

April 8, 1980

LB 637

a reconsideration motion is made with reference to some issue.

SPEAKER MARVEL: Senator Chambers, do you have your rule book handy?

SENATOR CHAMBERS: Yes, if you want me to come up there I will, then I'd like to take the time.

SPEAKER MARVEL: Yes, I think it would be helpful. Do you want to approach the bench?

SENATOR CHAMBERS: Mr. Chairman, that rule 7, 7 does attempt to suspend the portion of the rule which requires a vote to be...a person voting on the prevailing side or not voting to be the one to make the motion to reconsider, however, the rule by virtue of its being in place now and not suspended precludes Senator DeCamp from making the motion to suspend it, I do believe. In other words, it is like in court where you must have standing. There might be other people who have a right to bring an issue before the court but if the individual bringing it is not clothed by the law with the set of circumstances that entitles him or her to take advantage of the law, even if the issue itself is valid that person has no standing or is not allowed to bring it before the court. So if the rules of the Legislature, until suspended, are designed to control the activities of the Legislature, one who is not in a position to suspend the rules should not be allowed to suspend the rule so he can then do what the rule prevents him from doing. I'm saying that the one who is on the losing side should not be in a position to suspend the rule that prohibits him from making that motion.

SPEAKER MARVEL: Okay, Senator DeCamp, do you have some comments?

SENATOR DeCAMP: Yes, Mr. President. It seems that we are developing rapidly a close corporation in here of a limited number being able to use the rules for whatever purpose they want and now we can't even suspend the rules on the other side to accomplish anything. I wonder how far you are all going to let her go before you realize you've basically torpedoed this session and if you don't set some standards and start letting the majority rule in here you will probably torpedo next year too. I am trying to go the extra mile by specifically following the rules which say the rules can be suspended. Now, Senator Beutler, my good friend, there isn't any provision in the statutes that specifically says, "a or b or c can specifically suspend