

February 6, 1973

**SPEAKER:** The Kelly amendment is defeated. We're back to LB 174 as amended. Senator Stromer.

**CLERK:** Read.

**SPEAKER:** Senator Maresh. Clear the board.

**SENATOR MARESH:** Mr. President, members of the Legislature, if we are to retain our standing as No. 1 in the nation as be accountable to the people, why I believe that this bill should have another public hearing because it is, indeed, a different bill. I move that it be moved back to committee.

**SPEAKER:** Is there any further discussion of that motion. Senator Carpenter.

**SENATOR CARPENTER:** I object to the motion. I ask for the.. take a vote on it. Whether we send it to the committee or whether we don't. Is that in order?

**SPEAKER:** We didn't quite catch your motion, Senator Carpenter.

**SENATOR CARPENTER:** A point of order first. How can we preclude having the bill sent back to the committee for a hearing.

**SPEAKER:** Take a vote.

**SENATOR CARPENTER:** Then, I so move.

**SPEAKER:** Well, He has the..he has the motion to reconsider, excuse me, to send the bill back for a public hearing. Isn't that your motion, Senator Maresh? You can either support.. You can support or not that amendment and then another amendment can be made as to..

**SENATOR CARPENTER:** We're going to vote on that amendment.

**SPEAKER:** That's right. That's the amendment before us at this time.

**SENATOR CARPENTER:** I rise, for example, to oppose it because I think the bill is in pretty good form now and we will not know anymore after a public hearing than we know now. All we do is accomplishing delay which, in this case, I don't think is being expedient at all.

**SPEAKER:** The chair recognizes Senator Proud. We have before us Senator Maresh's motion to send LB 174 back for public hearing.

**SENATOR PROUD:** Well, Mr. President, I certainly don't want to get in the way of Senator Stromer's bill. I don't have a positive position about it, as a matter of fact. However, I'd like to point out to the body that the Rules provide "if in the event", on Page 29, "if, in the event a bill has become substantially a new and different bill by reasons of amendments having been adopted, the Speaker may refer said bill to a Reference Committee, who must refer said bill to a proper committee for a public hearing, provided, that a majority of the elected members may overrule the decision of the Speaker". Then it says, "if in the opinion of the Speaker, the bill is in such form that it should properly be referred back to committee for further action, he may order, by order direct the same, provided, again, that he may be overruled by the majority". Well, we have..I don't..I don't recall this Rule ever being invoked but we do have the motion now to send it back to Committee and I would certainly make this comment. As I understand now this bill has a completely new element in it which is the changing of the Primary date and it would certainly seem to me that since this bill has an absolute new, more or less revolutionary, element in it that we should proceed with extreme caution and I, myself, see nothing wrong