

February 28, 1995 LB 93

SENATOR BROMM: Okay. There could be...there could be a motion to require the...oh, there could be a motion to approve the purchase of a police car. Okay, that doesn't require an ordinance, that would simply be a motion. So a six member board, if they had four people there, and they voted three to one, that would pass.

SENATOR BERNARD-STEVENS: All right. Now if I made a motion that would purchase some land for the city or I made a motion to increase the...increase the amount that we are spending in the budget or to decrease a certain portion, and I did so by motion, would all of those motions, could all of those motions in a council of six be agreed to with on a three-two vote?

SENATOR BROMM: If we are talking about something that would be budgetary, maybe I missed part of the question, but if it was a budgetary matter, ultimately it would require an ordinance to be passed in, of course, a legal document.

SENATOR BERNARD-STEVENS: I understand that but if I wanted a motion, the motion, technically, could be passed with a three-two, but then they would have to have a further vote later on of whether they wanted to change the ordinance, would that be...would that...is that a fair...

SENATOR BROMM: No, if it's a...if it's any matter, and I don't have the, sorry, I don't have the statute in front of me that specifically says what all that requires an ordinance, but if it'd require an ordinance to accomplish it, a motion would not...would not be effective, would not be valid, would not handle the business. It would require an ordinance to be effective.

SENATOR BERNARD-STEVENS: Okay, but you see where I am getting at and let me give to get the whole picture, we used to have a rule, as you know, in the Legislature, that when you amended a committee...a committee amendment, it was by a majority of those present. Okay. And we changed that so it had to be a majority of elected members, 25, because there was a lot of...I don't want to say there was a lot of abuse, but there was a lot of games being played because I could get a motion agreed to in the Legislature by less majority, even though the bill had to pass with a majority of votes elected. So my question to you is, are we allowing for the same thing that we decided not to do in the