

March 27, 1980

LB 741

SPEAKER MARVEL: Okay, now, Senator Chambers, your...

SENATOR CHAMBERS: I have a point of order on Senator Beutler's attempt to amend his motion. This is the same amendment, if I am not mistaken, that was already introduced and the Chair ruled that it was not germane to LB 741. Until the Speaker has been overruled, that ruling continues to stand so I don't see the need to offer an additional motion to find this particular amendment to be nongermane when the Chair already did so. And so that the issue is brought into clearer focus, we know that there have been attempts to allow the Attorney General to be the superhouse of the Legislature, and if the Attorney General were to respect the separation of powers in the same way that I have been told he will not make a ruling after a bill has passed, he should not inject his office into the internal workings of the legislative process, and since the motion was ruled by the Chair to be nongermane and the same person occupying the Chair now is the one who made that ruling, the Attorney General cannot overrule the Chair in this matter and I also feel that that ruling was based on the idea that the rules of the Legislature are designed to facilitate the operation of the Legislature and legislative business, and to allow an outside agency of government to be injected into the legislative process is an attempt to circumvent the other rules and regulations in the Legislature as embodied in the rules to prevent material under color of amendment to be brought in at a late stage of proceedings, radically alter a bill, and which if adopted anyway would necessitate its being sent to a committee. So the reason I am addressing Senator Beutler's attempt in this fashion is to make clear why I think his motion might even be out of order in view of the Chair's prior ruling on the same subject.

SPEAKER MARVEL: In order to cover the initial subject, the Chair will make this ruling and then those on either side or many sides of the issue, one of many sides of the issue can challenge the Chair. I have got a lot of material up here that I have gathered and that I have been studying. The fact of the matter is my decision is the same as it was before. My decision has not changed. Does that answer your question, Senator Beutler?

SENATOR BEUTLER: I believe that answers the question, Mr. Speaker, if by those words you are now ruling that the DeCamp amendment is not germane?

SPEAKER MARVEL: Yes, sir.