

March 22, 1981

LB 472A

CLERK: Mr. President, Senators DeCamp and Koch would move:
(Read Koch and DeCamp substituted motion found on page 2237,
Legislative Journal.)

SENATOR CLARK: Senator DeCamp can explain those first. Pardon.

SENATOR NEWELL: Mr. President, the point of order I stood
up for, is it their intent to substitute or withdraw the
previous motion?

SENATOR CLARK: To substitute. Senator DeCamp, do you
want to explain it?

SENATOR DeCAMP: You wanted a clarification of the specifi-
city or whatever the word is so what we are doing is just
substituting. Is that okay? Can we finish the closing now?

SENATOR CLARK: That is right. If I can get you one at a
time I could probably understand you a little better.
Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, can you hear me now? If
you look at Rule 5, 2 (b), the wording in that rule is really
Article III, Section 13 of the Constitution and I think we
would hold ourselves up to ridicule and scorn if we think
by a vote on this floor we can amend the Constitution.
This rule merely tracks the language of the Constitution
which says that bills cannot contain more than one subject,
it has to be contained in the title, the section of statute
amended has to be repealed and so forth. Now you can vote
it if you want to, but the reason I had asked to adjourn was
because I knew a travesty like this will result. You can
vote to suspend it but you cannot suspend the Constitution.
Maybe you think you can, but as a matter of fact and as a
matter of law, you cannot.

SENATOR CLARK: Senator DeCamp, did you want to respond to
that? The substitute motion.

SENATOR DeCAMP: Yes. I see no problem. Ernie is talking
about the Constitution. We are not proclaiming to suspend
that or anything else. It is strictly the rules, the same
procedure that has been used repeatedly in the past. If
it is so unconstitutional, they should be happy. They have
got the solution to their problem. Let us make fools of
ourselves and pass this unconstitutional legislation, the
same as we did the bankruptcy laws which somehow seem to be
constitutional, the same as we did in previous years. If
you people had taken the time to do your research, and Ernie
knows this because he has been around here long enough, I
can see Chris wouldn't know it, maybe not Shirley, but Ernie