

April 3, 1978

LR 209
LR 733A, 814

Rasmussen. Read. (See pages 1558 and 1559, Legislative Journal.) Mr. President, that will be properly laid over. Mr. President, new resolution, LR 209 introduced by the Public Works Committee and signed by the members thereof. Read. (See pages 1559 and 1560, Legislative Journal.) Mr. President, that, too, will properly be laid over.

PRESIDENT: We have in the North balcony a large group from Omaha Central, one of the great high schools in the history of Nebraska, and we have 120 of those students with their teachers. That is from Senator Brennan's District. Thank you all for being here. We now go to special order, Item #7 on your agenda. (a) under #7 is Select File, LR 733A.

CLERK: Mr. President, there are no E & R amendments to LR 733A.

PRESIDENT: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I move the E & R amendments to LR 733 be adopted. No, I move that LR 733 be advanced to E & R for engrossment.

PRESIDENT: You have heard the motion. All in favor say aye, contrary say nay. It is advanced.

SENATOR CULLAN: Mr. President, members of the Legislature, I move the E & R amendments to LR 814 be adopted.

PRESIDENT: All in favor say aye, contrary say nay. They are adopted.

SENATOR CULLAN: Mr. President, members of the Legislature, I move that LR 814 as amended be advanced to E & R for engrossment.

PRESIDENT: All in favor say aye, contrary say nay. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, a court case interprets the Constitution as saying that any amendment which is a final part of a bill must be adopted with the majority of the elected members, not merely a majority of those voting, so I think on E & R amendments which will become a part of the bill, there would be a requirement that they be adopted by a majority of the members. Now they don't have to do this if they don't want to but I want it into the record that I stated this for future reference, and I don't know how you can determine that a majority have voted other than by machine. I am not asking that it be done.

PRESIDENT: There is far more than a majority of those elected who are here present. The Chair determines that more than a majority of those elected have voted in the affirmative. If any member wants to challenge that, we can have a record vote at any time. Senator Lewis, for what purpose do you arise? Yes, sir. Senator Lewis.

SENATOR F. LEWIS: Mr. President, we are not talking about adopting amendments by voice vote. We have never

08321