

January 4, 1990

PRESIDENT: Senator Moore, please, followed by Senator Hall and Senator Barrett.

SENATOR MOORE: Yes, Mr. President, and members, I rise to oppose this particular motion. Now we oftentimes...I think it is good that we are debating the germaneness rule early on, was hopeful that we come up with something we all agree on. The fact of the matter is I think by doing this you are opening the door a little bit too wide. Obviously, there are certain senators like Senator Hall, who brought this motion, who adheres to what has historically been known as the South Omaha practice, is not introducing that many bills, but amending them on the floor. That happens time and time again. That is his prerogative and oftentimes I support Senator Hall's efforts in that. But the fact of the matter is a few years back this Legislature refused a rule change that would have stricken the requirement that we have a public hearing on every bill introduced. When that rule came up, we refused it. We said that, if my memory serves me correctly, we will continue to be one of the two states in the country that has a public hearing on every bill that is introduced, and I think that was the wise choice. That was something that when this whole institution was created in the early thirties, the public was going to be the second house. We deserve to allow the public maximum interaction to the process. Well, the way you get around a public hearing is to amend things on the floor that haven't had a hearing, and one of the easiest ways to do that is if you have a broad germaneness rule, you can do that more often. I don't think that is a wise practice that we should encourage. I don't think that is a practice that we should allow. Obviously, the fact of the matter is the looser you make this germaneness rule the more temptation and the more chance for chicanery, as Senator Schmit calls it, and I don't think that is wise. When you get towards the end of the session, we all know about the Christmas tree bills where you amend a variety of different issues into different subjects into one bill because, one, it didn't have a committee hearing; two, it didn't get out of committee, things like that. I think we deserve, the public in the State of Nebraska, to keep a tight germaneness rule that makes it difficult, at least, to get new subjects brought forth on a bill. I will agree with Senator Hall, we may need some changes in our germaneness rule. As we debated yesterday, you know, I have trouble with a germaneness interpretation that will not allow us to come up with a method of financing a bill within the bill itself. For instance, if we had a bill that spends