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SENATOR WILL: The point is that under the rules of the Legislature, a substantially...an amendment that is substantially similar to a bill that has been killed, as has been LB 17, and I believe this amendment is substantially similar, requires 30 votes to be adopted. And I would like the Chair to rule to that effect.

SPEAKER WITHEM: And I'm going to treat this similarly to we do with questions of germaneness. When I think that there may be a question, I often times will ask the...another party to the debate to respond, if they care to. Senator Landis, do you have an opinion on this issue?

SENATOR LANDIS: Thank you, I do, and it is on that question of substantiality. There are two very important distinctions between this amendment and LB 17. First, LB 17 was a grant of authority to use this power under any circumstance. This is a grant of authority that is permissive; secondly, only applies in the case of second offenses; and, third, only applies for a repetition of the same kind of wrong that was previously done. Understand that there are well over a dozen, dozen and a half wrongs that could be done. The original grant of authority would have been on the first offense. And on any of those this bill, or this amendment now is about second offenses for similar cases, which, by application, is the difference, and there's a numerical difference. Four hundred and sixty cases could have qualified for LB 17, 34 could qualify for this amendment, those are not the same issues, whether an order of magnitude of 1 to 10 difference in their application.

SPEAKER WITHEM: Yeah, this is one of those where the Chair has to, you know, exercise some opinion as to what is substantially and what is not. Senator, I...I'm going to ask you to repeat a point that you made, because I don't think I quite understood, yes, you, Senator Landis, about it being permissive as opposed to mandatory, or what was that point you were making?

SENATOR LANDIS: Yes. I'm sorry, Senator Withem, I...I...

SPEAKER WITHEM: I'm sorry also that I've been asked to make a ruling here and I need to know the point you raised concerning