

April 23, 1975

LB243A

SENATOR CHAMBERS: Mr. Chairman, this is not on the merits on that but a question of the Chair. On a motion of this kind, would the discussion be limited between the maker of the motion and the Chair or would it be open for others?

PRESIDENT: Well, I would like to keep it between the maker and the motion. Particularly when its someone like Senator Lewis because this matter has been debated several times. The issue was quite clear to everyone and in the interest of moving along so that it can be confined and we have tried to confine it but an appeal is a debatable item. The Chair would much rather, the Chair would then have to give further argument if other matters come up on the floor. I will recognize any other members. I would like not too. Senator Barnett.

SENATOR BARNETT: I have a question of the Chair. You can check on page 30, rule 5 subsection G and I would like to know why we are voting on an A bill to start with? Maybe somebody...

PRESIDENT: Senator Murphy and I have discussed that quite thoroughly and the constitution makes no reference to A bill it says any appropriation in excess of the Governor's budget so it is not limited to A bill. I think that you raise a good point that Senator Murphy would like to talk to you and many of you about and that is why we have A bills under \$50,000. But, unfortunately that doesn't resolve our problem because our problem relates to any appropriation in excess of the Governor's budget.

SENATOR BARNETT: In other words you are saying that this rule 5, subsection G doesn't hold water.

PRESIDENT: I don't think that is the issue before us today. That is another issue and this body should resolve it.

SENATOR BARNETT: This is part of this decision.

PRESIDENT: Not of this decision.

SENATOR BARNETT: If there wasn't an A bill there wouldn't be any controversy.

PRESIDENT: Oh yes, this matter could come up in an ordinary bill that is in an appropriations bill. This same matter could come up, yes.

SENATOR BARNETT: OK, fine, thank you.

PRESIDENT: The question is shall the Chair be sustained and any vote votes with the Chair's ruling and a no vote votes with senator Lewis. Have you voted? Record.

CLERK: 28 ayes, 9 nays, 12 not voting.

PRESIDENT: The Chair is sustained.

CLERK: Read Enrolling Clerks report. Read E & R report.

PRESIDENT: Alright, lets take up her motion now. The Chair..