

May 1, 1973

SENATOR CAVANAUGH: But the, the original bill doesn't have a fiscal impact unless we have an A bill with it.

SENATOR DUIS: That is what the motion that was made in the Legislature and passed by this Legislature, said. That is not a rule, that is a motion by the Legislature and passed by this Legislature that the bill would not be read. The rule merely says that the A bill--

SENATOR CAVANAUGH: Okay, Senator Duis. I think I'll have to ask for a ruling from the Chair on whether or not the motion passed by this body supersedes the rules of the Legislature and if so, I'd request that the Chair explain why that motion supersedes the rules of this Legislature, I--in order for that motion to have been valid, which I question its validity, it would have to have some validity in our rules.

SPEAKER: Chair understands that LB 110 has no fiscal impact. Is there any disagreement about that? Alright, therefore the Chair rules that to, in effect, unbracket and read LB 110, takes 25 votes. Then, the question will be whether or not we read LB 110E--110 A, excuse me. It is Senator Syas' position, or Senator Duis' position, as I understand it, that the rules provide that the A bill has to follow the other bill and therefore, he would be

(End of Belt #4)

(Start Belt #5)

of the opinion, as I understand him that we would require a suspension of the rules to take up 110A. However, this is, I think a negative proposition. If we, if we take up LB 110 and, and pass it, then under the rule, the A bill would automatically follow so it seems to the Chair that to not take up the A bill, you would have to make the motion that the rules be suspended and not read the A bill and that is the Chair's ruling. In other words, Senator, if there are 25 votes, we'll take up 110. Then--then the A bill will follow unless somebody makes the motion and gets the rules suspended not to take up 110E.

SENATOR CAVANAUGH: Mr. President, LB 110 is not bracketed now as I understand. I don't see how you can rule to unbracket it. It should simply be read. It has no fiscal impact as you have ruled and it isn't bracketed. We don't need 25 votes to unbracket it.

SPEAKER: The question is not really to unbracket, the question is whether to read. Senator Duis.

SENATOR DUIS: Mr. President, if I might, I think there are two alternatives here. If LB 110 does not have a fiscal impact, there is no need for the A bill so my suggestion there would be that Senator Carstens--to withdraw 110A if it has no fiscal impact. The other would be for Senator Carstens or Senator Cavanaugh, if he would desire to do so, to ask that the rules be suspended and that 110A not be read on final reading. Now I think it's very simple. I don't think we need to go through a long interrogation on this. The rule, I think is very simple here and it's a very simple way out. One of those two ways could be followed.

SENATOR CAVANAUGH: Well, Mr. President, I, I feel that you certainly are making an effort to act correctly here now. There is no reason--reason to suspend the rules because there is no rule prohibiting the reading of 110. 110 is on final reading, it is not bracketed, it was laid over simply by the--on the recommendation of the fiscal staff. Now this Legislature