

April 12, 1995

LB 406

opposed to the bill necessarily but, Madam Chairman, I will raise a question of germaneness on this particular amendment to the bill.

PRESIDENT ROBAK: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Yes, I raise a question of germaneness to the bill, Madam Chairman. LB 404, which is the essence of the bill...the amendment that we have before us, deals with the drug and narcotic section of the Criminal Code, changes records for retention requirements for controlled substances from two to seven. Prescriptions may be faxed to pharmacies, and again 406 is dealing with nursing care, nursing homes. I guess though the bill may be a good bill, it's just not germane to this one. So I rule...ask to ask for a ruling on the germaneness.

PRESIDENT ROBAK: Thank you, Senator Bernard-Stevens. Senator Wesely.

SENATOR WESELY: Thank you. Madam President, this one I do think is germane. (Laughter.) This is an issue that is under the purview of the Health Department and it deals with the...it doesn't under the Criminal Code, but it's enforced by the Health Department. They oversee the pharmacies of the state, they are the ones that have to step in and deal with what are schedules of different controlled substances and they regulate that activity. So this is a function under the oversight of the Health Department. And the provisions of this have been on an annual basis part of the cleanup bill. We didn't do it this time, we had it separated out and we made that mistake and it went over to Judiciary Committee, will not make that mistake again. But this is all under the control and oversight of the Health Department. And I don't see this.... What the bill does and the whole idea of the bill is for the Health Department to clean up certain statutes that they regulate and attempt to clean up those statutes, and that's exactly what this amendment does. So I would ask for your ruling that it is germane.

PRESIDENT ROBAK: Thank you, Senator Wesely. Senator Wesely, I believe that the amendment is not germane.

SENATOR WESELY: I move to overrule the Chair.

PRESIDENT ROBAK: There's a.... Senator Wesely.