

bill is good. I am not saying that the change ought to occur in the board as far as having these constitutional officers. I think because of the political problems that can be encountered because of the types of acts that various elected officials may engage in, we could wind up with a situation where they would be disqualified from even sitting on a claim. Therefore, we should keep them out. But if the body is intent on moving this bill, I would like to put something in it so that we are not at a position where no claim of substance has any realistic chance of being fairly considered and a unanimous vote makes that all but impossible, the fair consideration, I mean. And when Senator DeCamp says you have a higher standard for certain types of claims, his general statement is not really correct but you might, in talking about proof of certain acts, if it is a crime, the proof is beyond a reasonable doubt. For certain civil matters, it is clear and convincing evidence, for others, a preponderance of the evidence. But regardless of the standard required to establish the validity of the claim or the charge, the number of deciders is a majority except when it comes to impeachment as the Constitution stands now or nullifying an act of the Legislature. Those are the only two judicial proceedings where a super majority of judges is required. If a person's life is to be taken, a simple majority upholds the death sentence. If parental rights are to be terminated, a simple majority upholds the termination of parental rights. So if those matters of such grave importance, literally life and death, will be decided by a simple majority of those doing the deciding, certainly the screening process which places a citizen in a position to even have a realistic chance to recover on a claim against the state should require nothing more than a simple majority. So I hope you will adopt this amendment.

PRESIDENT: The motion is to the adoption of the Chambers amendment to LB 136. All those in favor of the amendment vote aye, opposed vote nay. We are voting on the Chambers amendment to LB 136. Please record your vote. Members are asked to record your vote. The issue before you is the Chambers amendment, the adoption thereof. Have you all voted? The motion is the adoption of the Chambers amendment to LB 136. Have you all voted? The Clerk will record.

CLERK: 29 ayes, 2 nays, Mr. President, on adoption of Senator Chambers' amendment. (See page 431 of the Legislative Journal.)