

constitutional amendment requires more votes of this body on its final passage and now it seems rather strange to me that we would say that we need more votes for that resolution and yet to pull it from the committee we need less than a bill. I think that the Chair has made a mistake. I think that Section 2 clearly indicates that a resolution of this nature should be considered as a bill, therefore, it should require the 30 votes to pull this bill from the committee.

SPEAKER NICHOL: Senator Vard Johnson is next, however, (gavel) should we hold our conversation down a little. It's difficult to hear. Senator Vard.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, I rise to support the overruling of the Chair and I do so, understanding that the Chair has done an excellent job in its rulings so far this year. This, however, represents an issue of considerable consequence to the Legislature and to the public and also to a careful understanding of our rules. I, therefore, think it's important to speak on the issue. Section 2 of Rule 4 specifically provides, as Senator Wesely pointed out, that as follows: "Resolutions which propose amendments to the State Constitution shall be considered and adopted in the same manner as bills." And what that has meant for us is that a resolution which proposes an amendment to the State Constitution is to be subjected to three stages of debate and voting, General File, Select File, Final Reading, unlike other resolutions, unlike other resolutions which stand or fall on an up or down vote. Now a bill to be considered and adopted, number one, is subjected to a public hearing before a committee of the Nebraska Legislature unless for one reason or another we decide to waive the public hearing requirement which we can do. That happens very rarely. The committee then takes a position on the bill and the position which the committee may take on the bill is to kill it. A committee may indefinitely postpone a bill, and if it does indefinitely postpone the bill, that does not end the life of the bill. The bill's life ends only after more than three days has elapsed without a legislator deciding, without a legislator deciding to contest the indefinite postponement and to raise the bill to the floor, and if the bill gains 30 votes and is raised to the floor of the Legislature, then that bill will be considered three times and if it gains a requisite 25 votes at each stage will be passed into law. That's how a bill is considered and adopted. Now the same would apply