

March 7, 1980

LB 915, 662

cease? All those in favor of that motion vote aye, opposed no. Record. No, I'm sorry. Shall debate cease is before the House.

CLERK: 28 ayes, 3 nays to cease debate.

SPEAKER MARVEL: Okay, the motion is carried. Debate ceases. Senator Maresh, you have about forty-five seconds.

SENATOR MARESH: Mr. Speaker, I move that LB 915 be advanced to E & R initial.

SPEAKER MARVEL: All in favor of that motion say aye,... I'm sorry. Have you all voted? Have you all voted? Record.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is 662.

CLERK: Mr. President, LB 662 was introduced by Senator Reutzel. (Read title.) The bill was introduced on January 10 and referred to Urban Affairs, advanced to General File. There are no amendments, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Reutzel.

SENATOR REUTZEL: Mr. Chairman and members of the Legislature, 662 was introduced to clarify the intent of present statute. Present statutes state that a mayor may vote when his vote is a deciding vote. Now the intent of that was to mean that when there is a tie vote the mayor can cast his vote and break that tie. There have been instances around the state where certain mayors have interpreted that to mean that, let's say for example, when a two-thirds vote is needed on a nine member council and there are only five votes, a five to four vote that a mayor can cast his ballot then and be the sixth vote because that is the deciding vote. It simply wasn't the intent of the original legislation and this bill only clarifies that the mayor may vote only when the members are equally divided so that is simply the bill in its entirety and I would move for the advancement of the bill.

SPEAKER MARVEL: The motion is the advancement of 662 to E & R for review. All those in favor vote aye, opposed no. Have you all voted? Have you all voted on the motion to advance the bill? Record the vote.