

SPEAKER WITHEM: You are recognized to speak on the motion to overrule the Chair.

SENATOR BERNARD-STEVENS: And I'm going to withdraw this motion when I'm finished, but I wanted to speak on it. I really, sincerely wish Senator McKenzie would not have raised the germaneness issue or I would encourage Senator Warner to suspend the rules for a nongermane amendment. This is one of the best policies this state could do, and if this is the bill we could do it on, this is the bill we should do it on, Senator McKenzie. It's not going to jeopardize the bill, it's going to ensure that we, in Nebraska, have a reasonable policy. Now I understand that why Senator Warner may not want to suspend the rules because Senator Jones and others have an amendment that's coming up later that they would probably want to do the same thing and I would argue that Senator Warner's policy is much better and we shouldn't suspend the rules on that one because it's not the best policy I want to talk a little bit about what I perceive Senator Warner is doing and why I argue that it is good policy and why again I'm discouraged that Senator McKenzie went the germaneness route to get it off. What we have in LB 38 is anything that comes in revenue-wise over our projections is automatically transferred into the Cash Reserve and that was good policy. What Senator Warner's amendment does, if I understand it, and I think I do, is that we'll take the 15 year average and it will be a moving 15 year average each year we move up which I have a question at some point on the rationale of...I'm not sure we could call it a base year anymore because it is going to be a moving comparison but, nonetheless, it's a 15 year average. That average growth during that time period would be what we would limit our state to. Now what it would be is if there was more growth than that we would have a pool of dollars that we still, I believe, Senator Warner, would have to actually transfer into the Cash Reserve because this amendment that you have does not have a transfer of proportion, is that correct? Yeah, so we'd still have to transfer it which is not a prob...would not be a problem. It would certainly have to get the votes to do so, but it would focus the attention and set aside those dollars for that particular purpose. It makes sense to do it that way rather than the way that we do it now. It's good policy. My sense is this Legislature would support that policy, now is a good time to do so. I would again hope that we might suspend the rule and I'm not going to do that. I think it's to the discretion of Senator Warner and I will trust his judgment. I would hope that he would suspend the rules for a