

Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I don't often support a motion to overrule the Chair on the germaneness issue but, as I watched this year with regard to how the germaneness rule is now interpreted, this would seem, to me, to be a most inappropriate ruling. Senator Schimek, as I understand it, has now limited this amendment so that it applies only to the appeals court. It doesn't apply to any other court. This bill, as you know, creates the appeals court. In all its various aspects and forms, that's what this bill is about, the creation of the appeals court. How you can say that certain members of this Legislature can speak to certain portions of the creation of the appeals court bill and certain other members of the Legislature cannot speak to other portions of that act of creation is beyond me. I think, quite clearly in this case, to say that this amendment in this case is not germane is inappropriate and contrary to the line of decisions on the germaneness rule as they have come down this session. Thank you.

PRESIDENT MOUL: Thank you, Senator Beutler. Senator Abboud.

SENATOR ABBOUD: Yes, Madam President, members of the body, I support the Chair's ruling on the germaneness. The section that Senator Schimek is attempting to add into LB 732 deals with a different section of the law. This particular bill does not deal at all with the public meetings law. It deals with an entirely different area. Now, as far as the arguments dealing with establishment of a new court, I think that you can...you could add a lot of different things into this bill if you followed that argument, most importantly the area of funding. The funding of this court shall be by the State of Nebraska and that funding will come, obviously, either from sales or income tax. So we could just as easily add an amendment into this bill providing for increasing the sales and income tax to provide for the funding. You can go as far as you want in dealing with an establishment of a new court system but, clearly, this bill did not deal at all with the public meetings law. Senator Haberman's bill that Senator Schimek brought up did have a public meeting, it did have a number of people come in and testify for the bill and it had some that came in and testified for it. And the committee, in examining this particular procedure of establishment of the open meetings law, chose not to advance that bill. Now that's fine if Senator Schimek wants