

April 10, 1980

LB 882

SPEAKER MARVEL: The question before the House is, shall the Chair be overruled. Go ahead.

SENATOR BEUTLER: And speaking to that point, we've been brought to a sorry situation here because obviously I think everybody recognizes that Senator DeCamp's motion is in one sense ridiculous and borne of the frustration that a large segment of the Legislature, perhaps a majority, is feeling right now and we've been brought to that point, in my opinion, because there are a series of amendments on this bill which are, in fact, unreasonable and the unreasonableness of the situation is now causing us, the way I see it, to possibly be in a situation where we are going to distort and destroy our own rules. The ruling, the Speaker ruled that it was germane. Now we are being asked to overrule the Speaker. If the Speaker is overruled and this is ruled as being not germane, we've obviously come to a really sorry point. Next year I am going to propose rules which will deal with the filibuster and I think it has to be dealt with and I guess I am just asking two things, one, for those of you who are frustrated today to bear through this and, secondly, Senator Newell, if you have a sense of decency and fairness to withdraw all of those amendments that are not truly known by you to be honest amendments.

SENATOR KELLY: Mr. Speaker, your decision should be overridden because it has uncovered in this situation which I think Senator Newell for, has really brought to a head a weakness that we are all aware of in the unicameral system whereby the proposer of a motion really must have 30 votes if it is controversial at all to pass that in this Legislature. We are far beyond a majority and it comes from the harassment amendment. Senator DeCamp's definition of amendment as he is asking the body to rewrite that definition at this time or to firm up that definition at this time, is that a harassment amendment is not an amendment, therefore, it is not germane. Therefore, we can get on with the business of writing the law books in Nebraska. The proposer of any idea in this system has had one move and only one and that is reconsideration. That has been drastically weakened because its advantage was that the proposer could pick the time when he would vote on the reconsideration. With the Speaker's order that we have in place today, which I agree with, has done away with one of the great advantages of the reconsideration motion. Suspension of the rules was the second thing available to a proposer but was available only after he is whipped. Now each and every one of us come here to propose law changes for the people who sent us here and our rules have stripped

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