

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 382

You have four abstentions and one yes vote. That one vote is a majority, isn't it, one to nothing?

SENATOR RAIKES: Again, Senator, the question would be how you deal with abstentions in such a vote. But if you simply ignore anyone that doesn't cast a vote, then you're right.

SENATOR CHAMBERS: Well, let's look at the language. The language says, "actions of the board shall be by majority vote", vote, not abstention, vote, an affirmative vote. An abstention is not a vote. The majority of one out of...

PRESIDENT MAURSTAD PRESIDING

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...five, one votes yes, four abstentions. Now let's say we have five, we have two yes, one no, and two abstentions. The vote is two to one, that would be a majority vote, wouldn't it?

SENATOR RAIKES: Yes, as you're explaining it, it would.

SENATOR CHAMBERS: Is it the way that I'm explaining it, or based on the way the language of the bill tells us this vote is to be?

SENATOR RAIKES: Well, as near as I can tell, you're correct in your interpretation of the language.

SENATOR CHAMBERS: Senator Raikes, was this matter discussed in the committee, that you can remember?

SENATOR RAIKES: This particular matter, Senator, was not, that I can remember.

SENATOR CHAMBERS: And based on some responses that Senator Coordsen gave to me, it might...would suggest that had I been at that committee, we would have discussed some things that were not discussed, and as a result either there wouldn't be any deal or, if there was one, it would be better considered than this. Would you agree? Is that a possibility?