

April 9, 1974

SENATOR SYAS: My purpose is to ask the Chair to interpret a rule for me on 894.

PRESIDENT: On 894?

SENATOR SYAS: That's right. As I recall, and I am unsure of myself, but when an amended bill is brought back to Select File for E & R Amendments, it is not subject to anything other than the E & R Amendments and must be readvanced and then come back to be killed. Is that true? In other words, the Legislature did not bring 894 back; that was a mechanical thing that brought it back. We had a big hassle several years ago on this very point. I think you have to advance it and they draw it back. Now, I voted against the bill alright, but from advancing and I don't think that you can do that. It was brought back by the ... not by the Legislature... we are suppose to put the E & R Amendments on it, readvance it and then bring it back if you don't want it advanced.

PRESIDENT: Stand by for just a minute because the Chair has to find out the mechanics of just what happened here. Senator Duis, Chairman of the Rules Committee, would you come here, please?

Alright, once again, if we could restore order. The Chair has ruled that 894 failed to advance awhile ago. Now, wait a minute, where does that leave us? Because 894 failed to advance, we have adopted an E & R Amendment. Alright, that's right, 894 then stays on Select File. That is correct; it failed to advance. Wait a minute. Senator DeCamp?

SENATOR DE CAMP: Mr. President, could you tell me under what rule this ruling is made? In other words, as I understand it, you have effectively killed the bill with no debate, no opportunity for debate, no forewarning and I would guess that it is a matter of first impression in the Legislature and so I would like to know under what rule it is.

PRESIDENT: The rule under which we, the Chair, is proceeding is found in Rule 31 and that is that the motion to advance for E & R Engrrossment requires a majority of the elected members. It failed to get that number of votes. Senator Syas, you have raised an interesting question, however, because an E & R Amendment does subject a bill to an unnecessary killing that is not covered by the rules, but the Chair would rule that the bill would have to be advanced before it could have a kill motion placed on it. A bill would have to be advanced before any other motions would be allowed. Senator Chambers light is on. Senator Chambers, for what purpose did you want to be recognized? Now, there is nothing under discussion as far as the Chair is concerned. Alright then, Senator Whitney? We have some other reports as I understand.

CLERK: Mr. President, there are E & R Amendments to 774 which should be adopted.

PRESIDENT: We need to adopt the amendments to 774. Senator Stull moved the adoption of the E & R Amendments to 774. All those in favor of adopting the E & R Amendments, say aye. Those opposed, say no. Senator Chambers is asking for a roll call vote on the E & R Amendments to 774. This was a roll call vote on the adoption of the E & R Amendments, right? Okay. Roll call vote on the E & R Amendments to LB 774. Senator Chambers has asked for a roll call vote on the E & R Amendments to LB 774. Proceed with the roll call vote.

End Belt #13