

hesitate to say this but it probably should be said. There is reason to do this beside the appropriateness of the...what I believe the appropriateness of the amendment, itself, which I will touch on. But when I recall the discussion on LB 88 on General File and the germaneness issue, now there is a reason to treat all governmental subdivisions in the state in one bill. The reason is really simple; LB 262 may not pass, may not be signed, a veto may not be overridden, and the only chance you are going to have probably, as a very practical matter, if you want to deal with the governmental subdivisions in the state at all is to adopt this amendment. Yes, there is some leverage there. I think Senator Ashford is correct. It works both ways, however. I can only talk by myself and I have indicated conceptually, not knowing what amendments might be adopted, but conceptually I feel that I can support LB 88, as it stands, at least, to be put into LB 262. I think the Legislature deserves to be able to treat that issue as one because it is one, as far as tort claims and how governmental subdivisions of the state are to be affected. There is a need to treat them differently because there are some areas that are different. The germaneness issue the other day made it impossible to treat it in LB 88, so it has to be treated somewhere, and I am willing to treat it in LB 262 with the same provisions as LB 88. As a matter of fact, to place those provisions in the Tort Claims Act as opposed to LB 88 makes a great deal of sense, even unto itself. We saw fit to have different laws currently affecting the state and local government. They are in a different section, as was pointed out, and all those aspects that affect governmental subdivisions in the state ought to be in the same section. It simply makes a lot of sense. So I'd urge that you'd vote for the amendment because it is the only vehicle we have, if it is adopted, to address the issue that needed to be addressed and it cannot be done without this amendment.

SPEAKER BAACK: Thank you, Senator Warner. We will now proceed to vote. We have a call for a roll call vote in regular order. Proceed, Mr. Clerk.

CLERK: (Roll call vote taken. See page 630 of the Legislative Journal.) 17 ayes, 20 nays, Mr. President.

SPEAKER BAACK: The motion fails. We will now proceed to the Special Order on the agenda on LB 404. Mr. Clerk.

CLERK: Mr. President, 404, I have no amendments pending to the