

May 22, 1981

LB 472A

SENATOR CHAMBERS: (Mike not turned on.) What will it take to adopt the amendment? A majority of whoever votes, because if all the rules are suspended, there is not even a basis for adding an amendment or doing anything with this bill? We are operating without rules.

SPEAKER MARVEL: No, not yet we aren't. Whose motion was that? Who is the person who introduced...Senator DeCamp, do you want to explain the motion?

SENATOR DeCAMP: Mr. President and members of the Legislature, let there be no deception. Let there be no kidding anybody. We want to use an A bill, a vehicle on Final Reading, so that the Christian school issue could be addressed. We realize that that is a suspension of the rules. That goes contrary to the legislative process in its orderly manner. We admit and acknowledge it is not germane and the burden is then upon us to get thirty votes because we are doing an unusual procedure. Now is there precedent? Not only is there precedent, the same thing was done with an A bill, I think the A bill belonged to Senator Dworak in 1977. I have a specific Attorney General's opinion that says it was constitutional to do it. I think Ernie is familiar with that. It became a big issue at the time. He said that an A bill was the same as any other bill. It's a bill and what you put into it and what the Legislature approves is it. We are following that process and we are acknowledging it is not germane, suspension of the rules necessary, super majority of thirty votes, taking things out of order, we are acknowledging all of that. The only real question, the only real issue is whether the Legislature itself, because of the particular circumstances of this particular case, want to say, "Look, we think something needs to be done before January and what we are offering, quite frankly, is only a one year solution so that when the Legislature comes back in January and the Education Committee has worked on it in the summer, they hopefully will have a better or more workable solution." But we are saying, with the recent developments of the filings against the Mennonite Schools, I think that occurred yesterday, to close them down, that have been operating for, I don't know how many years, pardon? They were Mennonite or Amish, whatever it is. Anyway, all we are trying to do is offer a temporary solution, and if thirty members of the Legislature think, indeed, we are going to take things out of order, we are going to give the benefit of the doubt, we are going to waive a few things, a few rules, then we will do it. If not, then it won't be done. And to make a big issue, a big debate over whether we are bending the rules, we are absolutely following the rules in this respect. The rules say you can