

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 6, 2004

LB 943

can again question whether or not we should even have a germaneness rule. Because as I have stated here before on this floor, that has been so selectively applied this session on many issues, and we have wasted two full legislative days on other issues that were not germane but it was never questioned. And I admit to the body at that time that I also did not bring up that issue because the individual that called it on other issues wasn't willing to do it themselves. So I was also looking for some consistency. But let me read you what the rest of the rules say. It also talks about what a nongermane amendment is, so we have a clear definition of what a germane amendment is. In other words, in order for it to happen it has to be natural and logical sequence to the subject matter of the original proposal. Obviously, Senator Bourne has admitted that we have violated the single subject law by one of his bills that was amended into this. Fine. But a nongermane amendment includes one that relates to a substantially different subject. Senator Foley's amendment does not relate to a substantially different subject. It relates to a subject that this body does not want to take up at this time. That's within your right to decide whether you want to do that or not. But the issue at hand is not whether Senator Foley's amendment is germane in the term that I read...in the way that I read the rules, but rather whether this body has the will to take up this issue. I will be voting to overrule the Chair because I think he's within his right, I think he's within the rules. I may be a voice crying in the wilderness, Senator Friend, but I think if we're going to have a rule we should apply it consistently, not selectively, and we should probably look at our rules to say that it's not a question that has to be asked but, rather, it would be treated across the board to every amendment that's offered whether or not it's germane. That test would be applied to every amendment if we're truly going to go down the path that's being asked of us today. So I'm going to vote to overrule the Chair and I encourage you to do the same. Thank you.

SENATOR CUDABACK: Thank you, Senator Erdman. Senator Chambers, on the motion to overrule.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'm going to talk about something that may seem not germane to