

November 10, 1992 LB 1

back and put the amendment on. But the rules are somewhat different in a special session, we need to act on this today. So the point being in closing, this is not anything different. We have set the precedent. This is simply allowing the vote to take place, which when we voted not to suspend the rule by one vote with only 29 people, with people absent, this is the procedure that the Unicameral has put in the process for this type of circumstance, and I would urge the body not to overrule the Chair.

PRESIDENT MOUL: Thank you, Senator Bernard-Stevens. Senator Landis, followed by Senators Wesely and Lamb.

SENATOR LANDIS: One might wish that the rule book gave us more guidance on this question, and since there is one logical conundrum, what if a bill has gotten 25 votes on Select File? Clearly it has left Select File in a sense at that moment because the Select File work is over. But does that answer the question, is it now on Final Reading. And there, there is a couple of interesting spots in the rule book, on page 44, under Rule 6, it says any bill returned to Select File for a specific amendment, that implies that it is not on Select File at that moment, it is someplace else, say, if the amendment is rejected, be readvanced to Final Reading without going through Enrollment and Review. Now that is the situation Ernie just described, where you bring it back, the amendment fails and there is no more work to be done, you can go right on into Final Reading. A motion to so advance will require the concurrence of a majority of the elected members, but notice that it says, may pass through, may be readvanced to Final Reading without going through Enrollment and Review. Why? Because there is no changes, no work for the E & R Committee to do. The E & R Committee's work has already been done. In fact, there is an implied indication that there is work to be done in the E & R Committee on page 42 of the rules, 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. In other words, it seems as if the rules imply that simply because a bill has gotten 25 votes and left Select File, it is not yet on Final Reading. It is on Final Reading at the point in which the E & R Committee has announced their amendments and those amendments have been adopted. The rules, by the way, indicate they don't have to be announced to the members, but at that point, once the E & R