

apart from the ruling of germaneness is the issue which I have indicated is that the provisions, as far as I'm concerned, that are contained in LB 88, at least as they stand now, would be offered to LB 262 so that the state and its political subdivisions are not exempt from the public policy that is included in LB 88, but in that process, it does make the germaneness issue nonexistent when we come to deal with those political subdivisions and any modifications that would seem appropriate to this body to be made. It's a simple issue to me of there has to be a bill in which those two issues, or those two parts of government can be dealt with on this issue.

PRESIDENT MOUL: I'm going to rule that the amendment is not germane and is out of order. Senator Warner.

SENATOR WARNER: Madam President, I would appeal the decision of the Chair on germaneness. Clearly, and for my viewpoint, you couldn't...we cannot adopt a germaneness rule that has the effect of making it impossible to deal with an issue. When cities, correction, when governmental subdivisions in the state are clearly affected by the proposed legislation, when as a practical matter it clearly had indicated a willingness to place that in another bill, the practical impact, of course, is that if we fail to pass LB 262, we are prohibited from amending 88 with the provisions of appropriate policy for the tort claims for the state and political subdivisions, we are in an impossible position. And I would urge that the body overrule the Chair and allow this amendment to be considered. It is inconceivable to me that to take them out is not germane, but to deal with them as inside is also not germane. It's a contradictory ruling. It makes no logic to me.

PRESIDENT MOUL: Now we will proceed with debate on the motion to overrule the Chair. Senator Abboud.

SENATOR ASBOUD: Yes, Madam President and members of the body, I support your decision to rule that this particular amendment is not germane, as I supported the ruling of the Chair last week when we dealt with a similar issue on LB 88 in which at that time political subdivisions sought to be brought into the bill and at that time the president that was sitting in the Chair, Senator Baack, ruled that this bill was...this amendment to LB 88 was not germane. The basic rationale behind your decision, I believe, is sound for one reason. It deals with a different section of the law. The political, as the amendment