

overruling of the Chair so we can get on to the discussion of the amendment which I suspect would be first thing this afternoon.

PRESIDENT MOUL: Thank you, Senator Bernard-Stevens. Senator Withem.

SENATOR WITHEM: Yes, Madam Chair, members of the body, I'm entering into this debate because I think it is important not so much what happens to LB 789 or the Bernard-Stevens amendment thereto, but that the body understand what it is doing when it votes to overrule the Chair and votes on a matter of germaneness. The question of germaneness comes up midway through a session every year and normally what the body does the first few times it deals with the question of germaneness sets the precedent for moving on into the rest of the session. Traditionally, for those of you that have not been around for a number of years, Senator Beutler argues for a very, very, very narrow interpretation of germaneness. The rest of the body traditionally accepts a broader definition. I think in this case, by asking the Chair be overruled, Senator Beutler is going even beyond his normal narrow view of germaneness. If you heard his argument, there was really very little explaining why this amendment is not germane. There was a lot of explaining why he thinks this is not a good policy and if you agree with him that it is not a good policy, you will have an opportunity to so vote when the amendment is before the body. You can vote no on it. But his argument was, well, this was another bill. There is nothing in our germaneness rule making reference to other bills can't be offered as amendments. Common practice, it is one we use all the time and it's one that I believe he has utilized in the past; that 789 is a minor bill, it is a technical bill, it is a procedural bill and that this amendment is a major issue. Again, there is nothing in our rules that talks about minor amendments to major bills, major amendments to minor bills. Indicated that this is a consent calendar bill and we ought not to be amending things onto consent calendar bills. Oftentimes the Speaker, when the Speaker schedules bills for consent calendar, will impose some sort of rules as it relates to amendments, well within the Speaker's rights to setting the agenda, but that has nothing to do with germaneness. This bill, as I look at it, LB 789 deals with water rights in a fairly broad sense. The amendment Senator Bernard-Stevens is bringing to us which was originally, as I understand LB 79, deals with water rights. If this is not germane, we are certainly, and the