

May 11, 1979

LB 398

Rules Committee should deal with it. I am not going to offer the motion to adjourn. I am going to let the machine vote occur as you said. I trust the legislative members, the responsible ones, whether they are for or against the bill, will not allow bills to be decided by that so I am just going to let the bill go.

SPEAKER MARVEL: Senator Chambers, do you wish to be recognized? We are on a point of order at the moment.

SENATOR CHAMBERS: Mr. Chairman, I would like to just make some comment also. If you will look on page 32, a motion to act on E & R amendment requires according to our rules a majority of those voting which could be fewer than 25 votes. The Constitution indicates that for provisions to become a part of a bill it requires a majority of the elected members and we have many times done things by voice vote which may not have included an actual majority of the elected members and I think we have the right to make provisions for voice votes and the Constitution allows us to do certain things by voice vote but I do think we have a situation that ought to be addressed which is being raised by Senator DeCamp because I had a bill that died as a result of some.. E & R missed taking something out of the bill that they should have taken out. It was advanced from Select. Then E & R sent it back to Select. Let the introducer, I would say, have the right to determine whether or not the bill will be returned to Select for an E & R amendment if we are going to require a machine vote of 25 at least to readvance it, and the reason I say it, there are a lot of issues that come before the Legislature which are very serious in their consequences and no question should exist relative to the procedure by which the bill is handled. So if on one of these controversial matters, something which perhaps ought to have been handled by E & R but wasn't and had been advanced from Select by the required 25 votes and then is returned to Select, that return could be the very move by an agency outside of the members on this floor that could result in the death of the bill. So what I would think we could consider is letting the member who has introduced the bill determine whether or not when a bill has advanced from Select File it ought to be returned by E & R to Select File. It should not be an automatic thing and maybe that is what we will have to do with the rule. Then if the member is willing to run the risk of the bill going without the E & R amendments, let that risk be assumed. It then becomes a matter of the member weighing his or her judgment against that of the E & R personnel but it becomes quite a devastating thing when you have a bill which has moved by votes of the Legislature