

April 25, 1989

LB 84

Senator Withem offered is not...I mean, Senator Bernard-Stevens offered is not a reconsideration, it is not. Senator Haberman's amendment is not a reconsideration. If you adopt Senator Haberman's amendment, you're striking language from Senator Bernard-Stevens' amendment, which you have a right to do, and I think it would be a grave mistake to uphold the Chair. I'd like to ask the Chair a question for clarification before I go on.

PRESIDENT: All right.

SENATOR CHAMBERS: Mr. Chairman, does your ruling implicitly include the idea that an amendment of this kind does not allow a person to seek a division of the question? Because, if the division is granted, and part of it is voted down, then you have the same effect as if you, by amendment, tried to strike some of that language?

PRESIDENT: No.

SENATOR CHAMBERS: So you can do, by division of the question, what you cannot do by a straightforward amendment, that's your ruling?

PRESIDENT: Yes, anything is divisible, but I couldn't say that everything is divisible, you know that. Right?

SENATOR CHAMBERS: You know that I know it. The thing that is divis...a division is allowed if there are two items which can be considered separately, each by itself.

PRESIDENT: Yes.

SENATOR CHAMBERS: And if one of the provisions in an amendment is to go from a one-year period to a two-year period, and to add a sales tax, there are two items.

PRESIDENT: That's correct.

SENATOR CHAMBERS: All right, so those items are divisible.

PRESIDENT: That's right.

SENATOR CHAMBERS: You could have one without the other.

PRESIDENT: That's right.