

take less than the...than the absolute majority of the Legislature and we are all tempted, I think, when we draft amendments on General File to find some rationale for putting them into the committee amendments as opposed to making them stand on their own and require the full 25-vote majority. So I think it is not just from an effect on this bill but I think we ought to, as a body, be more careful about this practice of adding...adding things to the bill as committee amendments. What the McFarland amendment does is it basically takes the Legislature out of any specific types of decisions about spending. It says that there will be in the Constitution of the State of Nebraska that the Legislature will make no specific decisions about spending money at the university level. Now that not only is a frightening thought to me, as a legislator, that we're going to write in the Constitution, abdicate all of those responsibilities we have to oversee budget, but it's clearly way beyond the scope of what the committee amendments had involved. With the committee amendments, the portion that Senator McFarland was referencing, the governance of the institutions, it is merely a reiteration of what is already in the Constitution concerning the vesting of governance issue that was discussed and debated in the Exon decision. What this amendment does, goes way beyond that. It is drafted, not as an amendment to any of the existing amendments, it says insert the new amendment. It doesn't even amend any of the existing language within the committee amendments. It merely adds one new concept to it that is clearly beyond the scope of what committee amendments...amendments to committee amendments are designed to do. And I think the President has ruled correctly in this case and I would urge that the President be upheld.

PRESIDENT: Thank you. Senator McFarland. No. The question is, shall the Chair be overruled? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 3 ayes, 20 nays, Mr. President, on the challenge of the Chair.

PRESIDENT: The Chair is not overruled. You had something else, Mr. Clerk?

CLERK: Mr. President, Senator McFarland has a second amendment to the committee amendments. Senator, I now have AM2898 in front of me.