

April 17, 1989

LB 52, 761

SENATOR DIERKS: Absolutely, sir.

PRESIDENT: Okay, you may speak then.

SENATOR DIERKS: I would only appeal to the body to uphold my motion to overrule the Chair. The amendment as it is introduced is a very simple amendment that asks for the people to be given the choice on whether to vote or not, whether they want this site placed in their county. And there is no way I can see where this doesn't involve all sections of LB 761. The entire process rests on whether the community will accept this process. There can be no other way, as I see it, than that the people be given the right to vote, and if that's going to happen, it's going to affect every section of LB 761. I just appeal to your sense of judgment and your sense of political awareness to accept the overruling the Chair on this matter. Thank you.

PRESIDENT: Thank you. Senator Morrissey, we're speaking...okay, Senator Smith, please, Senator Schmit, on the...

SENATOR SCHMIT: Mr. President and members, as I described the committee amendments to you when I opened on the bill, there is no section of the committee amendments, not one single committee amendment addresses the issue which is addressed by LB 52. Secondly, the rules of the Legislature place certain responsibilities upon the committee. One of those responsibilities is to review and listen to the bills, listen to the hearings, listen to the debate of the public and then make a decision and a judgment. The committee voted 5-0 to kill LB 52. It is entirely proper and right that this body then if they so choose, to bring from the committee, LB 52 by a vote of 30 members. It is also the right and the duty and the obligation of this body, if they see fit, and view it in their opinion as a proper course of action to amend this bill, if it is ruled germane to the bill, by 25 votes and include LB 52 as a part of this procedure. If the body would rule this issue germane, it would, in fact, whether intentionally or otherwise, make a mockery of the committee process. I do not think that is what we want to do. I know that is not what Senator Dierks wants to do. I do understand his concern and I respect him for it and admire him for his courage and his persistence, but it is not consistent with the rules of the Legislature that this issue be ruled germane. Again, how you feel on the amendment should