

public. The Attorney General's Office has ruled that it is constitutional to have the nominating commission votes recorded in an open meeting and/or at least recorded so the public can know how the vote was. The County Mental Board is not underneath the open meetings law due to they deal with a personal matter of people who are mentally ill. I agree with this. Now a meeting shall mean a regular meeting, a special meeting, a called meeting, formal or informal of any public body for the purpose of briefing, discussion of public business, formation of tentative policy or taking action of the public body. So the amendment to this bill states... "You shall vote by oral roll call vote at a public hearing or meeting in open session," just exactly what everyone else has to do in the State of Nebraska. The amendment says, any hearing or meeting held by a judicial nominating commission pursuant to this section shall be subject to sections so and so. It fits perfectly into LB 251, so I ask you to return 251 to adopt the amendment that this one entity who should be open to the public says we don't have to do this. Thank you, Madam President.

PRESIDENT MOUL: Thank you, Senator Haberman. I recognize Senator Kristensen for a point of order.

SENATOR KRISTENSEN: Yes, Madam President, members of the Legislature, I would challenge the germaneness of this amendment. This amendment deals with Section 84-1409 and if you look at LB 251, in no way does that open up any of those sections of the statute. It's a completely different area than what the subject matter or what the statutes that are opened up in 251 were and I would request that it be ruled nongermane.

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Haberman, would you respond.

SENATOR HABERMAN: Yes, I'll be glad to, Madam Chairman. The bill mentions the judicial nominating commission at least 15 times in the bill. The entire bill relates to the judicial nominating commission. My amendment relates to the judicial nominating commission. Now it may not fit the same statutes, however, mentioned in here is 24-810, all the numbers that are mentioned in the bill are mentioned in my amendment, so I think it is germane and I would like to ask you to rule that it is germane to the bill.

PRESIDENT MOUL: Thank you, Senator Haberman. Senator Haberman