RULES OF THE NEBRASKA UNICAMERAL

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RULE 1--OFFICERS AND EMPLOYEES

A. Election of Officers

Section 1. Officers to be Elected. (a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by secret ballot the following officers:

Speaker
Chairperson of Committee on Committees
Chairperson of Executive Board
Vice Chairperson of Executive Board
6 Members of Executive Board (See footnote)

Before the ballot is taken each person so nominated may make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office. The officers so elected shall hold such office for a period of two years.

The Legislature elects two from Legislative Districts 1, 2, 15, 16, 23 through 30, 32 through 35, and 46; two from Legislative Districts 3 through 14, 20, 31, and 45; and two from Legislative Districts 17 through 19, 21, 22, 36 through 44, and 47 through 49. Speaker is member of Board; Chairperson of Appropriations is nonvoting member. RRS 50-401.01.

(b) In the event a vacancy occurs on the Executive Board, the following shall apply:

(i) The Vice Chairperson shall serve as acting Chairperson upon the resignation or death of the Chairperson until the commencing of the next regular session of the Legislature, at which time the Legislature shall nominate from the floor and elect by secret ballot a Chairperson of the Executive Board for the balance of the original term.

(ii) Upon the resignation or death of the Speaker, during the interim, said position shall remain vacant until the next regular session or special session the Legislature convenes, at which time a Speaker shall be nominated from the floor and elected by secret ballot for the balance of the original term.

Upon the resignation or death of the Speaker during the session, a Speaker shall immediately be nominated from the floor and elected

by secret ballot for the balance of the term.

(iii) In the event there is a vacancy of the Vice Chairperson of the Executive Board, said vacancy shall be filled pursuant to Rule 3, Section 7(c).

(iv) During session, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Legislature. The individual so selected shall serve for the balance of the original term.

During the interim, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Executive Board. The individual so selected shall serve for the balance of the original term.

Sec. 2. Officers to be Approved. In addition, the Legislature shall advise and consent to the recommendations of the Executive Board of the Legislative Council for the following officers:

Chief Clerk of the Legislature
Assistant Clerk of the Legislature
Sergeant at Arms
Chaplain Coordinator

Officers and employees recommended by the Executive Board. RRS 50-111.

Sec. 3. Voting on and Removal of Officers. (a) A majority vote of the elected members shall be required for the election of all officers of the Legislature. All officers shall hold their office until a successor is chosen or they are removed.

(b) Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature provided no such recall shall be voted on until five legislative days after the motion to do so is placed in the Journal. The vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Officer's Oath. Each permanent officer shall take an oath to support the Constitution of the United States, and the constitution of the State of Nebraska, and to discharge faithfully the duties of his or her office according to the best of his or her ability.

B. Presiding Officer

Sec. 5. President of the Legislature. The Lieutenant Governor shall preside as President of the Legislature. The Speaker shall serve as acting President and preside when the Lieutenant Governor shall be absent, incapacitated, or shall be acting as Governor. All references herein made to the President shall be construed as meaning also the Speaker whenever he or she may preside.

Prohibited from presiding when acting as Governor. Const. Art. III, Sec. 10.
Duties and powers. RRS 50-113.

Sec. 6. Presiding Officer, Order in Designating. In the absence of both the Lieutenant Governor and the Speaker, the order of the presiding officer of the Legislature shall be as follows:

Chairperson of the Legislative Council
Chairperson of Committee on Committees
Chairperson of Committee on Judiciary
Chairperson of Committee on Government, Military and Veterans Affairs
Chairperson of Committee on Appropriations
Chairperson of Committee on Revenue
Chairperson of Committee on Education
Chairperson of Committee on Banking, Commerce and Insurance
Chairperson of Committee on Public Works
Chairperson of Committee on Agriculture and Environment
Chairperson of Committee on Health and Human Services
Chairperson of Committee on Miscellaneous Subjects
Chairperson of Committee on Business and Labor
Chairperson of Committee on Urban Affairs
Chairperson of Committee on Constitutional Revision and Recreation

Emergency succession. RRS 50-503(7).

Sec. 7. Powers of Presiding Officer, Restrictions. All the powers herein conferred on the President shall be exercised by the presiding officer, except the authority to sign bills or resolutions passed by the Legislature.

Const. Art. III, Sec. 14.

RULE 1

Addressing the chair. Rule 2, Section 7.
Duties. RRS 50-113.

Sec. 8. Alternate Presiding Officers. The President may name any member to perform the duties of the presiding officer, but such delegation shall not extend beyond adjournment.

Sec. 9. Convening of Legislature, Quorum. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He or she shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these Rules. A majority of the members elected to the Legislature shall constitute a quorum.

Const. Art. III, Sec. 10.

Sec. 10. Absence of Quorum. If the President finds that a number less than a quorum is present, he or she shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the house.

Sec. 11. Order and Decorum. The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

Consent to enter chamber. Rule 2, Section 3.

Sec. 12. Overrule Ruling of the Chair. The President may speak to a point of order in preference to members, and shall decide the questions or order, subject to a challenge to the Legislature by any member, on which challenge no member may speak more than once, unless by leave of the Legislature. In the event of a challenge to a ruling of the chair, the ruling shall be restated and the question shall be phrased: "Shall the Chair be overruled?" A majority of those present shall be required to overrule the chair.

Sec. 13. Signing of Bills and Resolutions. The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. All writs, warrants, and subpoenas issued by order of the Legislature shall be under his or her hand and seal, and attested to by the Clerk.

Only Lieutenant Governor or Speaker may sign bills. Const. Art. III, Sec. 14.

Sec. 14. Lieutenant Governor Voting, When. The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided.

Const. Art. III, Sec. 10.

C. Speaker

Sec. 15. Speaker, Presiding, Privilege. The Speaker shall preside over the Legislature at such times and circumstances as is above set forth. He or she shall be privileged to speak at any stage of proceedings at any time incident to the duties and responsibilities of his or her office.

Distribution of material by Clerk. Rule 2, Section 3f.
Excuse attendance at committee hearing. Rule 2, Section 4.
Power to refer bill back to committee. Rule 6, Section 3g.
Signing of bills. Const. Art. III, Sec. 14.

Sec. 16. Report Order of Bills. (a) The Speaker, with the approval of the Executive Board, shall report to the Legislature the order in which bills and resolutions shall be considered on General File. The Speaker's orders, as approved, are final unless changed by a three-fifths vote of the elected members of the Legislature. General appropriation bills shall be given precedence over all other bills.

(b) The Speaker may, when sound judgment would so dictate, postpone the scheduled reconvening of the Legislature for up to forty-eight hours when (1) an emergency exists due to adverse weather or other causes, or (2) a quorum cannot be assembled within one half hour after the time to which the Legislature was to have convened.

(c) The Speaker shall prepare a daily legislative agenda and shall make every effort possible to deliver the agenda to the members of the Legislature not less than one day prior to the day for which the agenda was prepared.

D. Clerk of the Legislature

Sec. 17. Duties, Journal, Report on Employees. (a) The Clerk of the

Legislature shall attend sessions, call the roll, and keep journal of proceedings.

(b) The Clerk of the Legislature shall print no paper or document, except bills and the daily Journal, unless authorized by a majority vote of the elected members of the Legislature, or by the Executive Board.

Preprinting of bills. Rule 5, Section 3.

(c) The Clerk of the Legislature shall make a detailed and itemized report to the Legislature each month concerning the number of employees and the amount paid for their services, especially setting out the amount of regular time and overtime, and to whom paid.

(d) The Clerk of the Legislature shall have general charge, except as may be provided by law or by rule, of such parts of the Capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

(e) No communications or letters shall be read by the Clerk of the Legislature unless authorized by the Speaker or the Reference Committee.

General duties. RRS 50-114.
Distribute material, when authorized. Rule 2, Section 3f.
Fiscal notes, attach to bills. Rule 5, Section 6d.
Lobby registration. RRS 50-308 through 50-318.
File administrative rules. RRS 84-904.

Sec. 18. Journal, Governor's Messages, Amendments. (a) The Clerk shall prepare a daily Journal of the proceedings of the Legislature, which shall be printed and placed each day upon the desks of the members, and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any are made, the Journal shall stand approved without motion.

Order of business. Rule 7, Section 1b.

(b) The Clerk shall enter in the daily Journal messages of the Governor in full, titles of bills, every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, memorial, or other paper presented for the consideration of

the Legislature.

Constitutional amendment, print in full. Const. Art. XVI, Sec. 1.

(c) The hour at which the Legislature adjourns shall be entered in the daily Journal.

(d) All amendments for which a vote is taken shall be entered in the daily Journal.

(e) Additional copies of the daily Journal, to be mailed at the Clerk's direction, shall be supplied for the use of each member in such manner as shall be provided by the Legislature.

(f) The bound Journal of the session shall be prepared from the corrected daily Journal.

(g) A verbatim record of all debate and questions on all bills and resolutions, and amendments offered thereto, shall be made, transcribed, and preserved under the direction of the Clerk.

(h) A list of lobbyists who are registered shall be set forth in the Journal.

On registration of lobbyists. RRS 49-1480 through 49-1492.

Sec. 19. Assistant Clerk, Duties. The Assistant Clerk shall, in the absence of the Clerk, be authorized to exercise all the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

RRS 50-115.

E. Other Offices

Sec. 20. Sergeant at Arms. (a) The Sergeant at Arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him or her by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the legislative chamber.

RRS 50-116.

(b) The Assistant Sergeant at Arms shall assist the Sergeant at Arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant at Arms.

(c) Such other security guards as may be necessary shall be under the direction of the Speaker.

Compel attendance at committee hearing. Rule 2, Section 4.

Sec. 21. Chaplain Coordinator. The Chaplain Coordinator shall work in conjunction with organized Nebraska groups of Clergy to arrange for prayer at the beginning of each day of the legislative session.

Sec. 22. Other Employees, Hiring of. The Executive Board of the Legislative Council shall hire all employees of the Legislature except those subject to the procedure in Rule 1, Section 2. The salaries of permanent employees shall be determined by the Executive Board subject to the limits of the appropriation bill. The Executive Board shall submit a salary schedule the first day of each session to the Legislature for all temporary employee positions. Such salary schedule shall be considered adopted unless rejected or amended by a majority of the elected members. No further adjustments in individual salaries for temporary employees need to be submitted to the Legislature for that session.

RRS 50-112.

RULE 2--RULES OF PROCEDURE

Section 1. Rules, Matters Not Covered. These rules shall be adopted at the commencement of each regular session and, as amended from time to time, shall govern the Legislature for a period of one year. In all matters not covered herein, the Legislature shall decide as to the procedure to be followed, the same to require the concurrence of a majority of the elected members.

Overruling the chair. Rule 1, Section 12.
Presiding officer, duties. RRS 50-113.

Sec. 2. Rules, Suspension, Amendment. These rules may only be suspended by a three-fifths majority of the elected members by a machine vote, and may be amended by a three-fifths majority vote of the members elected; Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

Sec. 3. Chamber, Guests, Distributions of Material. (a) The legislative chamber shall consist of the entire floor of the legislative chamber including the space under the balcony on either side adjacent thereto, or any other space designated by the Legislature or the Executive Board thereof.

(b) No person shall be admitted to the floor of the Legislature, as described in this rule, except the following:

(i) Members of the Legislature and their immediate families.
(ii) Officers and employees of the Legislature.
(iii) Reporters of regularly accredited newspapers and broadcasting stations.

(c) The Governor, state officers, former legislators, and other distinguished visitors may be admitted to the floor upon permission from the chair.

State officials appearing before committees. Rule 3, Section 14.

(d) No one shall be permitted to be seated beside members of the Legislature except members of their immediate families upon permission from the chair. When bills are being read on Final Reading, no one shall be permitted to be seated beside members of the Legislature.

(e) No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

(f) No printed or written material of any nature may be placed on the desks of the members or distributed to them in the legislative chamber, unless such material clearly indicates on its face the person responsible for its distribution. The distribution must be approved by at least one member of the Legislature. The Speaker may authorize the Clerk to distribute material prepared by state agencies.

(g) Members shall remain in their seats during the Final Reading of a bill and until the vote thereon has been announced, except when excused by the President or during discussion of amendments or motions offered pursuant to Rule 6, Section 8.

(h) No individual, other than a senator or officer of the Legislature, shall be allowed to address the Legislature except from the podium.

Sec. 4. Attendance at Sessions. (a) Every member shall be present within the legislative chamber during the meetings of the Legislature and shall attend the regular meeting of the standing committee of which he or she is a member, unless excused by the Legislature, the Speaker, or the committee chairperson. Members who have been excused by the Legislature or the Speaker shall notify their committee chairperson that they will be absent.

(b) The presence of any member may be compelled, if necessary, by sending the Sergeant at Arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for nonattendance is made as the Legislature may judge sufficient, and in that case the expense shall be paid out of the contingent fund.

Sec. 5. Absent Members, Explanation of Vote. Members who are shown as excused and not voting may have inserted into the Journal how he or she would have voted had he or she been present.

Sec. 6. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense.

Const. Art. III, Sec. 10.

Sec. 7. Senator Desiring to Speak. (a) When a member desires to speak in debate or to deliver any matter to the Legislature, he or she shall rise from his or her seat and respectfully address himself or herself to "Mr. or Madame President." A member shall speak only when recognized and shall confine his or her remarks to the question before the Legislature.

(b) No member shall interrupt the business of the Legislature nor speak to another who has the floor, except when he or she may yield to a question. No guest will be introduced during the legislative session except dignitaries and such dignitaries shall only be introduced by the presiding officer, provided that the presiding officer can announce the presence of visiting groups or organizations at his or her discretion. Those individuals and groups not introduced may be inserted in the Journal by request. No member shall use profane or abusive language when speaking to or about another member.

Sec. 8. Transgression of Rules, Call Member to Order. If any member, in speaking or otherwise, transgresses the Rules of the Legislature, the presiding officer shall, or any member may, call such member to order, in which case he or she shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he or she shall be at liberty to proceed, but not otherwise, and if the case requires it, he or she shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Words Excepted To. If a member is called to order for words spoken in debate, the member calling him or her to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature, but he or she shall not be held to answer, nor be subject to the censure of the Legislature therefore, if further debate or other business shall have intervened.

Sec. 10. Time Limit on Speaking. Each member shall be allowed to speak up to three times for not more than five minutes on each occasion, upon any one question in deliberation during the legislative day, without leave of the Legislature, unless he or she be the mover, proposer, or introducer of the matter pending in which case he or she shall be permitted to speak in reply, but not until every other member

choosing to speak shall have spoken. Provided, however, the mover, proposer, or introducer of the matter pending may speak for ten minutes when he or she first presents the matter to the Legislature.

Sec. 11. Personal Privilege. Personal privilege shall be, first, those affecting the rights, dignity, and integrity of the Legislature collectively; and second, the rights, reputation, and conduct of members individually. They shall have precedence over all other questions except motions to adjourn. Personal privilege shall not be used to permit any discussion or debate pertaining to any measure pending before the Legislature. All questions of privilege shall be channeled through the presiding officer, who shall determine their order of consideration.

RULE 3--COMMITTEES

Section 1. Committees in General. (a) Each committee of the Legislature is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Legislature, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony, as it deems advisable. Each committee may make investigation into any matter within its jurisdiction, may report such hearings as may be had by it, and may present to the Legislature for its consideration any final reports and recommendations for action resulting from such investigations.

(b) A committee's subject-matter jurisdiction extends to all matters specified in the act creating the committee, or to all matters reasonably comprehended in the name of the committee. A committee's particular jurisdiction extends to any bill, resolution, or other measure referred to it by the Legislature, until final report of the measure has been made by the committee to the Legislature. A committee's particular jurisdiction shall also include review of the budgets of agencies, boards, and commissions reasonably encompassed in its subject matter jurisdiction.

(c) No committee may exercise any of the above mentioned powers in a manner contrary to the Rules of the Legislature or in a manner which exceeds the scope of the act defining the purpose of the committee.

(d) A committee may adopt the Model Committee Rules (Appendix A to Rule 3) as the rules to be used in governing the committee's activities.

Model Committee Rules-Appendix A on file in the Clerk's office.

Sec. 2. Appointment of Committees. (a) At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairperson, and three from District Number 1 consisting of legislative districts Numbers 1 through 3, 25 through 30, 32, 45, and 46; three from District Number 2 consisting of legislative districts Numbers 4 through 14, 20, and 31; three from District Number 3 consisting of legislative districts Numbers 15 through 19, 21 through 24, 34, 35, and 40; and three from District Number 4 consisting of legislative districts Numbers 33, 36 through 39, 41 through 44, and 47 through

49.

(b) The Committee on Committees, by a majority vote of all its members, shall recommend to the Legislature for its approval appointments to the standing and select committees, each with the number of members as hereinafter set forth, unless otherwise provided for by rule or by statute.

(c) The membership of all standing and select committees shall be appointed at the beginning of each session beginning in odd-numbered years and shall continue until the regular session in the next subsequent odd-numbered year.

(d) During session, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Committee on Committees unless otherwise provided for by rule or statute. A vacancy within the Committee on Committees shall be filled by a meeting of the caucus established pursuant to Rule 3, Section 2.

During the interim, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Executive Board.

Sec. 3. Standing Committees. (a) The standing committees of the Legislature shall be as follows:

Administrative Rules and Regulations Review	7 members
Agriculture and Environment	8 members
Appropriations	9 members
Banking, Commerce and Insurance	8 members
Business and Labor	7 members
Constitutional Revision and Recreation	7 members
Education	8 members
Government, Military and Veterans Affairs	8 members
Health and Human Services	7 members
Judiciary	8 members
Miscellaneous Subjects	8 members
Public Works	8 members
Revenue	8 members
Urban Affairs	8 members

(b) The Speaker shall not be a regular member of a standing committee.

The following standing committees of the Legislature shall become operative January 7, 1987.

Agriculture	8 members
Appropriations	9 members
Banking, Commerce and Insurance	8 members
Business and Labor	7 members
Education	8 members
General Affairs	8 members
Government, Military and Veterans Affairs	8 members
Health and Human Services	7 members
Judiciary	8 members
Natural Resources	8 members
Revenue	8 members
Transportation	7 members
Urban Affairs	8 members

b.) The Speaker shall not be a regular member of a standing committee.

Sec. 4. Select Committees. (a) The select committees of the Legislature shall be as follows:

Committee on Committees	13 members
Enrollment and Review	1 member
Reference	9 members
Rules	5 members

(b) Select committees shall be subject to the same procedural rules as standing committees insofar as they are applicable. In addition, the following provisions shall apply:

(c) Committee on Committees.

(i) The Committee on Committees shall have authority to call before it a committee chairperson and discuss the workload of said committee. It shall hear and dispose of all written complaints filed with said committee by a senator against any committee chairperson. The Committee on Committees shall conduct said hearing in accordance with its own rules.

(d) Enrollment and Review.

(i) The Chairperson of Enrollment and Review shall report bills

which have been engrossed for Final Reading and passage. In the absence of the Chairperson, the Vice Chairperson of the Judiciary Committee shall assume the duties of the Chairperson of the Enrollment and Review Committee.

(ii) The bill drafting service shall have supervision of and provide legal services for Enrollment and Review Committee.

(iii) The Chairperson of Enrollment and Review shall have authority, without being required to include the same specifically in his or her reports and recommendations to the Legislature, in accord with accepted usage:

(A) To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, to convert masculine or feminine referents to neutral gender when appropriate, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in General File, Select File, and specific amendments.

(B) To underscore or remove underscoring, as the case requires, in standing committee reports and in General File, Select File, and specific amendments.

(C) When an amendment to add the emergency clause, the severability clause, or provide an operative date is adopted on Select File which does not spell out the standard clause or section and make the necessary change in the title, the Chairperson of Enrollment and Review shall also have the authority to add to the engrossed bill the standard clause or section, assigning to it the appropriate section number, and make the necessary change in the title as a matter of course without including such action in his or her reports and recommendations to the Legislature or making any special record thereof.

(D) To add and/or delete names of introducers to reflect action on the bill while the bill remains in the possession of the Legislature at any stage of consideration.

(E) To reflect votes on Final Reading as they may occur pursuant to Rule 6, Section 10 and Rule 6, Section 15.

(e) Reference Committee.

(i) The Executive Board shall constitute the Reference Committee. The Reference Committee shall review each bill and resolution and either refer the matter to the appropriate committee or to General File. The appropriate committee is that committee which has

subject-matter jurisdiction over the issue or which has traditionally handled the issue.

(ii) All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature shall be referred to the appropriate standing committee and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

(f) Rules Committee.

All proposed rules changes shall be set for public hearing within five legislative days after their referral to the committee. The hearing shall take place within fifteen legislative days after the referral, and the committee shall take final action on the proposal within ten legislative days after the hearing.

(g) Investigating Committees.

The Committee on Committees may appoint other select committees when authorized by the Legislature. No investigating committee of the Legislature shall be created except by resolution which shall set forth, with supporting statements, the reasons for and the purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

Sec. 5. Special Committees. (a) Special committees shall include all authorized committees other than standing and select committees. Unless otherwise specifically provided, special committees shall not have jurisdiction over legislative bills, but shall be subject to the same procedural rules as standing committees, insofar as they are applicable.

(b) The special committees authorized by statute as of January 1, 1980 are as follows:

Building and Maintenance. RRS 81-185	4 members
Education Commission of the States. RRS 79-2504	4 members
Executive Board of the Legislative Council. RRS 50-401.01	9 members
Intergovernmental Cooperation. RRS 81-816	5 members
Nebraska Retirement Systems. RRS 50-416	6 members

Performance Review and Audit.
RRS 50-701.02 ..... 6 members
Telecommunications. RRS 50-424 ..... 8 members

(c) The following special provisions shall be in force with regard to the following special committees:

(i) Intergovernmental Cooperation Committee.

In addition to the members of the Intergovernmental Cooperation Committee chosen in accordance with Section 81-816, the Executive Board may appoint alternate members to serve on such assignments as the chairperson shall direct.

(ii) Nebraska Retirement Systems Committee.

The Nebraska Retirement Systems Committee (RRS 50-416) shall have jurisdiction over all bills proposing new or amending existing retirement systems of the state and its political subdivisions.

Sec. 6. Meeting Times. (a) After consultation with the Speaker, the Committee on Committees shall publish a schedule of standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to committees. Standing committees shall meet at 2:00 p.m. on weekdays, unless otherwise approved by the Legislature.

(b) A standing committee deciding not to hold meetings on the appointed day must receive permission from the Reference Committee.

(c) Any legislative committee shall be subject to the call of its chairperson or to the call of a majority of its members, in accordance with the notice and procedural requirements set forth in its committee rules.

Sec. 7. Chairperson, Vice Chairperson. (a) The chairperson of each standing and select committee shall be selected by secret ballot on the floor of the Legislature.

(b) The chairperson of a special committee shall be selected in the manner provided by the act authorizing the committee, or if not specified, by the Executive Board.

(c) Each committee shall elect from its membership a vice chairperson to serve in the absence of the chairperson.

Sec. 8. Committee Quorum. A majority of the members of a committee shall constitute a quorum. A quorum must be present for the transaction of any committee business except a public hearing.

Sec. 9. Quorum at Committee Hearings. A quorum of committee members should be maintained throughout all committee hearings.

Sec. 10. Conduct During Committee Hearing. No member, staff, media representative, or individual shall smoke or otherwise consume tobacco products during a committee hearing or while the committee conducts an executive session within the hearing room assigned to that committee for such purpose, unless the committee by a vote of the majority, with all the members present, taken at least once a session, decides otherwise.

Sec. 11. Temporary Appointments. (a) When a member is unable to serve, the chairperson of the committee, after a majority vote of the remaining members, shall request that such vacancy be filled by the Committee on Committees. Such committee shall appoint either the Speaker or a member from a standing committee having eight members to fill each vacancy.

(b) A temporary appointment may be made by the Chairperson of the Committee on Committees for only one day when requested by a chairperson of a standing committee which lacks a quorum. When a member is appointed from an eight-member committee, the consent of the member to be appointed shall first be obtained. The temporary appointee shall have the right to vote only on the bill or bills that actually have been heard by the appointee and provided that the vote is taken on such bills on the day the bill or bills are heard. When such appointment is made in case of an incapacitated member, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he or she was appointed.

Sec. 12. Consideration and Correlation of Bills and Resolutions. (a) Committees shall consider and report without unnecessary delay all bills and resolutions referred to them. Committees shall be authorized to combine and to correlate the provisions of different bills and resolutions referred to them and related to the same subject under the number of one of the correlated bills or resolutions, and when reported out under one bill or resolution number, the remaining bills or resolutions will be reported out as indefinitely postponed.

Committees may, before taking final action on any bill or resolution, adopt amendments thereto, for the consideration of the Legislature.

(b) The chairperson of each committee shall set for hearing all bills and resolutions referred to the committee.

Sec. 13. Public Hearing, Notice. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least seven calendar days' notice, after the bill shall have been printed, by publication in the Legislative Journal. No bill having been set for public hearing shall be withdrawn nor the hearing cancelled within seven calendar days of the date set for said public hearing.

Sec. 14. State Officials Appearing Before Committees. State officials and department heads or their designees and state employees are encouraged to appear before any legislative committee to comment upon bills having an impact on the operations of the administrative agency or department for which they work.

Sec. 15. Executive Sessions and Closed Meetings. (a) Executive session shall mean any meeting or portion of a meeting which is closed to the general public, and the proceedings of which are not electronically recorded and transcribed, unless the committee so provides, but the records of which shall be available for public inspection. Executive sessions shall be open to members of the news media who may report on action taken and on all discussions in executive session.

(b) All other meetings of a committee shall be public unless the committee, by a majority vote of all of its members, determines that a meeting should not be open to the public, including members of the news media, in a particular instance, due to rare and extraordinary circumstances. The meeting shall be reconvened in open session before any formal action may be taken.

Sec. 16. Report of Bill to Legislature. (a) In reporting a bill to the Legislature, whether with or without amendments, a committee shall by vote of a majority of its members, recommend that the bill be placed on General File or that the bill be indefinitely postponed. Such action shall be taken at regularly scheduled meetings only.

(b) A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has taken final action

upon the particular measure.

(c) No bill shall be reported by the committee to be placed on General File unless the amendments, if any, are approved as to form and draftsmanship by the Bill Drafter.

Sec. 17. Indefinitely Postponed Bills. If the committee action on a bill be to postpone indefinitely, the bill shall stand indefinitely postponed; except that such bill may be placed on General File or referred back to the committee by a three-fifths vote of the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of the elected members upon motion made more than three legislative days after such committee report. Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter. A motion to raise must be disposed of by the Legislature within five legislative days after the motion is available for consideration or it shall be deemed defeated.

Sec. 18. Committee Statement. (a) The chairperson of each committee with the assistance of the legislative staff shall, when reporting a bill, submit with such bill a committee statement which shall contain, but need not be limited to, the following information:

(1) the one-line title and number of the bill;
(2) a roll call vote of final committee action taken on the bill;
(3) the date of the public hearing on the bill;
(4) a list of all individuals testifying for and against the bill and any organization they represent;
(5) a summary of the bill's purpose and a description of all major provisions for change in the bill as written and as amended by the committee;
(6) if committee amendments are to be introduced, a copy of the amendments and an explanation thereof.

(b) A copy of the proposed statement shall be distributed to each committee member within five days after final action on the bill has been taken by the committee. A minority or concurring statement bearing the signature or signatures of its proponents and setting forth objections to the bill, to proposed amendments, or to the majority statement may be filed by its author(s) with the Clerk of the Legislature at any time prior to the first hearing of the bill on General File.

(c) A copy of the committee statement and any minority statements submitted shall be distributed to each senator after filing with the Clerk of the Legislature. Copies of such statements shall be made available to the public.

Sec. 19. Request From Committee, Bills Held. (a) Except for the general appropriation bills necessary for the support of the state government for the biennium, the Legislature may, by vote of a majority of the elected members, request a status report from any committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

(b) Any senator may move that a bill be placed on General File twenty calendar days or more after the committee hearing, if the committee has not taken final action on the bill, and by a vote of a majority of the elected members, said bill shall be placed on General File. If. at the expiration of eight calendar days from the date final action was taken, the chairperson has not reported the bill, any senator may file with the Speaker a motion that the chairperson be compelled to submit a report. After determining that final action on the bill has been taken at least eight calendar days prior to the date the motion was submitted, the Speaker shall accept the motion and compel the chairperson to file the committee's report on the matter.

(c) Any time any member attempts to take a bill from committee to be placed on General File, the bill shall stand indefinitely postponed and shall not be subject to reconsideration if the motion fails to receive a majority vote of the members elected to the Legislature. The introducer of the bill must concur with any motion offered under this rule.

Sec. 20. Subpoena Procedure. It is within the inherent power of any legislative committee to gather information pursuant to its regular functions, and to conduct investigations of matters within its subject-matter jurisdiction.

A committee's power of subpoena should not be exercised unless the committee has determined that no other method of securing the desired information would be successful or practicable, and that the matter is of primary importance to the welfare of the State of Nebraska.

A committee of the Legislature conducting an investigation and gathering information, whether pursuant to legislative direction or

pursuant to its regular functions of oversight and bill preparation, shall observe the following procedures in addition to regular committee procedures whenever subpoenas are issued:

(A) Issuance of Subpoenas.

(i) A committee may, by a majority vote of all of its members taken at a meeting properly called, issue a subpoena requiring a person to appear before the committee and be examined in reference to any matter within the scope of the inquiry or investigation being conducted by the committee, but only when the committee has received prior approval by a majority vote of the Executive Board to issue subpoenas in connection with the specific inquiry or investigation in question.

(ii) The committee may, in the same manner, issue a subpoena or subpoena duces tecum requiring any person to appear before the committee and bring with him or her any books, papers, or other documents pertinent thereto.

(iii) While the Legislature is in session, a committee deciding to issue subpoenas must promptly report each issuance to the Legislature. A record shall be made in the Journal reflecting the date the subpoena was issued, to whom it was issued, for what purpose it was issued, and the date on which testimony or production of documents is to take place. Under extraordinary circumstances, the identity of the person subpoenaed may be withheld from publication if necessary to protect the safety of an individual or the confidentiality of the matters to be heard.

(iv) A person subpoenaed to attend a hearing of a committee shall receive the same fees and allowances as a person subpoenaed to give testimony in an action pending in a court of record.

(B) Notice to Witnesses.

(i) Service of a subpoena requiring the attendance of a person at a hearing of a committee shall be made in the manner provided by law for the service of subpoenas in civil actions at least seven days prior to the date of the hearing unless a shorter period of time is authorized by a majority vote of all of the members of the committee in a particular instance when, in their opinion, the giving of seven days' notice is not practicable; but if a shorter period of time is authorized, the person subpoenaed shall be given reasonable notice of the hearing, consistent with the particular circumstances involved.

(ii) Any person who is served with a subpoena to attend a hearing of a committee shall also be served with a copy of the act defining the purpose of the committee, a copy of the rules under which the committee functions, a general statement informing him or her of the subject matter of the committee's investigation or inquiry, and a

notice that he or she may be accompanied at the hearing by counsel of his or her own choosing.

(C) Conduct of the Hearing.

(i) No committee which has issued a subpoena directing a witness to appear at a hearing shall question the witness unless a quorum is present throughout the questioning.

(ii) The hearing shall be public unless the committee, by a majority vote of all of its members, determines that a hearing should not be open to the public in a particular instance, due to rare and extraordinary circumstances consistent with Legislative Rule 3, Section 15(b) regarding closed meetings.

(iii) The chairperson of the committee shall preside at all hearings and shall conduct the examination of witnesses himself or herself or supervise the examination by other members of the committee. The committee may, by a majority vote of all its members, authorize the questioning of a witness by the committee's counsel or by special counsel.

(D) Right to Counsel and Submission of Questions.

(i) Every witness at the hearing may be accompanied by counsel of his or her own choosing, who may advise the witness of his or her rights, subject to reasonable limitations which the committee may prescribe to prevent obstruction of or interference with the orderly conduct of the hearing.

(ii) Any witness at the hearing, or a witness' counsel, may submit to the committee proposed questions to be asked of the witness or any other witness relevant to the matters upon which there has been any questioning or submission of evidence, and the committee shall ask such of the questions as it deems appropriate and relevant to the subject matter of the hearing.

(E) Testimony.

(i) The committee shall cause a verbatim record to be made of all proceedings in which testimony or other evidence is demanded or offered, which record shall include rulings of the chair, questions of the committee and its counsel, the testimony or responses of witnesses, sworn written statements submitted to the committee and read into the record, and such other matters as the committee or its chair may direct.

(ii) All testimony given or offered at the hearing shall be under oath or affirmation if the witness has been subpoenaed, and in other cases if a majority of the committee members present at the hearing so decide.

(iii) The presiding member at the hearing may direct a witness to answer any relevant question or furnish any relevant book, paper, or

other document, the production of which has been required by subpoena duces tecum. Unless the direction is overruled by a majority vote of the committee members present, disobedience shall constitute a contempt.

(iv) A witness at the hearing or his or her counsel, with the consent of a majority of the committee's members present at the hearing, may file with the committee for incorporation into the record of the hearing sworn written statements relevant to the purpose, subject matter, and scope of the committee's investigation or inquiry.

(v) Testimony and other evidence given or offered at a hearing closed to the public shall not be made public unless authorized by a majority vote of all of the members of the committee, which authorization shall also specify the form and manner in which the testimony or other evidence may be released.

(vi) A witness at a closed hearing, upon request and at his or her own expense, shall be furnished a transcript of his or her testimony at the hearing.

(F) Interested Persons.

(i) Any person whose name is mentioned or who is otherwise identified during the hearing and who, in the opinion of the committee, may be adversely affected thereby, may, upon his or her request or upon the request of any member of the committee, appear personally before the committee and testify in his or her own behalf, or, with the committee's consent, may file a sworn written statement of facts or other documentary evidence for incorporation into the record thereof.

(ii) Upon the consent of a majority of its members, a committee may invite any other person to appear at a hearing or submit a sworn written statement of facts or other documentary evidence for incorporation into the record thereof. No invitation to appear, and no request to appear, appearance, or submission of evidence shall limit in any way the committee's power of subpoena.

(iii) Any person who appears before a committee pursuant to this section shall have all the rights, privileges, and responsibilities of a witness provided to all other witnesses.

(G) Contempt.

A person shall be in contempt if he or she:

(i) Fails or refuses to appear in compliance with a subpoena or, having appeared, fails or refuses to testify under oath or affirmation;

(ii) Fails or refuses to answer any relevant question or fails or refuses to furnish any relevant book, paper, or other document subpoenaed by or on behalf of a committee; or

(iii) Commits any other act or offense against a committee which,

if committed against the Legislature, would constitute a contempt.

The chairperson of a committee may apply to the Legislature or, during the interim, to the district court of any county to compel obedience by proceedings for contempt.

(H) Penalties.

(i) A person guilty of contempt under the provision of these rules shall be subject to punishment pursuant to RRS 50-105 and 50-106 during the session, or to RRS 50-407 when the Legislature is not in session.

(ii) If a committee fails in any material respect to comply with the requirements of these rules, any person subject to a subpoena or a subpoena duces tecum who is injured by such failure shall be relieved of any requirement to attend the hearing for which the subpoena was issued or, if present, to testify or produce evidence therein; and such failure shall be a complete defense in any proceeding against such person for contempt or other punishment.

(iii) Any member or employee of the Legislature, other than the witness concerned or his or her counsel who knowingly violates subsections of these rules concerning the publication of testimony taken at a closed hearing, shall be in contempt of the Legislature or, if a member of the Legislature, shall be subject to sanction or suspension according to the statutes governing the Legislature. The speaker on his or her own motion or on the application of any person claiming to have been injured or prejudiced by an unauthorized disclosure may institute proceedings for the determination of the issue and for the imposition of penalties provided herein. Nothing in this subsection shall limit any power which the Legislature may have to discipline a member or employee or to impose a penalty in the absence of action by a prosecuting officer or court.

(I) Limitation of Rules.

Nothing contained in this section shall be construed to limit or prohibit the acquisition of evidence or information by any committee by any lawful means not provided for herein.

RULE 4--RESOLUTIONS

Section 1. Identification. A resolution shall be designated as Legislative Resolution _____. All resolutions shall be numbered consecutively for each Legislature. All resolutions shall be introduced and read by the Clerk upon introduction and shall be printed in the Legislative Journal.

73-74 Attorney General Opinion No. 13--Resolutions must be printed and read before a vote is taken.

Sec. 2. When Considered as a Bill. Resolutions which propose amendments to the state constitution, propose the ratification or rejection of amendments to the federal Constitution, or memorialize the Congress with regard to amendments to the U.S. Constitution, or the rejection, change, alteration, amendment, or modification of rules under the provisions of Section 84-904, Reissue Revised Statutes of Nebraska, 1943, shall be considered and adopted in the same manner as bills.

Const. Art. III, Secs. 13, 14; Art. IV, Sec. 15; Art. XVI, Sec. 1. Cannot appropriate funds by resolution. Const. Art. III, Sec. 25.

Sec. 3. Study Resolution. Resolutions which propose that studies be made by the Legislative Council shall be first referred to the Executive Board of the Legislative Council, this Board to submit a report with each resolution recommending that the proposed study be made or rejected. The Executive Board of the Legislative Council shall determine the time and number of interim studies. All such studies authorized by the Legislature shall be referred to the appropriate permanent standing or special committee by the Executive Board. The chief introducer of a study resolution shall, if not otherwise a member of the committee to which the resolution is assigned, be an ex officio member of said committee, but such membership shall not extend beyond the convening of the next legislative session and shall be limited to a study of that resolution only.

RRS 50-404.

Sec. 4. Enrollment and Review, Amended Resolutions. All resolutions, if amended, shall pass through the process of Enrollment and Review in the regular course of their consideration.

Sec. 5. Vote Required for Adoption. All resolutions shall be adopted

by an affirmative vote of a majority of the elected members except for those specified in Section 2 which shall be considered and adopted in the same manner as bills.

Sec. 6. Resolutions, Lay Over Requirement. Resolutions shall lay over for consideration at least one legislative day after introduction.

Sec. 7. Engrossed Resolutions. Only those resolutions specified in Sections 2 and 3 of this rule shall be engrossed unless otherwise ordered by the Legislature or unless the Clerk determines the nature of the resolution is such that upon its adoption it must be engrossed to properly achieve the purpose for which it was presented. All resolutions which are engrossed shall be enrolled and signed by the Lieutenant Governor or Speaker and certified to by the Clerk as to the date of final passage.

Const. Art. III, Sec. 14.

Sec. 8. Reference to Committee. Resolutions other than those covered by Sections 2 and 3 of this rule shall be referred to the Reference Committee for referencing to the appropriate committee upon the recommendation of the Speaker of the Legislature.

Sec. 9. Reviving Resolution Killed by Committee. If the standing committee report on a resolution be to postpone indefinitely, the resolution shall stand indefinitely postponed; Provided, that such resolution may be considered by the members of the Legislature if a majority vote of the elected members so direct, provided the motion is made within three legislative days after the committee makes its report to the Legislature. A motion to raise cannot be amended to include any other resolution or subject matter. The provisions of this section shall not apply to resolutions considered as bills pursuant to Rule 4, Section 2.

Sec. 10. Committee Statement. A committee, when reporting out a resolution, shall attach thereto a statement setting forth what is sought to be accomplished and the committee vote. The statement shall be set out in full in the Journal.

Emergency seat of government; Resolution proving for, must be signed by Governor. RRS 23-2103.

RULE 5--BILLS--GENERAL PROVISIONS

Section 1. Drafting of Bills. The Bill Drafter shall prepare all bills and amendments in proper form when requested by members of the Legislature, newly elected members of the Legislature, or heads of executive departments. No bills or major amendments shall be introduced or considered unless the same has been approved as to form and draftsmanship by the Bill Drafter. In order to shorten the length of sections, the Bill Drafter shall, in the drafting of new sections, make each paragraph a separate section except when to do so would be contrary to sound bill drafting practice. The Bill Drafter shall make available a continuing compilation of sections to which amendments are proposed so as to reduce unnecessary duplication of bills. This section index of bills drafted shall be available to all senators, newly elected senators, and other persons entitled to have bills drafted. After January 1 of each year no bill shall be drafted by the Bill Drafter unless requested or authorized by a member of the Legislature.

Sec. 2. Content and Form of Bills. (a) A bill shall be designated as Legislative Bill _____.

Style of bill. Const. Art. III, Sec. 13.

(b) No bill shall contain more than one subject and the same shall be clearly expressed in the title. No law shall be amended, unless the new act contains the section or sections as amended, and the section or sections so amended shall be repealed.

Const. Art. III, Sec. 13.

(c) An amendatory bill or constitutional provision shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the statutes or constitution.

(d) Appropriations bills and "A" bills shall contain the following elements:

(1) the phrase "there is hereby appropriated";

(2) a specific fund type shall be identified and the fund shall be appropriated;

(3) the amount to be appropriated from such fund shall be identified;

(4) a specific budget program or a specific statement reflecting the purpose for expending such funds shall be identified; and

(5) the time period during which such funds shall be expended shall be identified.

RRS 49-804.

Sec. 3. Revisor Correctional Bills, Preprinting. (a) Preceding each legislative session, the Chairperson or any member of the Executive Board of the Legislative Council, or if the Executive Board so requests, the senator who, in the preceding session served as Chairperson of the Judiciary Committee, shall sign as introducer the Revisor of Statutes' correctional bills. The Clerk of the Legislature shall number these bills consecutively beginning with number 1 and shall show the committee reference to be General File. The Clerk of the Legislature shall have these bills printed before the convening of the next regular session.

(b) In addition to causing to be printed the revisor bills, the Clerk shall number and cause to be printed all bills delivered to him or her by the Executive Board, provided said Board has referred said bills to a standing committee. No bill so printed shall be withdrawn until after the Legislature convenes.

Sec. 4. Introducers Signing Bills. (a) Members shall introduce only such bills as they are willing to endorse and support personally. The last name and district shall be used, unless an initial or name is necessary to identify the introducer.

(b) A standing committee or special committee may introduce a bill for any purpose, including at the request of another senator, provided said bill receives the endorsement of a majority of the committee members whose names shall be on the bill.

(c) No bill shall be introduced after the tenth legislative day of any session, except:

1. "A" bills, appropriation bills, and bills introduced at the request of the Governor may be introduced at any time;

2. A standing committee or special committee may request that the Legislature consider introduction of a bill. A vote of three-fifths of the elected members of the Legislature shall be required for such bill to be introduced, and a copy of the statement of intent for such bill must be placed on each member's desk before introduction of the bill is voted upon;

3. A special committee as created by the Executive Board on

December 10, 1983, regarding the Commonwealth investigation and matters related thereto, may introduce bills at any time during the course of the 1984 Legislative Session. Said bills to be introduced must receive endorsement of a majority of the committee members whose names shall appear on the bill in order to fall within the purview of this section.

(d) Individual members shall not be limited as to bill introduction. Each committee shall be limited to 8 bills each session. Bills introduced as a result of an interim study of the Legislative Council shall be included within the limitations prescribed by this section. Special committees created as a result of an interim study resolution and as authorized by the Executive Board shall be considered as separate committees for purposes of the limitations prescribed by this section. Bills introduced under Rule 5, Section 3(a) and bills introduced at the request of the Governor will not be included in the limitation.

(e) The introducers of all bills must submit a statement of intent for each bill to the appropriate committee chairperson at least 24 hours prior to the bill's hearing. The statement of intent should discuss clearly and completely the purposes and effects of the bill.

Sec. 5. Scheduling of Bills, Priority Bills. (a) Each senator may designate one bill as a priority bill. Such priority bill need not be the designator's bill, but the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

(b) Each chairperson of those committees which are authorized to hold public hearings on bills may designate two of the committee's bills as priority bills.

(c) The Speaker may designate up to 25 additional priority bills.

(d) Priority bill designations may be made at any time prior to the annual designation deadline which shall be set each year by the Speaker. The designation deadline shall be prior to the 45th legislative day in the ninety day session and prior to the 30th legislative day in the sixty day session.

(e) A senator or committee may withdraw a priority designation at any time, but will not be allowed to designate another bill as a

priority bill in its place. The Speaker may withdraw a priority designation made by the Speaker.

(f) All committees shall schedule priority bills for public hearing ahead of all unscheduled, nonpriority bills unless the person or committee making the priority designation shall otherwise agree.

(g) All bills not designated as priority bills shall be heard on General File in the order in which they are reported to the floor by the committees, unless the introducer of the bill and the Speaker agree to delay the hearing of a particular bill. This provision shall not be construed to prevent the Speaker from placing bills reported out of committee with two or less dissenting votes on a consent calendar. Any bill placed on consent calendar shall be removed at the written request of three or more senators.

(h) Priority bills shall generally be considered ahead of all other bills at each stage of debate, except that priority bills requiring the expenditure of appropriated funds shall be held on Final Reading until such time as the annual appropriations bills have been passed. A priority bill which fails to advance after two votes on General File, or after one vote on Select File, shall return to nonpriority status.

(i) No priority bill designated under this rule shall have priority over appropriations bills.

Sec. 6. Fiscal Analyst. (a) A copy of every bill introduced shall be transmitted by the Clerk to the Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall review each bill and make an estimate of the anticipated change in state, county, or municipal expenditures or revenue under the provisions of the bill. The Legislative Fiscal Analyst shall prepare a statement to be known as a fiscal note to be attached to each bill prior to its public hearing by a committee, or its first consideration on General File if the bill is referred directly to General File. The fiscal note shall set forth the fiscal impact of the bill and the governmental subdivision affected by the fiscal impact as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact shall be heard by a committee or considered on General File unless the fiscal note is attached.

(b) In determining the fiscal impact of any bill, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government or subdivision thereof, or appropriate association

which will be affected by the bill, to prepare the fiscal note within five calendar days.

(c) The Legislative Fiscal Analyst shall review the fiscal note so prepared and shall also request a review of such fiscal note by the Budget Division of the Department of Administrative Services. The statement by the Budget Division of the Department of Administrative Services shall be attached to and become a part of the fiscal note. The Legislative Fiscal Analyst shall include in the fiscal note any exceptions to the conclusions of the department or other entity and of the Budget Division of the Department of Administrative Services.

(d) The fiscal note shall be delivered by the Legislative Fiscal Analyst to the Clerk within ten calendar days of receipt of a copy of the bill for analysis. The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.

(e) When amendments to a bill are adopted by the Legislature and such amendments would change the fiscal impact of the bill, the appropriate changes shall be made in the fiscal note each time the bill is advanced to Enrollment and Review or upon the written request of a member of the Legislature.

(f) When any bill proposes adoption of a new program or change of an existing program either of which would require an appropriation to implement in the ensuing fiscal year, an appropriation bill for the purposes of funding the provisions of such bill shall be prepared from the information contained in the fiscal note. Such appropriation bill shall be prepared at the direction of the Chairperson of the Appropriations Committee. Such bill shall be placed on General File and considered as introduced by the introducer of the original bill or by the committee which offered the amendments creating the expenditure, and shall bear the number of the original bill with the letter "A" added, and shall accompany the original bill through all stages of the legislative process. All bills for which an "A" bill is prepared shall be bracketed on Final Reading until the "A" bill is advanced to Final Reading.

(g) The authorization bill shall first be considered and if it should be passed on Final Reading then the "A" bill shall be read and voted on for final passage.

(h) The note shall be factual in nature, as brief and concise as may be, and shall, if possible, provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

(i) No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared, however, technical or mechanical defects may be noted.

(j) The subject matter of bills submitted to boards, commissions, departments, agencies, or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

(k) To implement the provisions of and assure compliance with Art. III, Sec. 22 of the Nebraska Constitution (deficiency appropriations), and Art. IV, Sec. 7 of the Nebraska Constitution (appropriations in excess of Governor's request), the Appropriations Committee shall advise the Legislature of the number of votes required to assure passage of the same.

For creation of position. RRS 50-418.
For duties of position. RRS 50-419.

Sec. 7. Governor's Budget Bill. The budget bill prepared by the Governor shall be shown as introduced by the Speaker of the Legislature at the request of the Governor.

Governor's budget message. Const. Art. IV, Sec. 7.

Sec. 8. Reading Title of Bills, Printing. Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage.

Const. Art. III, Sec. 14.

Sec. 9. Engrossment of Bills. All bills, before being advanced to Final Reading and passage, shall be engrossed, and copies thereof showing new and stricken matter shall be made available to members.

Sec. 10. Expenditure of Legislative Funds. Those expenditures on which the Legislature votes shall require the approval of the majority of the elected members.

Salaries of employees. Rule 1, Section 22.

Sec. 11. Withdrawal of Bills. No bill, having been introduced, may be withdrawn except upon motion of the first introducer with the consent of his or her co-introducers. Such motion, when made, shall not be considered prior to the next succeeding legislative day, and, for its adoption, shall require the affirmative vote of a majority of those voting upon the question.

Withdrawal of bills set for hearing. Rule 3, Section 13.

Sec. 12. Division of Bills, Prohibited. No bill shall be divided into two or more bills.

Sec. 13. Holding of Bills. Unless otherwise disposed of, all bills on which no final action has been taken by the time of adjournment of the regular session in odd-numbered years shall be held over for consideration at the regular session convening in even-numbered years.

RULE 6--BILLS--STAGES OF CONSIDERATION

Section 1. Introduction of Bills. Starting with regular sessions in odd-numbered years, bills shall be numbered consecutively starting with the number 1. Bills introduced in regular sessions in even-numbered years shall start with the number following the number of the last bill introduced in the preceding regular session of an odd-numbered year, (bills introduced in any special session shall start with the number 1) and shall be numbered consecutively as read by the Clerk. After introduction, bills requiring reference shall be delivered to the Reference Committee.

Sec. 2. Objection to Reference of Bills. (a) Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature by unanimous consent, or by the vote of a majority of the elected members.

(b) Those bills and resolutions placed on General File by the Reference Committee will be bracketed for five calendar days, and if one senator requests a public hearing on one or more of these matters, they will then be referred to a committee. Bills on General File for which public hearings have not been requested will be handled as all bills on General File.

Sec. 3. General File. (a) The Clerk of the Legislature shall read the number and the title of the bill and the name of the principal introducer as it comes up for consideration on General File. A bill will not be read section by section unless requested by a member of the Legislature.

(b) Each section shall be open to amendment. The amendments, if any, recommended by standing committees, shall first be considered. The introducer's amendments, if any, shall next be considered, after which he or she may move to advance and explain the bill. Other amendments and motions permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 7, Section 3.

(c) Bills shall be listed and considered on General File in the order in which they shall be reported from the standing committees, except as modified by the Speaker; Provided, that any bill that comes up for debate for a second time, with the introducer present, shall be placed by the Clerk at the bottom of General File if said introducer asked

for further time, unless otherwise directed by the Speaker.

Speaker determine order of bills. Rule 1, Section 16.

(d) During consideration of bills on either General or Select File, any member may move that the bill be passed over once and if the motion is carried by a majority of those voting, the bill shall be passed over and shall retain its place on the file.

(e) At any stage of consideration of a bill, a motion to bracket or to bracket to a day certain or to unbracket shall, if made by the primary introducer of the bill, require a majority of those voting. If made by other than the primary introducer, there shall then be required a majority vote of the elected membership. In any event, such motions shall alternatively be passed by unanimous consent of the body.

(f) In the event a motion to indefinitely postpone a bill is made before the bill is read on General File, such motion shall require the affirmative vote of a majority of the elected members.

(g) In the event a bill has become substantially a new and different bill by reason of amendments having been adopted, the Speaker may refer said bill to the Reference Committee who must refer the said bill to a proper committee for a public hearing; Provided, that a majority of the elected members may overrule the decision of the Speaker.

(h) If, in the opinion of the Speaker, the bill is in such form that it should properly be referred back to committee for further action, he or she may by order direct the same; Provided, that a majority of the elected members may overrule the decision of the Speaker. Any rule to the contrary, notwithstanding any motion to amend a bill, shall require a majority vote of the elected members. Any motion to amend an appropriation bill or a motion to amend an amendment to an appropriation bill shall require a majority vote of the elected members.

(i) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Initial after three attempts shall be indefinitely postponed.

The following votes shall be required to adopt the following motions affecting bills on General File:

UC--Unanimous Consent; MEM--Majority of Elected Members; MTV--Majority of Those Voting.

GENERAL FILE

		Rule-Sec.
On introduction of bill		
Withdraw bill	**MTV**	**5-11**
On consideration of bill on General File		
Move to pass over	**MTV**	**6-3d**
Move to change order	**3/5**	**1-16**
Move to indefinitely postpone before bill is read	**MEM**	**6-3f**
Move to indefinitely postpone after bill is read	**MTV**	
Move to advance to E & R Review	**MEM**	**6-4**
Move to return to committee	**MEM**	
Move to reconsider		
(within one legislative day thereafter)	**MEM**	**7-7a**
(if after one legislative day, by suspension of the rules only)	**3/5**	**7-7a**
Move to amend	**MEM**	**6-3h**
Move to amend the amendment	**MTV**	
Move to withdraw bill by first introducer	**MTV**	**5-11**
If returned from Select File		
Motion to return to Select File	**MEM**	**6-5d**
Motion to amend	**MEM**	**6-5f**
Motion to advance	**MEM**	**6-4**
Defeated bill, motion to reconsider	**MEM**	**7-7**

Sec. 4. Enrollment and Review. Bills when advanced to Enrollment and Review shall be reviewed for recommendations relative to arrangement, phraseology, and correlation. Advancement to Enrollment and Review from General File for such purpose shall require a majority of the elected members. A motion to return to General File from Enrollment and Review shall, for adoption, require the concurrence of a majority of the elected members.

Sec. 5. Select File. When the Legislature considers bills on Select File.

any of the following motions shall be in order.

(a) A motion to approve or reject any or all of the changes recommended by the Chairperson of Enrollment and Review.

(b) A motion to adopt an amendment which shall require a majority of the elected members.

(c) A motion to recommit to the proper standing committee.

(d) A motion to recommit to General File for one or more amendments. If the motion to return is adopted, the bill shall be considered first on General File. Any motion may be made the same as when the bill was first on General File. If the bill is readvanced, it shall be given priority consideration by Enrollment and Review. If the bill is not altered, it may be advanced to Enrollment and Review for engrossment.

(e) A motion to postpone indefinitely.

(f) Motions made pursuant to subsections b, c, d, and e hereof may be adopted only upon the affirmative vote of a majority of the elected members.

(g) Amendments recommended by Enrollment and Review shall not be read by the Clerk except upon the request of a member of the Legislature.

(h) Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific Enrollment and Review Committee amendments may be considered.

(i) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Final after two attempts shall be indefinitely postponed.

The following votes shall be required to adopt the following motions affecting bills on Select File:

SELECT FILE

		Rule-Sec.
Motion to advance to E & R for Engrossing if machine vote requested	**MEM**	
Motion to act on E & R amendment	**MTV**	**6-5a**
Motion to amend	**MEM**	**6-5b**
Motion to recommit to a standing committee	**MEM**	**6-5c**
Motion to return to General File for amendment	**MEM**	**6-5d**
Motion to indefinitely postpone	**MEM**	**6-5e**
On bill returned from E & R Engrossing & Final Reading		
Motion to return for specific amendment	**MEM**	**6-6**
Motion to adopt specific amendment	**MEM**	**6-6**

Sec. 6. Return to Select File. On a motion to return a bill to Select File for a specific amendment, a majority of the elected members must concur. No other amendment shall be considered when the bill is so returned. Such amendment when considered may be adopted by a majority of the elected members.

Sec. 7. Final Reading. No bill shall be voted on for final passage until:

(a) After five legislative days following the introduction of the bill.

(b) Two legislative days after its reference to Final Reading.

(c) Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day.

Const. Art. III, Sec. 14.

Sec. 8. Final Reading, Motions. On Final Reading the bill shall be read at large with all amendments thereto before the vote is taken. At any time before the roll call shall have begun on Final Reading of the bill, it shall be in order to move:

(a) To recommit the bill to Enrollment and Review to correct an error

and for re-engrossment.

(b) To recommit the bill to the proper standing committee, with or without instructions.

(c) To recommit the bill to Select File for specific amendment, which amendment may be adopted by a vote of a majority of the elected members.

(d) Any bill returned to Select File for a specific amendment, may if the amendment is rejected, be readvanced to Final Reading without going through Enrollment and Review. A motion to so advance shall require the concurrence of a majority of the elected members.

Members to remain in their seat. Rule 2, Section 3g.
No one to be seated beside member during Final Reading. Rule 2, Section 3d.

The following votes shall be required to adopt the following motions affecting bills on Final Reading:

FINAL READING

		Rule-Sec.
To return to standing committee	**MEM**	**6-8**
To return to E & R to correct an error	**MEM**	**6-8**
To return to Select File for specific amendment	**MEM**	**6-6**
Unless to add the emergency clause	**2/3**	**6-8**
To pass on Final Reading	**MEM**	**6-9**
With emergency clause attached	**2/3**	**6-10**
Creation of state office	**2/3**	
Const. Art. IV, Sec. 27		
Motion to reconsider (when failed on Final Reading)	**3/5**	**7-7**
Override Governor's veto	**3/5**	**6-11**
"A" bills considered		**5-6**

Sec. 9. Question on Final Reading. The question after the Final Reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' " If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

Majority of elected members required. Const. Art. III, Sec. 13.

Sec. 10. Emergency Clause, Votes Required. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on Final Reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on Final Reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?"

Const. Art. III, Sec. 27.

Sec. 11. Governor's Veto, Further Legislative Action. Upon the day of receipt of a message from the Governor announcing his or her veto of a bill, or on any of the next five legislative days in the same annual session, any member may move that the bill so vetoed be taken up for passage in the form presented to the Governor. Whereupon the question shall be, "Shall the bill pass notwithstanding the objections of the Governor?" No bill vetoed by the Governor shall be taken up by the Legislature for any purpose other than passage of the bill notwithstanding the objections of the Governor or for override of a line-item veto.

Three-fifths vote of the elected members required to pass bill over Governor's veto. Const. Art. IV, Sec. 15. See also Art. IV, Sec. 7.

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills.

Const. Art. IV, Sec. 15.

Sec. 12. Bills, Passed Over Governor's Veto. Should the Legislature pass a bill over the objections of the Governor by the necessary constitutional majority, it shall so certify and deposit the same with the Secretary of State.

RRS 84-503.

Sec. 13. Certificates. Whenever the Legislature shall override a line-item veto, on any bill as provided for in Article 10, Section 15, the Clerk of the Legislature shall cause to be placed on such bill a certificate in content and form as provided for in RRS 84-503 and

shall list the items so overridden by section, page, and line.

In addition to such certificate, the Clerk of the Legislature shall note on each line, when the Legislature votes to override, a stamp reading "line-item veto overridden" and place thereon the date and his or her initials.

Sec. 14. Appropriations Bills, Procedure After Veto. (a) Whenever the Governor shall have vetoed more than one item in an appropriation bill, the Appropriations Committee shall review said veto and the Chairperson of the Appropriations Committee shall report within one legislative day to the Legislature on it's fiscal implications, and affect on operations. If the Appropriations Committee by majority vote decides to recommend to the Legislature an override of the veto on any portion of such an appropriation bill, the Chairperson of the Appropriations Committee or his/her designee shall first be permitted an opportunity to move that the entire bill become law notwithstanding the line-item veto therein.

(b) If such motion fails or is not offered, the Chairperson of the Appropriations Committee or his/her designee shall then introduce motions to override selected portions of the vetoed bill.

(c) Any member of the Legislature may then offer a motion to override the veto of the bill or any portion thereof if the Appropriations Committee by majority action decides not to recommend overriding the veto of the bill or the veto of that portion of the bill.

(d) It shall require 30 votes of the elected members to amend a veto override motion that includes another line-item veto.

Sec. 15. Constitutional Amendments, Votes Required. When a proposed constitutional amendment does not receive the required four-fifths constitutional majority necessary to submit such proposed amendment to the electors at a special election, then the special election language of the bill shall be stricken, and the bill shall be pending on Final Reading, and the question shall be, "Shall the bill pass providing for the submission of such proposition at the next general election?"

RULE 6

Constitutional Amendment. If proposition is to submit amendment to electorate at special election fails to receive 4/5 plurality, then amend bill to provide for general election when adoption is by 3/5 plurality. RRS 49-236.

RULE 7--PROCEEDINGS AND MOTIONS

(A) Order of Business

Section 1. Meeting Time, Restrictions. (a) The Legislature shall meet annually at 10:00 a.m. on the first Wednesday after the first Monday in January of each year and thereafter on each legislative day at 9:00 a.m., and adjourn not later than 1:00 p.m., unless otherwise ordered by a majority vote of its members present and voting thereon. The Legislature shall in odd-numbered years, after the period allowed for the introduction of bills, recess for four (4) calendar days. During such recess committees shall prepare, for public distribution, a calendar of hearing dates. No committee hearings shall be held until after the recess provided for in this section. The Legislature shall remain in session until it shall adjourn sine die, but in no event shall it remain in session for longer than ninety (90) legislative days in odd-numbered years or sixty (60) legislative days in even-numbered years. This limitation may be suspended by a four-fifths vote of the elected senators. Each day the Legislature convenes shall be considered a legislative day.

Const. Art. III, Sec. 10.

(b) The order of business of the Legislature shall be as follows; except as otherwise provided by the Speaker.

a. Prayer by the Chaplain
b. Roll call
c. Call for correction of the Journal
d. Petitions and memorials
e. Notice of committee hearings and reports
f. Bills on Final Reading
g. Resolutions
h. Introduction of bills and reading by title
i. Consideration of bills on Select File
j. Motions to reconsider
k. Motions to advance bills from committee
l. Other pending motions
m. Unfinished business, including messages on President's desk
n. Consideration of bills on General File
o. Miscellaneous business

(c) Messages from the Governor may be received at any stage of the proceedings.

(d) When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on General File. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have preference in the special order of the day.

(e) Upon call for the introduction of bills, any member or any standing committee to which bills are referred for consideration may introduce one or more bills.

Introduction of bills. Rule 6, Section 1.

(B) Voting Machine

Sec. 2. Voting, Electric Roll Call. (a) All votes shall be taken viva voca unless otherwise provided for herein. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'nay.' "

(b) If a machine vote is called for or if the presiding officer is in doubt, he or she shall cause the result to be obtained by means of the electric roll call system, and in such event shall accept only machine tallied votes except that voice votes shall be accepted on a motion before the house while the house is under call. The presiding officer may vote by voice. Only the totals shall be printed in the Journal. Once having voted aye or nay, senators may call in a change to not voting prior to the locking of the voting board.

(c) Upon the final passage of a bill, or of a resolution if the same required the same consideration as a bill, the vote shall be by yeas and nays, and the electric roll call system shall be used. Voice votes shall be accepted on Final Reading.

(d) Whenever the "ayes" and "nays" are taken by machine vote, no member shall be permitted to vote after the decision is announced by the presiding officer or the Clerk. Votes not registered on the electric roll call system shall not be counted for or against a proposition. In announcing such vote, the Clerk shall announce the ayes, the nays, those present and not voting, those absent and not voting, and those excused and not voting, and on any action to advance or amend bills,

these totals shall be set forth in the Journal. Voice votes shall be accepted on roll call or record votes.

(e) Only senators physically in the legislative chamber may vote.

(C) Motions

Sec. 3. **Motion, in Writing, Withdrawal.** (a) A motion shall be either stated by the presiding officer or read by the Clerk before a vote is taken. All motions shall be submitted in writing if requested by the presiding officer or any senator.

Once motions are stated they may be withdrawn or modified by the mover before a decision, amendment, or ordering of a vote has been made. A motion to reconsider may be withdrawn only with unanimous consent or a majority vote of the elected members.

When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated.

a. To adjourn
b. For the previous question
c. To postpone to a time certain
d. To recommit to a committee
e. To amend
f. To postpone indefinitely

Such motions shall have precedence in the order in which they are arranged, except that motions to postpone indefinitely and amend do not yield to each other.

When any of the following motions shall be made, any action on such motion shall be delayed at least one legislative day and the motion shall be printed in the Legislative Journal:

a. Motion to postpone indefinitely on General File or Select File, unless the introducer(s) of the bill, or the committee chairperson in the case of committee bills, request(s) that the motion to postpone indefinitely be considered immediately without the one day delay.
b. Motion to advance bills from committee.
c. Motion to place bills on General File, notwithstanding the

action of a standing committee.

(b) When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

(c) Amendments to the title shall be made by the Enrollment and Review Committee.

(d) No motion, proposition, or subject, different from that under consideration, shall be admitted under color of amendment. Any amendment that is not germane is out of order. Germane amendments relate only to details of the specific subject of the bill and must be in a natural and logical sequence to the subject matter of the original proposal. A nongermane amendment includes one that relates to a substantially different subject or accomplishes substantially different purpose than that of the original bill to which it is proposed.

(e) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert.

(f) When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be considered first.

Sec. 4. Shall the Debate Cease. The previous question shall be in this form, "Shall the debate now close?"

The previous question shall be made only in the normal course of speaking order and shall be in order when demanded by five or more members, and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in this section of this rule, preclude further debate and all amendments and motions, except one motion to adjourn. The presiding officer may rule the previous question out of order if in the presiding officer's opinion a full and fair debate has not been afforded, due to the complexity of the subject matter. The ruling of the presiding officer shall be subject to overrule in accordance with Rule 1, Section 12 of

these rules.

On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

When the previous question shall have been ordered on a proposition under debate, the mover, proponent, or introducer of such proposition shall be given the right to close the debate thereon.

Sec. 5. Call of the House. A call of the house may be made by any member in the manner following: "I move for a call of the house." The presiding officer shall direct that the board be cleared and the members shall then vote on placing themselves under call. If a majority of the senators present and voting, vote in favor of such a motion, then the Legislature shall be deemed to be under call. Each member present shall indicate his or her presence upon the electric roll call system and shall remain in his or her seat during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members then present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members elected. If all absentees were to vote on one side of the question, and if their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Lieutenant Governor votes only when Legislature equally divided. Rule 1, Section 14.
Voice vote while house under call. Rule 7, Section 2b.

Sec. 6. Postpone to Time Certain. No motion to postpone to a time certain, to commit, or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Sec. 7. Reconsideration. (a) When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move for a reconsideration thereof. A motion to reconsider must be made on the same day the original question was decided or on the next legislative day, except when it be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading. In such case, it must be made on the same day the original question

was decided or on one of the next three legislative days. A motion to reconsider must be disposed of by the Legislature within five legislative days after making the same or it shall be deemed defeated. If the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 7, Section 3.

(b) Every motion to reconsider shall take preference over all other questions, except a motion to adjourn.

(c) For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

i Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading, then a three-fifths vote shall be required for adoption.

ii Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading with the emergency clause attached, but which received the constitutional majority with the emergency clause stricken and the purpose of the motion is to again add the emergency clause, then a two-thirds vote of the elected members shall be required for adoption.

(d) For a bill on General File, no motion to reconsider shall be in order until the bill has failed to advance three times; for a bill on Select File, no motion to reconsider shall be in order until the bill has failed to advance two times; for a bill passed on Final Reading, no motion to reconsider shall be in order except by the introducer of the bill, for technical or clarifying amendments.

(e) Whenever a bill is returned from the Governor for further action pursuant to the Legislature's request for such return, motions for reconsideration necessarily incident to opening a bill for further action shall be admitted regardless of the time limitation otherwise imposed by this rule.

Sec. 8. Strike the Enacting Clause. A motion to strike the enacting clause, if adopted, is equivalent to rejection of the bill. It shall not have precedence over a motion to amend nor a motion to indefinitely

postpone.

Sec. 9. Motion to Adjourn. A motion to adjourn shall be in order, except:

a. While a member is speaking.
b. When a motion to adjourn has just been defeated.
c. After the Final Reading of a bill and during roll call thereon.

A motion to adjourn to a time certain shall have precedence over a motion to adjourn. A motion to recess shall take precedence over either of such motions.

When a motion to adjourn or recess has been made, the Speaker shall be privileged to speak to the motion prior to any vote on such motion. A motion to adjourn or recess is not debatable.

A motion to adjourn or recess shall be adopted if approved by a majority of members voting.

RULE 8--APPROPRIATIONS PROCESS

Section 1. Purpose. The purpose of this rule is to provide a procedure for the Legislature to develop appropriations for all state agencies, boards, and commissions. Such procedure shall consider the need to (1) continue the services and financial assistance provided by state agencies and programs, (2) restrict the growth in state appropriations, and (3) provide for the efficient and effective use of state revenue by utilizing standing committee subject matter expertise in the review of agency, board, and commission budget requests.

Sec. 2. Appropriations Committee Report. The Legislature's Appropriations Committee, by majority vote of its members, shall annually prepare a report summarizing the recommended total General Fund appropriation for each year of the following biennium. Such report shall include information based upon the committee's initial review of (1) state agency, board, and commission budget requests, (2) the Governor's budget, (3) the estimated revenue receipts for each year of the following biennium, (4) General Fund reserve requirements, (5) express obligations, and (6) economic conditions affecting the State of Nebraska.

Sec. 3. Report, When Required. The report required in Section 2 of this rule shall be printed in the Legislative Journal and presented to each member of the Legislature by the Chairperson of the Appropriations Committee between twenty and thirty legislative days after the Governor presents his or her budget during sessions in odd-numbered years and between fifteen and twenty legislative days after the Governor's budget presentation during session in even-numbered years.

Sec. 4. Standing Committee Appropriations Review. (a) Each standing committee may hold a budget request review hearing on the agency, board, and commission budgets reasonably encompassed in its subject matter jurisdiction. The chairperson of the standing committee shall coordinate the scheduling of such hearings with the Chairperson of the Appropriations Committee. The standing committee shall obtain a determination from the Executive Board that the budget to be reviewed is within its subject matter jurisdiction. It may make recommendations with regard to proposed appropriations to the Appropriations Committee.

(b) The chairperson of each committee may, when the budget review hearing on each agency, board, and commission is complete, submit a standing committee appropriations review statement which

shall contain, but need not be limited to, the following information:

(1) the identity of the agency, board, or commission budget reviewed,

(2) the date of the hearing,

(3) a list of all the individuals testifying with regard to the budget,

(4) a summary of requested and proposed changes to the original agency, board, or commission budget, and

(5) a summary and explanation of standing committee recommendations on the agency, board, or commission budget in such form as the standing committee deems appropriate.

(c) A copy of the proposed standing committee appropriations review statement shall be distributed to each committee member within five days after final committee action on the budget review hearing has been taken by the committee. A minority or concurring statement bearing the signature or signatures of its proponents and setting forth objections to the standing committee appropriations review statement may be filed by its author(s) with the Clerk of the Legislature at any time prior to the first hearing of the Appropriations Bill on General File.

(d) A copy of the standing committee appropriations review statement and any minority statements submitted shall be distributed to each senator after filing one copy with the Appropriations Committee Chairperson and one with the Clerk of the Legislature. Distribution to senators shall be the responsibility of the Clerk of the Legislature.

(e) The Appropriations Committee shall review each standing committee appropriations review statement prior to final action by the Appropriations Committee and placement of the appropriations bills on General File, if such statement is received prior to final action on the permanent budget. The Appropriations Committee shall not be bound to adopt the recommendations in the standing committee appropriations review statement.

(f) The Appropriations Committee shall make available to the appropriate standing committee all currently available information at its disposal.

Sec. 5. Bills, Held on Final Reading. The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for

the funding of "A" bills, bills that result in the net reduction of revenue to the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. All "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; and all tax expenditure bills shall not be read on Final Reading until the appropriations bills are passed by the Legislature. Provided the Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriation provided for in an "A" bill shall be for not less than two fiscal years.

Sec. 6. Bill, Setting Tax Rates. The Legislature's tax rate bill shall be passed no later than the 85th legislative day in a 90 day session and the 55th legislative day in a 60 day session.

RULE 9--SPECIAL SESSIONS

Section 1. Purpose. The purpose of this rule is to establish special procedures for the Legislature to utilize during a special session. This rule recognizes the necessity of the Legislature to address the business for which it is called together in an expeditious and fair fashion and provides that certain legislative procedures established for regular sessions shall not unduly burden the activities of the Legislature during a special session.

Sec. 2. Convening of the Legislature. Pursuant to the directive contained in the proclamation issued by the Governor, either upon the concurrence of two-thirds of the members of the Legislature according to the procedure established by section 50-125 or upon the call of the Governor under the authority of Article IV, section 8, of the Nebraska Constitution, the Legislature shall convene in special session. The first item of business shall be the introduction of bills and resolutions, both of which shall be numbered consecutively beginning with the number one. Bills and resolutions offered by the Speaker at the request of the Governor or offered pursuant to the statement filed with the Secretary of State and agreed to by two-thirds of the members of the Legislature shall be introduced ahead of all other proposals. After introduction, all bills and resolutions shall be handled in the manner provided in this rule. Bills and resolutions shall be introduced only during the first three days of the session.

Sec. 3. Committee Hearings. Within one legislative day following the introduction of bills and resolutions, the Reference Committee shall review each bill and resolution and refer the matter to the appropriate standing committee. The committee to which the bill or resolution is referred shall provide as much public notice of the time and place of the hearing on the matter as is reasonable under the circumstances by publication in the Legislative Journal, but in no case shall the hearing be more than five calendar days after the date the bill or resolution has been referred to the committee.

Sec. 4. Report of Bill or Resolution to Legislature. The committee to which a bill or resolution has been referred shall make a report on the bill or resolution to the Legislature within twenty-four hours after the committee has taken final action on the matter. If, at the expiration of twenty-four hours from the time final action was taken, the chairperson has not reported the bill or resolution, any senator may file with the Speaker a motion that the chairperson be compelled to

submit a report. After determining that final action on the bill or resolution has been taken at least twenty-four hours prior to the time the motion was submitted, the Speaker shall accept the motion and compel the chairperson to file the committee's report on the matter.

Sec. 5. Indefinitely Postponed Bills and Resolutions. If the committee action on a bill or resolution is to postpone indefinitely, the bill shall stand indefinitely postponed, except that such bill or resolution may be placed on General File or referred back to the committee by a majority vote of the elected members. Not more than one bill or resolution shall be raised from committee on any one motion. A motion to raise shall not be amended to include any other bill, resolution, or subject matter. A motion to raise shall take precedence in order over all other motions, except a motion to adjourn.

Sec. 6. Bills and Resolutions Held by Committee. If the committee has not taken final action on a bill or resolution within two days after the committee hearing, any senator may move that the bill or resolution be placed on General File. If a majority of the elected members vote in favor of the motion, the bill shall be placed on General File.

Sec. 7. Pending Proposals Indefinitely Postponed. At the conclusion of a special session, all bills and resolutions which have not been enacted shall stand indefinitely postponed and shall not carry over to the next legislative session.

Sec. 8. Rules Controlling When Conflict Exists. When a conflict exists between the provisions of this rule and other provisions of the Rules of the Nebraska Legislature, the provisions of this rule shall apply.

MOTIONS

Type of Motion	Vote Required	Rule-Sec.
FINAL READING		
Adopt bill	25	6-9
Adopt bill with emergency clause	33	6-10
Override gubernatorial veto	30	6-11
Return to Select File for specific amendment	25	6-8
Return to standing committee	25	6-8
GENERAL FILE		
Advance to E & R Review	25	6-4
Amendment to amendment (except appropriation bills)	Simple Majority	6-3
Amendment to bill	25	6-3
Indefinitely postpone	Simple Majority	6-3
Return to committee	25	6-3
SELECT FILE		
Adopt E & R amendment	Simple Majority	6-5
Advance to E & R for engrossing if machine vote requested	25	6-5
Amendment to amendment	25	6-5
Amendment to bill	25	6-5
Indefinitely postpone	25	6-5
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