that is what I have been trying to find out.

SENATOR LANDIS: In the past over a course of time, I believe the rule means chapter and verse, meaning it should be in the same Chapter as one of the indices of the connection but it doesn't have to be just the Chapter. The Chapter is looked to for guidance but is not always the controlling factor. I have interpreted listening to the Chair recently as placing more emphasis on simply the Chapter number. I would suggest that we return to the standard of fairness that looks to the Chapter as one of several indices of germaneness but not the only controlling factor.

SENATOR HIGGINS: But in the past we have gone by chapter only and ruled it germane, and you said earlier this evening that as long as you introduced something and it was germane by Chapter and it was not the intent to introduce an amendment or a motion just for the sake of filibustering,