

that should be done in the form of a second university system, or whether all of that principle programs in the graduate area should be within a single system and I feel strongly that it ought to be in a single system. I would urge that the body adopt this amendment because of the policy that is right for higher education, number one, and only first, and then, secondly, we do expect, the Attorney General has indicated as well, that it would provide a test case which would more clearly define what it is that the Legislature can or cannot do and what is a very narrow interpretation from the Attorney General relative to LB 160. I would move the bill be...the amendment be adopted.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Point of order, Mr. President. I would challenge the germaneness of this amendment.

PRESIDENT: Okay, would you like to make your statement, as to why you believe so, at this time.

SENATOR WESELY: Yes, Mr. President. The original bill was intended to create a study committee, and the structure of a study on the issue of higher education. The amendment offered by Senator Warner is a very radical departure from that original amendment and I question even if it's constitutional, would merge Kearney State into the university system, I understand. I don't think they're any where close to being similar in their focus, they don't logically extend. The study is one thing, but the actual implementation of that effort is completely different, to me. So I don't think they're germane.

PRESIDENT: Senator Warner, would you like to make a statement about whether you believe it is or isn't germane.

SENATOR WARNER: Well, certainly the basis of Kearney State is specifically in the amendment, certainly this morning the bulk of the conversation, the discussion we've had has dealt with that issue. It would seem very clear to me that it is consistent. And, secondly, with the adoption of this amendment it would give further structure and assistance to the study itself and its being conducted.

PRESIDENT: I'm going to rule that it is not germane. It appears that the original bill was aimed at setting up a future