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LB 943

SENATOR FOLEY: Mr. President, I move to overrule the Chair.

SENATOR CUDABACK: Uh-huh. Senator Foley, you may open on your motion to overrule the Chair. Every...

SENATOR FOLEY: Mr. President, I can't...I can't help but tell you how stunned I am at that ruling in light of what's happened with this bill. Any fair reading of this bill would lead one to the simple conclusion that this bill is an omnibus criminal package that uncovers...that covers a wide variety of topics, some of which are not connected. It amends a number of sections of the criminal code; creates the new offense of strangulation, which was not in the underlying bill; and the amendment that I've offered is obviously, obviously a criminal statute that opens up Chapter 28. There's not a doubt in my mind that this amendment is fully germane to the underlying bill and I'm stunned, in light of the way that we've proceeded here, in the four years that I've been here, that this amendment could possibly be ruled not germane. I'm absolutely stunned and I ask the body to overrule the Chair in this instance. Senator Chambers has argued a number of times of the need to have a very liberal interpretation of the germaneness rule because of the types of amendments that we offer, and this is clearly within the context of the bill, as it was amended on General File to include four or five other bills, and amended again here on Select File with another bill. So I ask the body to overrule the Chair so we can proceed to a consideration of the amendment. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Foley. You've heard the opening on the motion to overrule the Chair. I remind the body that you can only speak once on the motion to overrule and the rules state the precedence that we cannot yield time during this procedure. Those wishing to speak once only: Senator Thompson, followed by Senator Bourne.

SENATOR THOMPSON: Thank you, Mr. President. I would just ask the body to uphold the Chair on this. As I read the rule before, I think it doesn't follow in a logical sequence and also that we have, I believe, a bill that's ready to move today