

April 16, 1982

LB 816A

PRESIDENT: LB 816A having failed to receive the necessary constitutional vote to pass with the emergency clause, the question now is, shall LB 816A pass without the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on page 2002 of the Legislative Journal.) 29 ayes, 17 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: State your point.

SENATOR DeCAMP: Mr. President, there is some question as to whether the bill requires 25 or 30 votes to pass. I am under the opinion that it requires 30 votes constitutionally. I would like to know what your ruling is and then have an opportunity to react to that ruling.

PRESIDENT: There is no question on my part that it only requires 25 votes and that is the way I shall rule.

SENATOR DeCAMP: Mr. President....

PRESIDENT: Regardless of what you say. That is what...the way I am going to rule.

SENATOR DeCAMP: I understand that. I know, I am just doing this for the record.

PRESIDENT: All right, you proceed with the record then, put it in the record.

SENATOR DeCAMP: Okay. Mr. President, I have received the Attorney General's Opinion and as I say I want to record for the record that as far as I am concerned this bill is in much the same position as another bill that you and I were intimately familiar with....one vote short of constitutionally legal required majority to pass. I would like to ask acting Speaker Lamb who I had understood was going to be in the Chair whether he had researched this and what his ruling would have been.

PRESIDENT: You may ask him.

SENATOR DeCAMP: Speaker Lamb...Acting Speaker Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, I would have ruled 30 votes because in the years that I have been down here that is my understanding that bills of this type have required 30 votes because the specific