

March 8, 1982

LB 817

board especially action that would result in the issuance of the bonds. That is all it does, increases from four to five the number of votes necessary to take action and that is a majority of the board. Thank you.

SENATOR CLARK: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, I have no objection to this amendment. I would point out to the board that if you read that language which I have, you will find out that a quorum of the board is five. The majority of those voting from five is three and that is why the language is in there. The language is that it takes a majority of four. In other words, a super majority indicates that you have a bare quorum to act. Secondly, I would point out that this language is a parallel to the Nebraska Home Mortgage Finance Act which is where the language comes from and is existing law in that respect. However, I understand the concern in this case and even though a full group may not be there and in the event that only six or seven of the members of the board is there, that a five tabulation of affirmative votes is a super majority. I will accept the principle of the super majority in those cases where less than the full board is present to act and accept this amendment and yet again another attempt to make this language palatable to those who have no taste for it anyway.

SENATOR CLARK: Senator Beutler, do you have any closing?

SENATOR BEUTLER: No, Mr. Speaker, except to point out that changing it to a simple majority of the board makes it conform to what is the general principle for most political subdivisions in this state. It is unusual that a minority of the board can never succeed in any political subdivision in passing an ordinance or resolution or whatever. So what I am asking for is not the extraordinary but the ordinary. Thank you.

SENATOR CLARK: The question before the House is the adoption of the Beutler amendment. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Beutler's amendment.

SENATOR CLARK: The motion passed. The next motion.

CLERK: I have nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Landis.