

February 1, 1973

SENATOR WARNER: Mr. President, I made this motion in part, because of some of the events yesterday, but more because of concern I've held for some time. The members will recall that Senator Carpenter placed the motion to indefinitely postpone Senator Whitney's bill, I believe it was LB 152, I was out of the chamber at the time that Senator Carpenter made the motion, but I did hear later discussion and Senator Carpenter's closing. In Senator Carpenter's closing he indicated that one of the reasons or perhaps the reason that he had made the motion was to encourage more discussion or promote more discussion of the issue and he also indicated that some of the newer members particularly felt that we have not had adequate discussion of some of the bills as they are advanced across general file. Now this I, is not a new concern, I think many of us who have been here for some time have recognized this situation and that it is maybe one of the short comings of the body of our system. The 1969-70 Executive Board reviewed and recommended a number of changes in our rules. One of these was the strengthening of the Speaker, some the strengthening the Executive Board which we referred to earlier, but we also made a number of changes which were intended at least to promote discussion and provide some type of adversary position on the advancement of a bill. Among some of the changes that were proposed at that time, some adopted, some not, one was that the bill drafter to be required to provide an explanation on these purpose and intent of a real bill rather than the introducer's statement as we now know them. This generally is not done, although there is provision for staff to assist in this way. Another provision which was put in at that time and is in the rules was for minority reports from committees so that members whose dissent could express themselves and perhaps provide the material in this way. We changed the votes required in a number of motions, for example on general file it used to require a simple majority and 18 to advance, we changed it to majority elected members. We retained the concept of the simple majority of those voting would determine whether or not the bill would be indefinitely postponed or not, and there was many other changes which I won't touch on. I think many of us felt that these were improvements, but I think many of us also feel that we have never provided the complete answers. I think all of us recognize and it was really at issue here this morning as well, but when a kill motion is offered, that it may be taken as a personal thing, or be taken personally rather than on the merits of the proposal, and even to some extent the questioning of a proposed bill or a proposal can result in the same problem. Now for example, I'm not unaware that some might think there is perhaps a slight dissention between Senator Carpenter and myself, and as a result I have purposely refrained from talking on a few issues because of concern that my position might be thought of as a personal thing rather than the merit or lack of merit whichever of the particular proposal. I think we also have to recognize that it seems to develop that a given pair of Senators or group of Senators end up on the opposite side of a number of issues, which sometimes is interpreted as a personal feud. I think in more cases it's probably nothing more than a philosophical difference, which happens to be expressed in how they feel on a particular proposal. Now we in the past have discussed numerous alternatives. Senator Marvel, I visited a little with him this morning, and we were discussing 1969 we have talked about this a lot of times, I remember one of the things I suggested at that time and we kicked around, we needed some method of maybe of an automatic kill motion on general file that had to be overcome. Well we never pursued that because obviously the fact that we had an automatic kill motion would not result in someone talking in opposition, and