

March 11, 1982

LB 824

I, too, am very, very reluctant at any time to overrule the Chair but LB 824 is of great importance to a lot of people in the State of Nebraska and I would be remiss in my duty if I did not challenge the Chair. I would first, am I able to speak now on the challenge?

SENATOR CLARK: Yes.

SENATOR LABEDZ: Thank you. I think I did talk to many of you and especially the Chairmen of committees and I would like to go over it in very simple language what happened. On the 20th day, LB 824, I sent in a motion to the Clerk asking that I get the Legislature to advance LB 824 from the committee notwithstanding their action. At that point the Clerk had no action taken on LB 824. The following day the Clerk received a form signed by the committee with the vote.

SENATOR CLARK: Could we have it a little quiet please? Senator Labeledz is talking. Please give her a chance.

SENATOR LABEDZ: Thank you very much. On the 21st day, the Chairman of the Public Works Committee submitted the form, the regular form, to the Clerk stating that the bill had been indefinitely postponed. Now you must remember that on the 20th day, he had no record. I had no...of course, I have to be truthful and say that I knew the night before that they had killed the bill but they had not submitted that report on the 20th day. Now I know that we have Senator Beutler and several Senators that are experts on the rules and I tried very hard to find out if this ever had happened before where a motion was made on the 20th day but the report was received from the committee chairman on the 21st day. Now Section 16 would appear to say that a bill is not indefinitely postponed until it has been reported. Section 18(b) would imply that final action is taken when the committee votes on the bill although final action is not defined within the rules. The Public Works, and I repeat that very often but I am sorry...I want that instilled in the minds, did not act on LB 824 on March 9th, 1982 until after the Legislature had adjourned that day so did they do it on the 19th day or on the 20th day. What is to prevent anyone from putting a motion to bring a bill out of committee notwithstanding the committee's action and then have the committee go under the balcony and immediately kill that bill after the motion was made and we must keep that in mind. That could happen. On the 20th day you put your motion up there to draw it out of committee and the committee could go under the balcony on the 20th day and kill that bill. Keep that in mind when you are voting...

SENATOR CLARK: It is absolutely impossible to hear her up