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that greater emphasis should be placed on representation of people with very little emphasis given to area. Therefore I would favor an increase to 50 members with reapportionment to bring a greater number of senators who represent the more populous areas."

Another legislator, obviously from a populous area, stated his case this way:

"I believe we should have at least six more (legislators). On a population basis my district, for instance, is as much as 15 or 18 times larger than some. I have 140,000 people in it...." He went on to explain that other districts have only a fourth or a fifth that much population.

A fellow senator said present legislative districts were all right except "in a few instances where little counties are tied to large ones." But he doubted that any changes could be made "since Omaha would want too much."

That question of what to do about the state's population centers of Omaha and Lincoln was mentioned frequently. But one senator did not consider the problem too serious. He put it this way:

"The large centers like Lincoln and Omaha receive about all they ask for. If the situation were reversed, the other side might find cause for complaint, too."

An examination of the Nebraska census figures from 1930 to 1960 explains the concern of these senators. There is little question that the population has been shifting.

Farm Loss

To include another facet of Nebraska apportionment dynamics, census figures

have been assembled on rural farm population. The ways people make their livings also are considered in the tug and pull of apportionment. Since Nebraska has been considered primarily an agricultural state the population of this farm group was traced. It is important to understand that this is the farm population, not simply the total population of people who do not live in cities. Obviously, there is a considerable numerical difference between farm population and the total rural population.

Here is the way Nebraska's population shifted during that period:

Year	Total Population	Rural Farm Population
1930	1,377,963	582,981
1940	1,315,834	495,477
1950	1,325,510	391,435
1960	1,411,330

Since Douglas and Lancaster counties, the homes of Omaha and Lincoln, were consistently cited by the senators, an examination of these counties helps explain the problem.

First, compare Douglas County, with seven legislative districts (in 1961; it now has 12), with a rural district (1961) including Wheeler, Valley, Greeley, and Howard counties.

Douglas County		
Year	Total Population	Rural Farm Population
1930	232,982	7,401
1940	247,562	7,029
1950	281,020	4,965
1960	343,490	Unavailable

The following figures cover the same period for the rural district.

Year	Total Population	Rural Farm Population
1930	30,330	20,304
1940	25,600	15,911
1950	21,579	11,956
1960	19,023	Unavailable

The census takers changed the questions being asked to determine rural farm population between the 1940 and 1950 censuses. It is estimated that approximately 9 per cent more persons would have been classified as farm residents had the earlier methods been used. But even with these changes the farm-to-city trend would still have been evident.

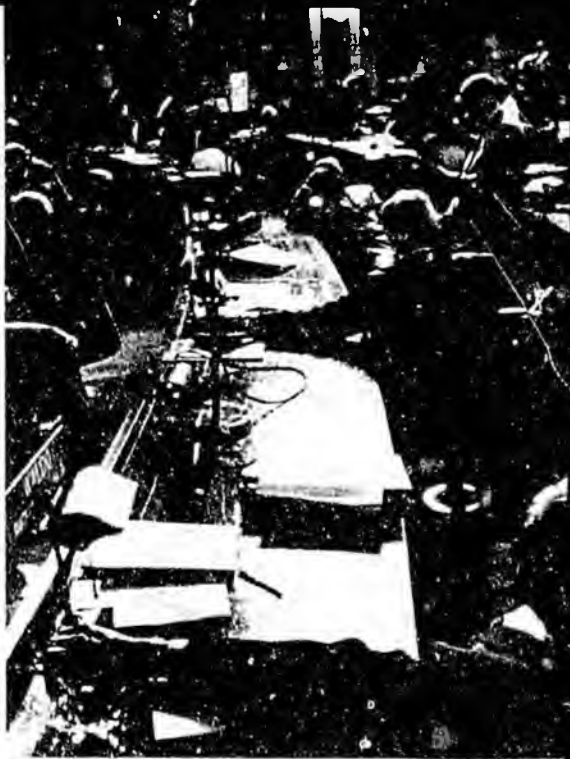
Now, a look at Lancaster County, the other populous area most frequently cited by the senators. Lancaster includes Districts 18 through 20 (in 1961; it now has six districts). Here is what happened between 1930 and 1960:

Year	Total Population	Rural Farm Population
1930	100,324	13,200
1940	100,585	11,054
1950	119,742	8,663
1960	155,272	Unavailable

For comparison examine the (1961) district that includes Cherry, Brown, and Sheridan counties. This area is primarily a ranching region.

Year	Total Population	Rural Farm Population
1930	27,463	16,609
1940	25,468	13,937
1950	23,100	10,859
1960	21,703	Unavailable

Between 1930 and 1950, 22 legislative districts showed a decrease in total and



Senators push vote buttons.

farm population. The same 22 decreased in total population between 1950 and 1960.

Fourteen districts, including those in Lancaster and Douglas counties, showed an increase in total population between 1930 and 1960. The same districts showed a general trend toward a decreased farm population. They also were districts located in the state's populous areas with relatively large cities.

Others Stable

The remaining districts also were located near cities, but included large rural areas. These districts had remained relatively stable over the 30-year period but also had shown a decreased farm population.

The problems of this shift in population were commented upon by a number of the senators. One of them explained the problem in western Nebraska. He said there should be more members in the Legislature because "members in the

western section of the state have to represent too many counties and some of them have different interests."

The same idea with a variation was expressed by a colleague who put it this way:

"I believe in the near future the Legislature may well provide for at least 50 members in the Legislature in order to provide more representatives in over-populated areas and to limit some of the larger districts to fewer counties. Sometimes senators are placed in embarrassing positions when one county in their district requests passage of certain bills which another county in their district may oppose."

Another senator expressed the viewpoint of the less populated districts like this:

"The most important economic areas of Nebraska are practically without representation while Omaha and Lincoln control the state. In addition to 43 senators elected from districts up on population basis, area representation should be achieved by giving each two counties one senator (Cherry County one) for a total of 90 members."

(According to the 1960 census, Lancaster and Douglas counties, with less than 25 per cent of the senators, have more than 35 per cent of the population.)

Some of the legislators were worried about the small number of Nebraska senators for quite different reasons.

A Potent Few

"I believe there should be more legislators," one said. "I believe there are too many bills passed that are not good for the state with a mere 22-vote majority."

A small minority of senators thought the answer was a return to the two-house system.

At least one senator pointed out that the shifting population had also, in practice, shifted the representation from population to a combination of population and area. He could see, for this reason, no sense in changing the present number of districts.

He said, "We must strive in a one-house Legislature to maintain an average that is a median between area and population, much as it is now."

Another legislator, who served in the early unicameral sessions, felt that reapportionment today could be easier than in the 1930s.

"Conditions are so different today than they were at that time," he said, "there is no actual experience for a comparison. However, I feel certain that the problems of apportionment could be more easily worked out today than under the old two-house system."

* * *

A Reminder

This article on apportionment was included in this new edition of the School of Journalism report primarily for the historical material it contains and for the view it gives of legislators' attitudes toward apportionment in 1961. The reader will recognize that many of the conditions that existed then have changed and that many of the ideas expressed predated the U.S. Supreme Court's "one man-one vote" decisions of the 1960s.

The original report also contained, along with the map of legislative districts, a table showing the decennial population of each district from 1930 through 1960. This allowed convenient comparison of population trends because the 43 legislative districts in 1961 were the same as they were at the beginning of the Unicameral Legislature in 1937. But since 1961 the legislative districts have been increased to 49 and district lines have been redrawn so it is no longer convenient to compare in table form the 1961 District 35 (Custer, Loup, and Garfield Counties), for example, with the 1970 District 35 (approximately the northeastern quarter of Hall County). Because of the confusion that would arise from trying to make such comparisons, the table of district populations has been omitted.

And for the Women...

The women of Nebraska have been represented in the state's Legislature, too — although not in proportion to their share of the population.

Ten women served in the bicameral legislatures before 1937. Eight have served in the Unicameral Legislature. They are:

Nell Krause of Albion. Served in special 1946 session after appointment to fill unexpired term.

Fay O. Britt of Lincoln. Served in special 1954 session after appointment to fill unexpired term of her late husband.

Kathleen Foote of Axtell. First woman to be elected to the Unicameral Legislature. Served two terms, 1955 and 1957.

Fern Hubbard Orme of Lincoln. First elected to the 1959 session, has served continuously since. Re-elected to a four-year term in 1968.

Fannie B. Wylie of Elgin. Served in 1964 after she was appointed to fill the vacancy left by the death of her husband.

Calista Cooper Hughes of Humboldt. Served in 1965 through 1967 sessions after election to a four-year term in 1964.

Ellen E. Craft of North Platte. Appointed in 1966 to fill the unexpired term of her late husband. Elected to a four-year term in 1968.

Florence B. Reynolds of Omaha. Elected to a four-year term in 1966.

Effect of Lobbies:

That 'Other House'

TO MANY people, the word "lobbyist" has an unpleasant meaning. But to a large number of the senators who co-operated in this survey the word had no such flavor. In fact, to many it meant an important aid for good legislation.

In 1934 when Nebraskans were voting on the amendment to give them a unicameral legislature, they heard a good deal about lobbying. For instance, George Norris said the unicameral idea would eliminate the "third house," which is yet another title for those who bring the viewpoint of a special interest group to the attention of legislators. During that campaign there were many who agreed with Senator Norris and many who disagreed.

No Bosses

It was felt by some that a single house with a small group of men would be so easily observed that lobbyists would lose their influence. These supporters also believed that without partisan leaders the lobbyists would have to concentrate on 43 men rather than on a few party leaders in the Legislature. At the very least, they said, the lobbyists would have to convince 22 senators, a bare majority of the one house.

The opposition argued that the smaller group of men would merely simplify the lobbyist's job. He would, they said, have only to deal with 43 men instead of 133, the number in the two-house system.

After almost 25 years of a Unicameral Legislature, the senators who have served in it are still not entirely in agreement.

But, this survey does show some clear-cut viewpoints of the lobbyist and the Legislature.

For instance, of the 64 senators who commented on lobbying, 41 felt that the lobbying situation is improved under the unicameral system. The other 23 believed that the Unicameral Legislature had either failed to improve the situation or had worsened it.

Among the majority the idea of a helpful lobbyist was advanced time after time. One put it this way:

"I feel that lobbying is the right of the people to give their ideas and views of legislation to legislators by lobbyists. Lobbying as such is beneficial to legislators who are unacquainted or uninformed on laws being considered."

Another said, "Anyone not familiar with the reason for honest lobbying just doesn't know what it is all about. After all, just because I am elected a public servant does not endow me with any political wisdom."

These Senators recognized both "good" and "bad" lobbyists. One put it this way:

"A good lobbyist is held in high regard."

Another legislator rated his colleagues with reference to lobbyists. He said, "Lobbyists are a help to a good legislator, but they are a nuisance to one who is not so good."

"If you are a weak sister, the lobbyist will influence you whether it be a one or two house," a legislator said. "I believe they can be a great help to any legislator in furnishing information that a legislator does not have time to look up. Then it is up to him to pick the good from the bad and make his decision."

*Some said citizens
could watch small house,
lobbies would lose influence*

Level Raised

Several senators tied closely the relation of good senators to good lobbyists. They felt that the Unicameral Legislature had attracted a quality senator. Subsequently, they also felt that the quality of the lobbyist had improved. One said, "Good lobbying influence has been increased under the Unicameral while bad (not in the public interest) has been largely eliminated."

A minority of the senators surveyed had less complimentary things to say about the influence of lobbyists. One put it bluntly, "This system (unicameral) is a lobbyist's dream."

Another added, "I believe that the lobby has too much power."

One senator explained his viewpoint this way:

"I feel as though because of the one-house Legislature the lobbyists have a much better opportunity to be effective than they would with the two-house."

A colleague disagreed:

"I think the smaller legislative body is less easy to influence than a large body would be since there is better control. I also know that reports you hear about the lobbyists are very much exaggerated. I found them very useful, since I could get both sides of the question, and it helped me to make decisions."

With the term "lobbyist" many people have associated the idea of gifts and favors given public officeholders. Very few of the senators in this survey even commented on this aspect of lobbying as a problem. But, one of them pointed out that "perhaps the unicameral system costs the special

interest groups a little less money since there are fewer to entertain. . . ."

Another went to some length when he said: "Influence to me is a matter of the individual. You can get helpful information from a lobbyist if you use it as such. However, if you accept all of his gratuities, you are in a poor position to use any information you get. Better pay for the senators may help to cut down on the acceptance of these offers, as I know it was tempting to cut down on expenses, where as a matter of fact, your pay did not cover expenses."

A colleague put it bluntly: "If you are inclined to accept favors (money or meals) the size of the body won't matter."

Finally, several of the senators included as a lobbyist the pressure groups from back home. One said, "The lobbying as such is not bad. The pressure groups at home are the real threat."

Another defended the pressure groups at home: "The legislator's thinking is based on his opinion and those of the 'folks back home.' I don't think lobbyists really affect legislative opinions at all. Speaking for myself, I listened to what lobbyists had to say, but didn't let them sway me."

These were the senators talking. How about the lobbyists?

First who are they?

This information is easily obtainable since under Nebraska law the lobbyist is required to register and identify the organization he represents. He does this in the secretary of state's office. He is also required to present an expense report each month to the secretary of state. In this report, he is to list his salary and the expenses incurred in exercising his lobbying



Relief and inscription over main door of Capitol

activities. Failure to submit this report makes the lobbyist liable to a fine of \$5,000 and or one year's imprisonment.

While it is assumed that under this law the report is open to audit, thus far in the history of the Unicameral Legislature, observers point out, no such audit has been conducted.

The registered lobbyists represent a great variety of organizations. In the 1961 session 121 lobbyists represented 128 organizations. (This does not include the state agencies, whose representatives are not required to register.)

Here is the way the list broke down. The largest lobby bloc represented insurance with 17 companies or associations. Utilities were next with 14. Representatives of 12 associations indicated the interest in farming and ranching. Professional societies (medicine, pharmacy, etc.) numbered 10, as did retail

merchant organizations. Nine unions were represented with a majority associated with railroads. Civic and investment organizations each accounted for nine. Six lobbyists represented liquor interests. And six companies hire their own lobbyists to represent them in the Unicameral Legislature. Transportation of raw materials and finished goods by motor freight were represented by seven lobbyists from four organizations. Education associations (not institutions) had five lobbyists from three associations. The morals of the state found champions in three lobbyists representing churches, temperance, etc. Banking also had three representatives. And three persons listed themselves as representing "Self." Petroleum and cooperatives completed the list with two representatives each.

Now, how do these lobbyists feel about their jobs?

One of them pointed out quickly that it was his experience that an occasional lunch or a cigar were as far as he felt a lobbyist dared go in setting the stage for a friendly conversation with a senator.

"To do otherwise," he said, "will prejudice the lobbyist for all time and severely limit his future usefulness."

Observers point out that it has been a practice for some time for a lobby or lobbies to provide free lunches for any senator who wanted them.

Expert Help

Several of the lobbyists felt part of their function was to give technical information without which legislative errors might be made.

One former senator recalled problems in

drafting legislation regarding Rural Electrification Administration power lines. The power lines had set up "interference fields" which made it almost impossible to talk on several rural telephone lines. This senator recalls that the bill that was passed to rectify the problem could not have been satisfactorily drafted without the technical assistance of the REA lobbyist.

Perhaps the lobbyists' viewpoint of the Unicameral Legislature was best summarized by a Statehouse veteran who denied that there was "under-the-table" dealing. He said:

"In our work, it is just as important to remember that 22 senators can kill a bill as it is to try to influence an equal number in favor of it."

Part III:

The Machinery

Between Sessions:

Work with Less

"**N**OW THAT," say many visitors to Nebraska's Unicameral Legislature, "is the kind of job I would like to have. Those senators work only six months out of every two years."

These visitors are normally about one-fourth right. For six months of their two-year term the senators make laws under the hot klieg lights of statewide publicity.

During the remaining 18 months the senators do the other three-fourths of their job with a good deal less fanfare. As members of committees of the Legislative Council the senators take time from their private jobs to do law-making research.

But the senators do not do the job alone nor without technical assistance. A director and his staff assist in this relatively unpublicized research job.

Why a Legislative Council?

Because, political scientists point out, lawmaking is not simply a one-shot arrangement each two years. It needs to have continuity from session to session. It needs to have the advantage of research and technical assistance.

In Nebraska particularly, political scientists say, the nonpartisan nature of the Legislature as well as its small size make continuity a problem. For instance, without continuity how can a legislative program in an individual area carry over from session to session? Upon what do senators lean in knowing where legislation is necessary? These are just two of the many questions the Legislative Council attempts to answer.

The senators and the Legislative Council staff members go to work in search of the answers just as soon as committees can be

appointed at the end of the regular legislative session. Dr. Jack Rodgers, Council director since 1954, said that senators are given an opportunity to voice a committee preference. However, final decisions are made by the Council's Executive Board composed of the chairman and the vice chairman of the Council, the speaker of the Legislature, and the chairman of the Committee on Committees.

Each senator serves on from two to three Council committees during the approximately 18-month period.

What do they look into in the off-legislative season? They can and have looked into almost anything regarding Nebraska legislation.

Wide Range

Historically, the Council's 138 major studies have included local government, birth registration, groundwater use, mothers' pensions, public power, interstate toll bridges, district courts, religious societies, state highway construction, and even murals and panels for the state Capitol. Taxation has been studied 17 times and education 13 times.

Just how the Council goes about assembling those reports is most easily understood by following one of them through the process of lawmaking research.

In 1958 one of the studies was on consumer credit. That report had its beginnings when various Nebraska groups dealing with consumer credit asked that legal boundaries be set on revolving credit agreements and installment sales. Ideas

Fanfare

By Nancy Whitford

for reports may originate with the public as well as the Legislature, Rodgers explained.)

There was, at the time the Council's work started, a climate favorable to credit purchasing. Rodgers described it this way:

"Technology had placed the automobile and other durable goods such as washers, freezers, and air conditioners within reach of the average consumer — if arrangements could be made to finance them over a period of time.

"Banks had expanded installment loan departments, retail sellers had established credit systems, and consumer finance companies grew in number.

"Installment credit buying alone increased from \$1, million in 1920 to \$34 million in 1957."

Rodgers and his office staff, which includes Mrs. Marguerite M. Price, assistant director, and Helen S. Griess, research assistant, gathered the preliminary data. This early research involved a study of legal and financial problems and contact with other states to learn what has been done elsewhere.

This information was presented to each member of the committee. Then came six public hearings to gain more information and opinions.

The testimony was then summarized and the committee met in executive session to add its own recommendations.

Basis Laid

When the 1959 Unicameral Legislature met it had research, public opinion, and recommendations upon which to base its

lawmaking. Two laws resulted from this study of the complicated business of credit. One, LB301, regulated revolving credit agreements, and LB652 governed installment sales.

Rodgers believes the Council is successful in such cases as this "because the committees start with the general problem and work toward legislation that is acceptable to those concerned with the area studied."

During three recent bienniums, nearly 60 per cent of the Council's recommendations presented to the Legislature have been enacted into law. In 1955, 17 of 27 recommendations became law; in 1957, 24 of 42; and in 1959, 18 of 30. No earlier comparisons are available since the practice of listing recommendations that became law did not begin until Rodgers' appointment in 1954.

Rodgers is the third man to hold the position of director of the Council. Hugo Srb was appointed temporary director in 1937 until Dr. Roger V. Shunate became the first permanent director of the Council. The Council's history almost parallels the history of the Unicameral Legislature itself. It was established by statute during the first session of the one-house Legislature in 1937. The original resolution sponsored by Senator John Norton of Polk provided for a council patterned after one developed in Kansas. Dr. Frederic H. Guild, a member of the faculty of the University of Kansas and director of research for the Kansas Legislative Council, was instrumental in guiding Nebraska legislators. The Unicameral senators set up a 15-member Council. It was made up of three members from each

The Executive Board of the Legislative Council in 1970 (from left): Henry F. Petersen, William M. Wylie, Chairman C. W. Holmquist, William F. Swanson, Jerome Warner.



of the areas comprising the state's five Congressional districts.

Under Srb, the Council's first two studies were conducted on the homestead tax exemption and state assistance and child welfare.

Minutes from the early meetings suggest the Council was formed to meet a change in public opinion regarding government.

Senator Amos Thomas of Omaha noted in his introductory address as the first permanent chairman that government was becoming "more and more complex." More was being expected of the government, and because of the public demand, government was broadening its activities.

"As a result," he said, "there is a marked tendency toward more complex legislation and administration. It is becoming more and more difficult to enact just legislation without scientifically gathered data from which sound conclusions may be deduced."

Thomas greeted the other 14 senators

who were members of the first Council with a note of optimism that was to be severely tested during the first years of operation.

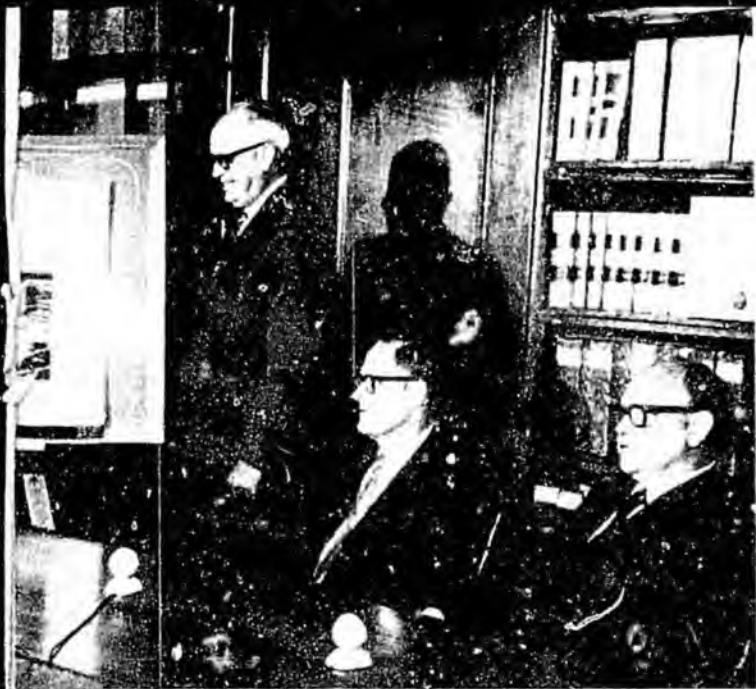
Bright Hopes

"I am sure of full cooperation, and confident that if our work is conscientiously, impartially, and thoroughly performed we will enjoy the confidence and support of the Legislature and of the public as well."

Mr. Price recalled the difficulties the Council had to face because it was new.

"During the first eight years bills to abolish the Council were introduced in nearly every session," she said. "The Council had to sell itself and convince the Legislature it was beneficial."

There were problems in the early days. One that came up immediately involved expense accounts. Council members receive no additional pay, but are reimbursed for proper expenses incurred while attending Council sessions.



In September of 1937 Senator Allan A. Strong of Gordon questioned the constitutionality of this provision. However, a month later Deputy Attorney General Francis V. Robinson handed down his opinion that "expenses of legislative committees meeting when the Legislature is not in session are official rather than personal expenses."

The 1961 speaker of the Legislature, Senator Don Thompson of McCook, and other veteran observers noted a less tangible source of friction during this period.

"Senators who were not chosen (for the Council) resented their 'favored colleagues' and refused to consider Council reports properly. It was felt the small group was trying to dictate policy to the large group."

In 1949, the situation was remedied when the Legislature voted to make all 43 senators members of the Council.

Ten years earlier, in 1939, additional

functions were placed within the Council structure. The already existing Legislative Reference Bureau was transferred to the Council. The duties of the Bureau included reference library and general reference service, preparation and distribution of the state Blue Book, and maintenance of the bill drafting service. The Council also supplies information on specific problems to individual senators.

Over the years, more and more information on a wider variety of subjects has been organized and researched by the Legislative Council. As Dr. Rodgers points out, not all studies "result in specific legislation. Many reveal there is no need for legislation. Others show a need which is not fulfilled."

Senator Thompson summed up the work of the Council this way:

"More and more requests for studies are received each year because people have seen the results which can be produced in the form of better legislation."

Safeguards Guide Bills

Are There Checks

By Leon Nyberg

YES, IT IS less complicated than the two-house system," said the cautious, "but is it safe? Is it possible for a bill to become law so swiftly that not all the legislators, let alone the public, have time to examine it?"

In 1934 these cautious Nebraskans were worried about the simplified procedure by which a bill becomes law in the unicameral system. They were concerned about the loss of the normal checks and balances of the conventional two-house legislature.

But today such staunch supporters of the one-house way of state government as Hugo Srb, clerk of the Legislature, feel there need have been no fear. In fact, Srb believes there are better safeguards built into the Nebraska system than in the bicameral legislatures.

The one-house defenders point to the 13 steps a bill must take before it becomes the law of Nebraska. The steps are:

1. Introduction and first reading.
2. Reference to standing or select committee.
3. Consideration by standing or select committees, after at least five days' notice of public hearing on each bill.
4. Report by standing committee and reference to general file or indefinite postponement.
5. General file; reading, consideration, and general debate by the Legislature and amendment if necessary.
6. Reference to Enrollment and Review Committee for review.
7. Report by chairman of Enrollment and Review and reference to select file.
8. Select file: amendment, by

unanimous consent; to recommit to standing committee; to recommit to general file; to postpone indefinitely and to advance for engrossment are some of the motions in order.

9. Advancement to Enrollment and Review for engrossment unless recommitted to a standing committee or indefinitely postponed.

10. Report by chairman of Enrollment and Review in reference to final reading file or to select file by specific amendment.

11. Final reading.

12. Emergency clause (if there is one).

13. Consideration if vetoed by the governor.

Limit Bills

Any member of the Legislature may introduce a bill. But individual senators may not introduce a bill after the 20th legislative day, except by recommendation of the governor, or at the request of a standing committee and 26 affirmative votes, or upon a suspension of the rules, which requires 29 votes.

"This deadline speeds preparation of bills and encourages legislators to use bill drafting services and research facilities of the Legislative Council before the start of a session," Dr. Adam Breckenridge pointed out in his book, *One House for Two*.

After a bill is introduced, it is read by title (the first reading) and referred to the proper committee. After at least five days' public hearing on each bill before taking final action.

The committees have the authority to combine and correlate bills, as well as to

and Balances?

propose amendments to them. Public hearings on each bill before final committee disposition allow private citizens to express their views and provide information for committee members.

An example of a committee's amending power can be found in many of the bills a committee considers each session. For instance, in 1961 I.B208, which set the tax levy for the State Park Fund, provided for a .35 mill tax when first introduced. After committee and initial floor debate, the figure was lowered to .30 mill. With this compromise figure, the bill was approved by the committee and later received final approval on the floor of the Legislature.

If the committee's vote on a bill is favorable, it is advanced to the floor to be placed on general file. General file is the first debate stage before the entire Legislature. On general file committee amendments are accepted or rejected and further amendments are in order.

A dissenting vote by a committee postpones indefinitely action on the bill. Postponing a bill in a committee has the effect of killing it unless a majority of the legislators vote to place it on general file within three days after being reported to the Legislature as indefinitely postponed. After that it takes 29 votes.

General File

After consideration and debate on general file, the Legislature votes on further disposition of the bill. Approval means advancement of the bill to the Committee on Enrollment and Review for review; disapproval postpones the bill indefinitely. At this stage the Legislature

also has the alternative of recommitting the bill to the committee.

The Committee on Enrollment and Review is a one-man committee. This legislator, usually a lawyer, has authority to correct such things as spelling, capitalization, and phraseology of bills to make certain they are legally correct.

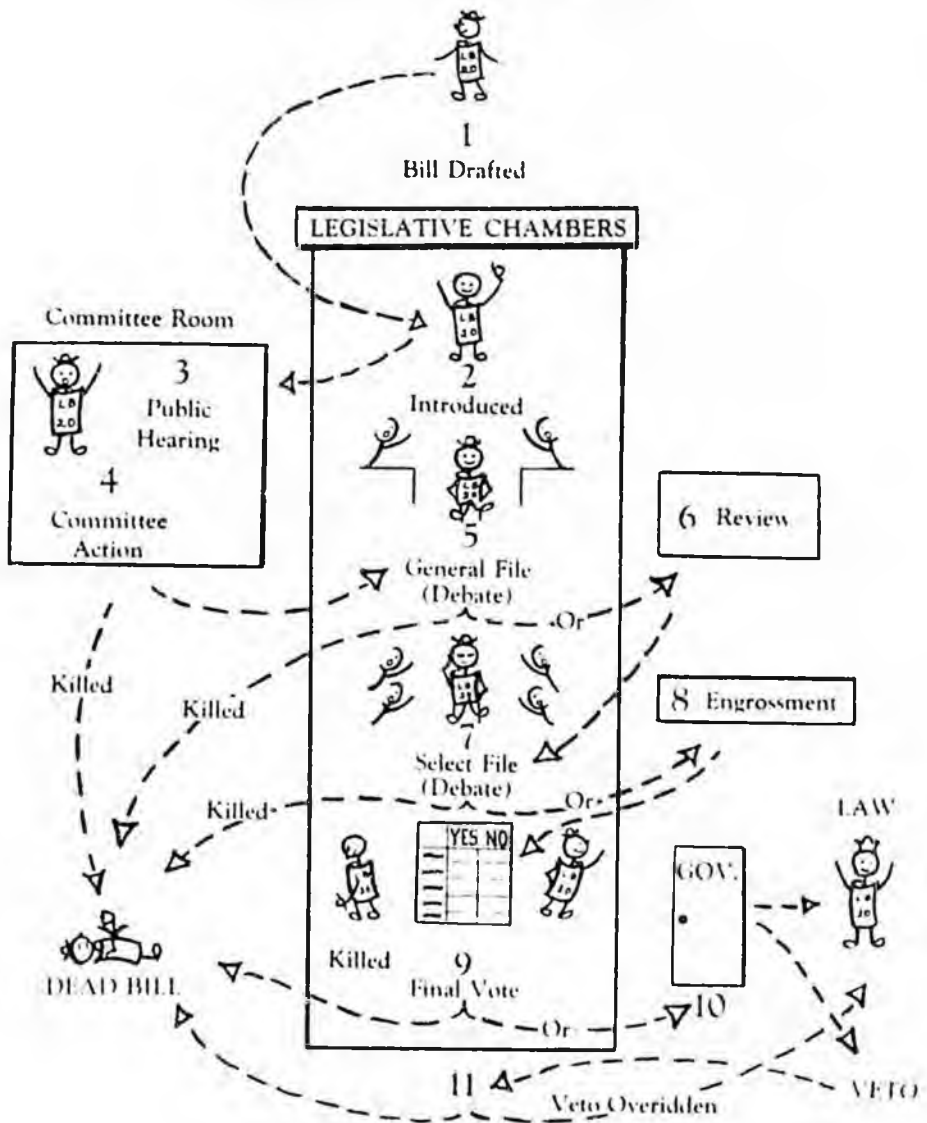
The bill is returned to the Legislature on select file. Select file is a preferential calendar of bills. At this point, the Legislature has several alternatives. The bill can be advanced, postponed indefinitely, recommitted to the general file or to the standing committee, changes recommended by the chairmen of enrollment and review can be approved or rejected, or it may be amended by unanimous consent.

A favorable vote on select file advances the bill once again to the Committee on Enrollment and Review, this time for engrossment (a formal transcript). The legislative rules state that with all amendments "all bills, before being advanced to final reading... shall be engrossed by typewriter, and copies thereof shall be supplied for the use of members."

After engrossment the bill is sent back to the floor of the Legislature to the final reading file. When on final reading file the bill must be read in full, including all the amendments, before the Legislature. At this time the Legislature may vote to recommit the bill to Enrollment and Review, the standing committee, or to the select file for specific amendment.

If the bill is not recommitted, a final roll call vote is taken. If passed, the bill goes to

Step-by-Step: Life of a Bill



Many steps for bills make up for checks of a second house.

the governor to be signed. If voted down, the bill is killed.

An approved bill becomes law 90 days after the adjournment of the legislative session if it is signed by the governor. However, in some cases, an emergency clause is attached to a bill. An example of this is found in LB659, a 1961 bill to limit hours and work of female employees. The final section of this bill provided the emergency clause, "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." In some cases, the bill may state a specific day on which it is to go into effect.

A three-fifths vote of the Legislature is required to override a veto by the governor. If such is the case, the bill becomes law without the governor's signature.

Any bill not returned by the governor within five days after he receives it becomes law without his signature. If the Legislature adjourns before the five days are up, and the governor does not subsequently sign it, the bill goes into effect without his signature.

If the Legislature adjourns and prevents

the return of a vetoed bill it is filed, with the governor's objections, in the office of the secretary of state within five days after the adjournment and the bill is dead.

Item Veto

On certain money appropriation bills the governor has the power of the item veto. That is, he may disapprove any item or items of the appropriation by striking only those items from the bill.

After final approval all bills are filed with the secretary of state to become law at the specified time.

These steps through which a bill must pass, say one-house proponents, more than make up for the checks and balances lost by the elimination of a second house. Nebraska observers point out that each step is strictly followed on every bill. They explain that in many two-house states the requirement for a public hearing is either ignored or can be by-passed. To these men who have worked with the Unicameral Legislature for more than two decades the one-house system has provided ample protection for the integrity of Nebraska law-making.

Drafter's Job:

To See That

By George Peterson

"BILL INTRODUCTION Sets Record."

"20 New Bills Tolled Into Hopper."

"Senators Race to Beat Bill Deadline."

Headlines like these tell Nebraskans that their state senators are hard at work during the first 20 days of each Unicameral Legislature session.

During this period when individual senators can introduce bills it would seem that the proposals crop up by the handful and are tossed into the "hopper" by the bushel. The process is neither so simple nor so disorganized.

As the bill drafter works on every measure introduced into the Legislature he is guided by constitutional and statutory provisions, as well as legislative rules and principles. From these sources come certain key phrases:

"Constitutionality . . . phraseology . . . harmony of style . . . typographical style . . . uniformity of laws. . ."

Average 562

Since 1937 an average of 562 bills have been introduced in each session. They all had to pass the standards of the bill drafter.

The reason all bills must move through his office is found in the Rules of the Legislature, which state "No bill shall be introduced unless it has been approved as to form and draftsmanship by the legislative bill drafter."

This valuable service is available only to the legislators and the executive departments of the state.

If a citizen wants an idea drafted into a bill he must confer with his district

representative and gain his consent to back the idea. The law requires that the introducer must be willing "to endorse and support personally" each bill he introduces. The representative can then take the citizen's idea to the draftsman for preparation.

Letters, laws, and ideas are the raw materials the drafter must work with to come up with his finished product. His service becomes available December 1 before the session of the Unicameral Legislature begins.

The office often receives letters from legislators mapping out an idea, and the drafter must then turn this letter into a presentable bill.

If some other state already has a law that a Nebraska senator feels should be enacted, in whole or in part, the drafter must revise the law so it will harmoniously fit into the Nebraska statutes.

Sometimes a senator presents only sufficient information and gives only the intent and purpose of the proposed legislation. The drafter must take over from there.

Since the draftsman usually receives limited instructions, this imposes a heavy responsibility and requires the exercise of impartial discretion in the public interest, according to John J. Wilson, bill drafter in 1961.

For example, an initial decision based on the constitutional provision that "no bill shall contain more than one subject," must be reached. This is often difficult to determine, but a bill becomes unconstitutional if this one technical detail is improperly handled.

Laws Fit In

Before proceeding with the drafting of a bill, the draftsman checks the constitution, the cross-reference file, the court decisions, and, if the measure is amendatory legislation, the statute to be changed.

Since all formal requirements and inhibitions of the constitution must be met, the manner in which the proposed legislation can be drafted may be limited. For example:

1. No local or special laws shall be enacted into a general law.

2. No grant of extra compensation can be made to public officers and contractors.

Also, there must be a study of the court decisions to ensure that legislation already declared unconstitutional by the courts is not re-enacted into a new law. This, the bill drafter knows, would only invoke the power of the courts to again set it aside.

If the opinion of the drafter is that the constitution and other principles of law would be violated by the proposed legislation, he calls it to the attention of the senator requesting the bill. The decision of whether the bill still should be prepared then is the senator's.

Other Laws

The cross-reference file also must be checked. It shows all statutes that may be affected by amendatory or new legislation. If other related statutes are covered, it is necessary that they, too, be amended or repealed.

The reading of the statutes to be amended is important since there is a possibility that the proposed legislation

may have been enacted and be law at the present time.

Once the bill is drafted, the draftsman turns to writing a title for it.

No question, according to Wilson, is raised in court more often or more persistently than that of the validity of the title.

"A poor title can kill the best bill," Wilson explained. It must be general enough to tell the public exactly what is in it.

A total of six copies of each bill are typed. They go, among other places, to the printer, the press, the senator for whom it was drawn, and into the bill drafter's files as an office copy. The bill drafter's job is done, temporarily at least, once the introducing senator picks up the copies and turns them over to the clerk of the Legislature for introduction and distribution.

If a bill is postponed indefinitely at any stage of the legislative process the drafter never sees it again.

However, if amendments have been made when a bill reaches the stage of select file, the amendments must be added to the bill so it will be in complete form for final reading. The drafter must see the bill once again, because his office prepares the final printer's copy. This involves receiving the bill from the engrossing clerk and comparing it against the original bill and the amendments.

The drafter is not required to formulate all the amendments, but he does a large percentage of them. But the responsibility of informing senators of any amendments rests with the clerk of the Legislature.

The work of the draftsman is not confined just to bills. An estimated 95 per cent of the resolutions are written by him. Resolutions are for such purposes as offering condolences, memorializing the Congress of the United States to pass particular federal legislation, requesting action of state officials and departments, assigning duties to the Legislative Council, and other similar objectives.

The major qualification of the drafter, observers say, is that he be an able lawyer who is impartial and can ensure secrecy to all persons who make requests.

The appointment of the drafter is made by the Legislative Council in the November before the regular biennial session of the Legislature. It has been customary that the appointment goes to the same individual for a good many years. Only three men have held the job from 1937 through 1961.

The drafting service is part of the legislative branch of government. The drafter works with the Nebraska revisor of statutes, a judicial branch position, given the duty "to aid and assist the bill drafting service." This close liaison between the judicial and legislative branches works to get harmonious style, arrangement, and similar terminology of the statutes. The revisor in 1961 was Walter D. James.

The bill drafting service has not always been available to legislators before the session opened. The unicameral system adopted in 1934 did not make provision for such a service. But statutory provision was made in the first session of the Unicameral Legislature. It provided for preparation of a legislative program in the form of bills, or otherwise, as required.

In that 1937 session, with the inception of the Legislative Council, the office was established and duties of the bill drafter were laid down. George Mann held the office from 1937 until 1941.

Own Style

Mann had his own style, which was perhaps a little more detailed than the

style used today, according to John J. Wilson, who has held the position for all sessions since December 1, 1944. (Walter James, who later became revisor, was the bill drafter from 1941 to 1944. Wilson was his assistant.)

Wilson graduated from the Nebraska University Law School and is assistant revisor of statutes when the Legislature is not in session.

The codifying and filing of all the statutes was a new idea incorporated into the work of the drafter in 1943. This innovation came as the result of a major revision of the statutes when James held the drafting position. The file was not completed until 1945 and since that time has been kept current.

The latest change in the composition of the drafter's office was made in 1959 when the position of attorney of enrollment and review was moved from the jurisdiction of the clerk of the Legislature to the bill drafter who now, in a sense, "hires" the attorney.

This job has a dual role—that of attorney on enrollment and review and assistant bill drafter. Emory Burnett, an instructor at the University of Nebraska Law School, who had been assistant drafter, acquired the additional responsibilities.

His job is to correct the spelling of words and errors of punctuation and capitalization and to proofread bills and amendments as they travel through the Legislature.

These two men work closely under the rules clause, "the bill drafting service shall have supervision of legal work performed for the Enrollment and Review Committee."

Wilson and Burnett feel that it is necessary and advantageous that they see eye-to-eye on the major as well as the minor aspects of bill drafting.

The harmony, observers say, that results from such an approach helps give Nebraska the "complete and efficient" bill drafting service called for by the statutes—even when bills are tossed into the hopper by the bushe'

*'No bill shall be introduced
unless it has been approved
...by the...bill drafter.'*

The Nebraska state flag

THE STATE FLAG



Speaker's Role:

The Nonpartisan

THE PRESIDING officer: W. F. Chapin, speaker of the Territorial Legislature of Nebraska.

The time: 1867, just before statehood.

The place: Omaha, in the Territorial Capitol.

The subject: reapportionment.

The power behind the presiding officer: a Colt revolver.

A group of scowling legislators approached the platform. They had every intention of deposing the speaker—bodily, if necessary. The first of the disgruntled lawmakers placed his foot on the step of the platform. Speaker Chapin drew his Colt. The rebellious legislators hesitated for a moment, and in that instant Chapin acted.

He declared the house adjourned under the rule that it was in his power to do so if "disorder reigns."

A Colt revolver is not part of the equipment of the speaker of the modern Unicameral Legislature. Over the years the speaker's power has shifted and in some cases has been reduced. But the honor of being named to the job has not diminished since that riotous session in 1867.

The speaker, who is chosen by a majority vote of the senators, acts as presiding officer of the Unicameral Legislature in the absence of the lieutenant governor. His other duties include membership on the Budget Committee, the Reference Committee, and the Executive Board of the Legislative Council.

But as Dwight Burney, a past speaker, pointed out, although there are few duties of the speaker, the job changes from

session to session. He explained that the problems arise and differ with each meeting.

One of the speaker's main duties is to act as a kind of nonpartisan whip. John E. Beaver, speaker in 1957, explained this job of co-ordination by the speaker. He said committee chairmen seldom fail to move bills as quickly as they should, "but there were several occasions when I felt hearings weren't being held as quickly as they could have been and suggested that they do so."

Push Work

Burney explained that the speaker must make sure all committees know how much work each is completing and see to it that each committee keeps pace.

Don Thompson, speaker of the 1961 session, described his job as "seeing that the Legislature is properly organized; in general, guiding the operation so that there isn't any slowing down in procedure and trying to keep a balance of bills on general file, select file, and general reading."

The speaker's other job—presiding in the lieutenant governor's absence, is not as hit and miss as it might seem. Burney pointed out that the strain of presiding is such that the lieutenant governor needs a break and so most speakers fill in several times each day. Harry L. Pizer said he took over at intervals each day and was the sole presiding officer in 1960 when Burney had become governor after the death of Governor Ralph Brooks.

"I was tough," Pizer said. "I wouldn't want to be on the floor while I was speaker. I felt the job was to keep the senators in

Normally, previous experience is a factor in the selection of the speaker, legislative records indicate. Only one man, Robert B. Crosby, speaker in 1943 and later lieutenant governor and governor, served in the job before he had been in at least four previous sessions as a senator. Charles J. Warner in 1937 came to the job with more experience than any of the Unicameral Legislature's speakers. He served 13 terms as a legislator.

The actual power of the speaker has shifted over Nebraska's history as a state. In the days of the Territorial Legislature (1855-1867) and bicameral Legislature (1867-1935) the speaker was in a different position. At that time he was the presiding officer of the lower chamber. The lieutenant governor presided over the state Senate. Today the speaker takes the chair, preserves order, puts questions to the floor, and signs bills only in the absence of the lieutenant governor.

Indications of the speaker's power may be noted in early legislative rulebooks. These show that the speaker had the authority to appoint all committees unless otherwise directed by the House. Today this is the job of the Committee on Committees.

Because the modern Unicameral speaker is one of the three members of the Reference Committee, it would seem that this small group could influence the flow of legislation. The Reference Committee assigns bills to the various standing committees. But Thompson pointed out, "The majority of the bills fit into a prescribed category according to their title, and that's where they go."

The Unicameral Legislature also lacks the partisan politics upon which earlier elections of speakers used to depend.

Before adoption of the unicameral system with its nonpartisan members, party strength was a factor in the choice of the speaker.

When J. G. Megeath was chosen speaker of the Territorial Legislature in 1866 by a 25-9 vote, he was reported to have said that his election was due partially to providential absences and manipulation. Records show that the Democratic speaker was right. The Republican senator from Gage County was delayed by a storm and the Republican representative from Burt County received information that the Legislature was to open a week later than it did. The Republican from Richardson County turned Democrat temporarily in return for the chairmanship of the Committee on County Seats and County Roads.

Background

Over the years men whose parttime job has been speaker of the Legislature have come from many occupations. But since 1937 about one-third have been farmers or ranchers and another third lawyers. Legislative records show a wide variety of jobs among the speakers. J. H. Mockett, speaker in 1903, was a school teacher at the age of 18 before entering college. John Kuhl (1911) was in the harness business, and G. W. O'Malley (1933) was a collector of internal revenue.

Two Omahans

The statistics also show that since Nebraska became a state only two of the speakers have come from Omaha, the state's largest city. They were J. A. Rodman, who held the position in 1927, and Charles F. Tvrđik, in 1953.

Rodman, Tvrđik, O'Malley, Kuhl,

Mockett, Crosby, Beavers, Burney, Pizer, Thompson—these are a few of the names on the long list of men who have been speakers of Nebraska's Legislature. And observers of the Unicameral Legislature point out that it is often difficult to spot the leaders in this form of state government. But they agree that one sure way is to read the list of the men who have held the title, Speaker of the Nebraska Legislature.



A Capitol mosaic

Roster of Nebraska Legislative Speakers

Territorial Legislature

A. P. Hanscom	1855
P. C. Sullivan	1855
I. L. Gibbs	1857
J. H. Decker	1857
H. P. Bennett	1858
S. A. Strickland	1859
H. W. DePuy	1860
A. D. Jones	1861
George B. Lake	1864
S. M. Kirkpatrick	1865
James G. Megeath	1866
W. F. Chapin	1867

Bicameral Legislature

W. A. Pollock	1868
W. F. Chapin	1867-68
W. McLennan	1869-70
George W. Collins	1871
M. Sessions	1873
Edward S. Towle	1875
Albinus Nance	1877
C. P. Mathewson	1879
H. H. Shedd	1881
George M. Humphrey	1883
Allen W. Field	1883
N. V. Harlan	1887
John C. Watson	1889
S. M. Elder	1891
J. N. Gaffin	1893
C. L. Richards	1895
J. N. Gaffin	1897
Paul F. Clark	1899
W. G. Sears	1901
J. H. Mockett, Jr.	1903

George L. Rouse	1905
D. M. Nettleton	1907
C. W. Pool	1909
John Kuhl	1911
P. C. Kelley	1913
George Jackson	1915-18
Dwight S. Dalby	1919
Walter L. Anderson	1921
A. N. Mathers	1923
Allen G. Burke	1925
James A. Rodman	1927
Born R. Coulter	1929
Max Kler	1931
George W. O'Malley	1933
W. H. O'Gara	1935

Unicameral Legislature

Charles J. Warner	1937
William H. Diers	1939
R. M. Howard	1941
Robert B. Crosby	1943
C. Petrus Peterson	1945
Walter R. Raecke	1947
Earl J. Lee	1949
Ed Hoyt	1951
Otto Prohs	1952
Charles F. Tvrdek	1953
Dwight W. Burney	1955
John E. Beaver	1957
Harry L. Pizer	1959
Don Thompson	1961
William Moulton	1963
Kenneth L. Bowen	1965
Elvin Adamson	1967
Jerome Warner	1969

Lieutenant Governor:

The Partisan in

By Sylvia Rodehorst

THE CHIEF presiding office of the Nebraska Unicameral Legislature is held by a man who must be a part-time politician, a part-time nonpartisan, and a part-time governor, and whose fulltime job is almost always in private enterprise.

This description represents the paradox that is the lieutenant governor's job in Nebraska. While he is all of these things he is also one heartbeat away from the governor's chair.

Some observers believe his partisan election is of value in his job as the nonpartisan presiding officer of the Legislature. Others believe that this necessity for wearing two hats hinders him. At least one former lieutenant governor asked a subsequent Legislature to abolish the job.

But so far as the Unicameral Legislature is concerned the lieutenant governor of Nebraska performs a vital function during every legislative session. As presiding officer he recognizes speakers from the floor, rules on questions of parliamentary procedure, and clears the back of the legislative chamber and the galleries if visitors become too noisy. His vote counts only in the case of ties.

Administratively, his role in the one-house system differs little from that in a bicameral legislature. The major difference is that his presiding domain in the Unicameral Legislature is over the entire state lawmaking body. Under this system, the speaker, elected from the floor, presides only in the lieutenant governor's absence. But before 1937 in Nebraska the speaker presided over the House while the lieutenant governor was in charge of the

Senate. Politically, according to Hugo Srb, clerk of the Legislature, the lieutenant governor's role has decreased in importance. Before 1937, Srb pointed out, the lieutenant governor was the party leader who played an influential part in naming committee members and getting bills passed. Now, although he is still elected on a partisan basis, the lieutenant governor is expected to be impartial on all political questions arising in the nonpartisan Unicameral Legislature. Lieutenant Governor Dwight Burney, a past speaker and long-time legislator, feels that the present approach is the best one.

"The lieutenant governor has no voice except to preside," he said. "He can detach himself more than someone—such as the speaker—who has bills of his own."

Jobs for Both

Burney added that it is good to have both a lieutenant governor and a speaker. The lieutenant governor can deal with the mechanical job of keeping the legislative process under control and the speaker can concern himself with legislation and contact with chairmen of separate committees to see how they are progressing.

Burney explained that the speaker, who by the very nature of his job as a legislator is prone to favor certain bills, might swerve legislation. The lieutenant governor said this might be done by his vote to break a tie or his decision on a voice vote. A voice vote, Burney explained, requires that the presiding officer—whether he be lieutenant governor or speaker—decide which is louder, the yeas or the nays.

the House

"Any member, however, can demand a machine vote if he does not agree with the decision," Burney said.

The fact that the speaker is nonpartisan and the lieutenant governor is partisan means the lieutenant governor might be prone to take a partisan viewpoint on a bill and the speaker might not. But according to Burney, this has not been a problem.

And Harry Pizer, the speaker in 1959, agreed. He said the partisan election of the presiding officer makes no difference. The lieutenant governor, as an elected partisan official, should have the job of presiding over the Senate, Pizer added. It is very good, he said, if the lieutenant governor has had experience as a legislator such as Burney has.

But the lieutenant governor should keep out of contact with bills, if possible, Pizer continued, and added that because he doesn't introduce any bills it is easier for him to avoid taking sides. In Pizer's 10 sessions in the Legislature he had not seen lieutenant governors who showed partisanship toward bills.

Robert Crosby, a former legislator, former speaker, former lieutenant governor, and former governor, is the man who suggested the lieutenant governor's job be abolished. He said it would be more appropriate for the speaker to be the chief presiding officer.

The speaker, Crosby said, is elected on a nonpartisan ballot and would make a more appropriate presiding officer for a nonpartisan Legislature. Crosby believed that the lieutenant governor who has been elected on a party platform might be inclined to inject party politics. Crosby said

he had seen—though infrequently—partisanship crop up in Unicameral proceedings. This was not in the matter of parliamentary rulings, he said, but in the power of the lieutenant governor and speaker to refer a bill to a committee or to help in the appointment of senators to a committee.

No Duties

"A second reason for my view," Crosby said, "is that a lieutenant governor has no significant duties except to preside over the Legislature and this is not enough reason to have one." In case of illness or death, another elected official could take the governor's place.

The lieutenant governor also acts as governor during the latter's absence from the state. Of the 26 men who have served as lieutenant governors, only two have succeeded the chief executive. Ezra P. Savage served in both offices from 1901 to 1903 after the resignation of Charles H. Dietrich. Dietrich resigned after only four months as governor to accept a nomination for a short term in the United States Senate. The 1961 lieutenant governor, Dwight Burney, was governor for almost four months after the death of Ralph G. Brooks September 9, 1960. Two lieutenant governors have become governors by election. Samuel R. McKelvie was elected to the governorship in 1919 after serving as lieutenant governor from 1913 to 1915. Robert Crosby, lieutenant governor from 1947 to 1949, served as governor from 1953 to 1955.

Only two lieutenant governors have died

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Only two lieutenant governors have died

Committee Work:

The Public is Heard

By Lee Gayle Hord

AT 2 P.M. for several months during the legislative sessions it is impossible to find all of Nebraska's senators in one spot.

At that hour the legislators start doing what many students of government consider their most important job—committee work. At no time, they point out, does a bill get closer consideration than during the committee hearing.

Here the public is heard. Here friends and foes of a bill face each other. Here revisions, called amendments, are proposed. And here the weight of each senator's voice is multiplied many times.

Potent Vote

In the legislative sessions, each senator's vote is one of 49. But in a seven-member committee his vote is one of seven, or seven times more powerful.

The committee system has not always been as organized as it is today or as it has been since 1937 when the unicameral system took over in Nebraska.

But there were some similarities. Under the bicameral system, both the House and the Senate had standing committees. Each had a Committee on Committees that operated almost exactly as in the unicameral system. In the House, it was composed of 13 members, consisting of two members from each Congressional district and one member at large as chairman. (There were six Congressional districts then. By 1961 the number had shrunk to three.)

The Senate's was similar, with seven members, one from each Congressional district and one at large as chairman.

The big difference between bicameral and unicameral committee systems shows up in the number of committees.

In 1935, the last bicameral session, there were 29 committees in the Senate and 32 in the House. The numbers varied from year to year, but were ordinarily close to 30 in each body.

The earliest major effort to reform legislative procedure came in 1913 when the Legislature provided for a joint committee to investigate the subject and report to the succeeding Legislature.

After that investigation of the standing committees, the reform committee reported that while the most powerful work of the Legislature is done by committees, the organization and regulation of their work was the weakest feature of legislative procedure.

The investigators recommended for the 1915 Senate 27 committees with a total membership of 139, compared with 42 committees with 255 members in 1913. A similar recommendation was made in the House, reducing 47 committees with 496 members to 30 committees with 238 members.

"Committee work in Nebraska has become a joke," the investigators reported. "There are now more committees than there is use for. We recommend abolition and consolidation, and a radical reduction in the membership in

order that a member shall serve on two or three committees only."

Selfish Favored

"The advantages of our present system," the report continued, "are entirely in favor of the selfish unscrupulous member, for he finds great possibilities in conflicting committee meetings, excessively large committees, private sessions and unrecorded action."

With such large committees, it was not uncommon for a bill to be purposely held, never officially voted upon, never officially considered, and sometimes never even recorded.

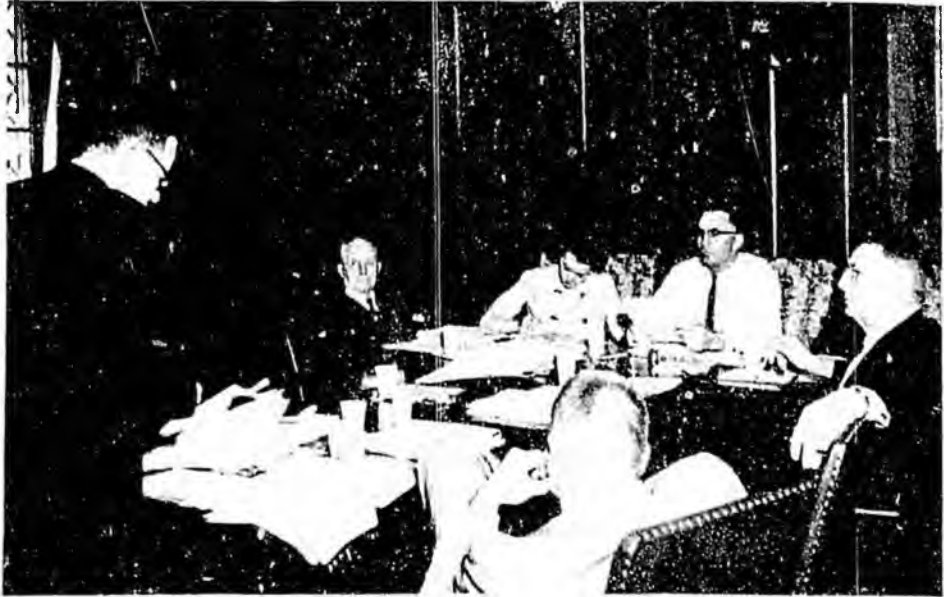
The investigators also were concerned over the simple matter of attendance at committee meetings. They pointed out that there was very little effort made under legislative rules to encourage or help make it possible for a member to attend committee meetings. In 1915, as recommended by the reform committee, afternoon hours were devoted so far as possible to committee work, the House from 3 to 6 p.m., the Senate all of Thursday afternoon and other legislative days from 4 to 6 p.m.

That was the beginning of committee reform in Nebraska's Legislature. The next major change came with the adoption of the unicameral system.

Under the unicameral system, there are only 15 committees. Their members and chairmen are chosen by a Committee on Committees. This body has 13 members. Twelve of them are chosen by the Legislature so that each of the state's Congressional districts is given equal representation. One member, chosen at large, becomes chairman. Each member of the Legislature serves on one or more of these committees.

(There is another important committee that, according to Legislative Clerk Hugo Srb, is not normally listed as a standing committee. This committee, the Reference Committee, is a permanent committee made up of the lieutenant governor, the speaker, and the chairman of the Committee on Committees. Its job is to assign bills to the proper standing committee.)

The rules provide that each committee, before taking final action on a bill or resolution, must hold a public hearing and must give five days' notice before the session. Each committee also keeps a record of its proceedings. Committee meetings are open to the public. Executive sessions are open to the press, although reporters are bound under a gentleman's agreement to keep individual votes and discussions confidential.



Committee hearings give the public a chance to speak.

Does it Work?

Has the system worked? Many observers, including senators and former senators, believe additional minor changes might be beneficial. Most of these suggestions concern the committee workload of the senators.

But the record of the first decade of the Unicameral Legislature tells part of the story. In the bicameral Legislature, an

average of 907 bills were considered each session, and an average of 120 were passed. In the first 10 years of the unicameral system, an average of 492 were considered and an average of 209 were passed.

And today, at shortly before 2 p.m., as senators hustle along the Statehouse corridors, they are on their way to what many consider their most important assignments—committee meetings.

Special Sessions:

Emergencies

By Don Bennett

THE EIGHT special legislative sessions held since the formation of the Nebraska Unicameral Legislature in 1937 have been called to deal with matters ranging from taxation to diseased pigs.

The special sessions, which are called by the governor, are held to conduct matters of primary importance that will not wait until the next regular session.

The special session often assumes some extraordinary features not found in the regular sessions of the Legislature. The law requires that no bill can be passed until five days after its introduction. This means that the legislators must convene during that time on separate days even if there is no actual business to discuss.

Formalities

These brief meetings during the required period are sometimes just formalities. The Legislature may meet at 11:30 p.m. Wednesday, introduce a few people, adjourn at 11:45, and reconvene at 12:05 a.m. Thursday for a few minutes to complete two of the required number of meetings.

Since the first special session of the Unicameral Legislature was called in 1940, these sessions have cost the state \$37,000 through 1960. The last bicameral special session, in 1935, lasting 24 days, cost \$30,769.52. In 1960 under the unicameral system two special sessions were called. The second of these, lasting seven days, cost \$4,291.40. Backers of the Unicameral Legislature point out that even during this 25-year period of great inflation the cost of special sessions with onehouse has remained relatively inexpensive.

Unlike the regular session, the special session considers only matters specifically mentioned in the call.

One bill that is always introduced in the special session and in the governor's message of intent calls for the proper appropriation of funds for payment of all costs of the session.

While all special sessions are considered to be called to deal with emergency measures, there have been only three that were called in the wake of a catastrophe.

On January 2, 1940, Governor Roy L. Cochran called a special session to deal with relief measures "as a result of the war abroad."

This 54th session of the Nebraska Legislature was termed by Cochran as one with "a humanitarian purpose."

On April 17, 1952, Lieutenant Governor Charles J. Warner brought the gavel down, calling the 63rd and extraordinary session of the Unicameral Legislature to order.

Addressing the senators, Governor Val Peterson grimly stated:

"We face... a catastrophe. Thousands of Nebraskans living along the Missouri River are homeless and in the days that lie ahead other thousands may be forced to evacuate.

"I plead with you, in the name of those who today are suffering unprecedented floods, to provide money in order that our state government may extend a helping hand to these citizens."

The senators rallied to his call and appropriated one-half million dollars for flood relief.

On August 27, 1952, only four months later, Governor Peterson again called the

from Pigs to Taxes

members of the Legislature back into session to consider another catastrophe. He met the 64th session with the challenge to enact a measure to save "one of our most valuable exports."

"Nebraska's hog population numbers three million and is a \$100 million industry," stated Peterson. "Today, this industry is threatened by the outbreak of visicular exanthema."

The senators voted into law measures to provide funds to purchase infected animals and to make it illegal to feed garbage to livestock. Also, in order to maintain a fight against livestock diseases, the Legislature voted to provide for a revolving fund to purchase test cattle.

Peterson also asked the special session to raise the ceiling on old age assistance benefits to \$60. The senators granted his request. An earlier special session called in 1946 by Governor Dwight Griswold had raised the ceiling on old age assistance to \$55.

Education

Other measures requested by Griswold and granted by the Legislature provided for the removal of state limits on junior college tuition; \$10,000 for the distribution of national school lunch funds; \$25,000 for administration of national funds for on-the-job veterans' training; and \$1,685,000 for postwar construction of state institutions by the Board of Control.

This was the second special session that Governor Griswold had called. Two years earlier, on March 27, 1944, he called the 57th Legislature to regulate the issuance

and sale of bonds and to provide a safeguard in the employment of agents for public power and irrigation districts.

The state's tax structure prompted Governor Robert B. Crosby to summon the lawmakers. "Not in many years has there been a special session as important as this one," said Governor Crosby. He was speaking of the 66th session of the Nebraska Legislature on April 20, 1954.

"This session has but a singular purpose," said Governor Crosby. "To submit proposals on which the people shall vote at the election in November."

He requested the senators to prepare amendments to exempt household furnishings and personal effects to an extent that the Legislature deemed desirable; to allow the Legislature to equalize assessments among the counties; and to protect the people from the "extravagant" use of support taxes.

The Legislature, in addition to these requests, put on the ballot a constitutional amendment providing that if a general sales tax, or an income tax, or a combination sales and income tax is adopted, a property tax cannot be levied.

Job Needs

Two special sessions were held in 1960. The first, called by Governor Ralph Brooks on August 1, requested that the citizens of the state be given an amendment to vote upon in November 1960.

"...Nebraskans will need to create 56,000 new jobs in the next 10 years, and if we are able to stem the tide of our migration Nebraska needs 146,000 new job opportunities," said Brooks.

The amendment was to allow the Legislature to authorize governmental subdivisions to acquire, own, lease, and develop real and personal property for the use of private interests. The amendment was approved by the voters.

On December 12, 1960, Governor Dwight W. Burney, who assumed office upon Brooks' death, asked the Legislature to convene. In his opening message he stated that he had called the senators to provide legislation that would "activate the intent of the constitutional amendment that was passed at the recent elections."

The amendment he referred to provided for a pay increase not to exceed \$200 for the state senators.

The call for a special session is rarely issued, only 24 times in the history of Nebraska state government. Yet political scientists point out that it is a necessary provision that makes the Unicameral Legislature flexible in emergencies.

Special Sessions Of Nebraska Legislature

Date	Governor	Days Met
Feb. 20, 1807	(still territory)	2
May 16, 1867	Butler	34
Oct. 27, 1868	Butler	2
Feb. 17, 1870	Butler	14
Mar. 4, 1870	Butler	1
Mar. 27, 1873	Furnas	3
Dec. 5, 1876	Dawes	
Dec. 5, 1876	Dawes	
May 10, 1882	Nance	13
Mar. 26, 1918	Neville	12
July 29, 1919	McKelvie	5
Oct. 14, 1919	McKelvie	5
Jan. 24, 1922	McKelvie	9
Mar. 4, 1930	Weaver	11
June 9, 1931	Bryan	11
Oct. 28, 1935	Cochran	24
Jan. 2, 1940	Cochran	11
Mar. 27, 1944	Griswold	11
Aug. 22, 1948	Griswold	7
Apr. 17, 1952	Peterson	7
Aug. 27, 1952	Peterson	7
Apr. 20, 1954	Crosby	12
Aug. 1, 1960	Brooks	7
Dec. 12, 1960	Burney	7
Oct. 21, 1963	Morrison	24
June 6, 1966	Morrison	7
Jan. 3, 1968	Tiemann	7
Dec. 9, 1968	Tiemann	7
June 9, 1970	Tiemann	7



Bryan statue north of Capitol

One Can Live Cheaper

By Roger Wait

FOR A STATE in the grip of drought and depression in 1934, one attractive element of the proposed unicameral was the suggestion that it might cost less.

While post mortems on the passage of the unicameral amendment cannot clearly indicate any one reason Nebraska's voters said "Yes," most political scientists agree that economy was a vote producer. No one believes that a majority of the voters favored the unicameral legislature only because it cost less. But the views of two recognized students of the Unicameral Legislature are that cost was a factor. Dr. Adam C. Breckenridge, author of *One House for Two*, summarized many of the factors involved and added, "Others found comfort that the change might cost less in pay and in general legislative expenses."

133 to Pay

Dr. John P. Senning in his book, *The One-House Legislature*, explained that in the bicameral system 33 senators and 100 representatives were each paid \$800 for regular sessions and up to \$100 for additional sessions. This made a total expense for salaries each biennium, excluding special sessions, of \$106,400.

Although past experience "had proved that a salary of \$800 for a regular session was inadequate," Senning pointed out, proponents of the unicameral idea considered holding legislators' salaries to an overall \$100,000 per biennium. They did

Observers believe bicameral would cost two or three times as much.

this, he explained, knowing that the unicameral system, if approved, would have far fewer men in it than the two-house body.

At the same time, Senning noted that Senator George Norris, in his original unicameral proposal, had said that each legislator should be paid \$2,400 a year. But the senator's advice on this point was not followed.

Dr. Breckenridge pointed out in his book published in 1957:

"Proponents of the 1934 amendment were well aware of the political advantage of showing that public funds could be saved if the unicameral plan were adopted. The state's economy at that time was depressed and dollars were hard to come by.

Set Limit

"A saving of even a few thousand dollars would be attractive to many in making their decision for or against the amendment, so the drafters of the plan probably with some reluctance inserted a provision that the total pay for the entire membership — whether 30 or 50 or something in between — would be \$75,000 for the two-year term of office.

"This meant a demonstrated saving of about one-third from the salary costs of the bicameral legislature. This point was

emphasized again and again during the dry summer of 1934.

"Undoubtedly it won thousands of votes."

Nebraska's voters approved the unicameral amendment and with it the \$75,000 salary figure. And they held that line for 23 years. Proposals to boost the senators' salaries were made from time to time. In 1952 the voters refused to raise the pay to \$1,250 a year for each member. In 1960 the issue again went to the voters, this time for \$2,400 a year. The voters approved it. In 1968 the voters approved another amendment, raising each senator's pay to \$4,800 a year.

Besides senators' salaries, of course, there are other legislative expenses. These expenses also showed a drop in the switch from two houses to one.

The dollars-and-cents statistics of Nebraska's legislative expenses bear out the contention of those campaigning for the unicameral amendment in 1934. Comparatively, the Unicameral has cost less.

True, the statistics show that the most recent sessions cost nearly as much or more than the most expensive sessions of the bicameral legislature. But if the cost for 133 legislators — the number in the old bicameral — were prorated at the present cost for 49 senators, observers believe the budget would be from two to three times higher.

Cost of Sessions

The following table indicates the sessions, their length, and the cost. Due to budgeting, accounting, and service changes made over the years, a comparison was not possible simply by listing Nebraska Blue Book statistics. In order to make a fair comparison, the figures from 1827 on were acquired from the office of the clerk of the Legislature. In order to maintain a fair comparison, these figures, then, cover only the same comparable costs that were listed in the earlier years.

Bicameral		
1866 (1st)	8 days	\$2,309.20
1867 (2nd)	2 days	1,528.60
Note: Official records erroneously list the above two sessions as state legislature sessions, although Nebraska was not admitted to the Union until March 1, 1887.		
1867 (3rd)	34 days	\$ 8,218.05
1868 (4th)	2 days	960.65
1869 (5th)	33 days	16,190.20
1870 (6th)	14 days	4,849.92
1870 (7th)	1 day	
1871 (8th)	61 days	18,134.98
1873 (9th)	40 days	22,500.48
1873 (10th)	3 days	1,918.75
1875 (11th)	39 days	23,901.20
1876 (12th)	1 day	1,010.20
1876 (13th)	same day	
1877 (14th)	38 days	30,858.81
1879 (15th)	40 days	42,423.96
1881 (16th)	40 days	46,780.00
1882 (17th)	13 days	14,291.32
1883 (18th)	43 days	71,050.63
1885 (19th)	43 days	84,874.68
1887 (20th)	62 days	166,607.02
1889 (21st)	67 days	174,280.10
1891 (22nd)	71 days	143,833.35
1893 (23rd)	74 days	117,629.16
1895 (24th)	71 days	113,330.72
1897 (25th)	73 days	102,063.30
1899 (26th)	65 days	98,957.68
1901 (27th)	64 days	126,855.45
1903 (28th)	65 days	103,918.35
1905 (29th)	63 days	88,088.70
1907 (30th)	67 days	100,000.00
1909 (31st)	68 days	93,723.91

1911 (32nd)	67 days	104,954.52
1913 (33rd)	71 days	159,758.83
1915 (34th)	71 days	129,648.48
1917 (35th)	86 days	147,912.97
1918 (36th)	12 days	14,330.10
1919 (37th)	76 days	141,708.23
1919 (38th)	5 days	10,433.80
1919 (39th)	5 days	10,382.04
1921 (40th)	91 days	189,859.71
1922 (41st)	9 days	17,695.05
1923 (42nd)	87 days	181,547.69
1925 (43rd)	65 days	165,908.63
1927 (44th)	82 days	184,328.38
1929 (45th)	85 days	182,426.54
1930 (46th)	11 days	23,861.06
1931 (47th)	89 days	186,704.42
1931 (48th)	11 days	26,746.05
1935 (49th)	99 days	173,023.98
1935 (50th)	110 days	202,593.49
1935 (51st)	24 days	30,769.52
1937 (52nd)	98 days	103,445.38
1939 (53rd)	111 days	100,678.33
1940 (54th)	11 days	3,676.72
1941 (55th)	99 days	102,755.13
1943 (56th)	103 days	101,547.65
1944 (57th)	11 days	3,324.71
1945 (58th)	89 days	100,469.68
1946 (59th)	7 days	2,140.01
1947 (60th)	105 days	117,459.22
1949 (61st)	100 days	121,305.78
1951 (62nd)	102 days	130,080.85
1952 (63rd)	7 days	2,620.53
1952 (64th)	7 days	3,465.47
1953 (65th)	113 days	153,369.17
1953 (66th)	12 days	6,388.37
1955 (67th)	114 days	177,739.05
1957 (68th)	115 days	202,811.93
1959 (69th)	120 days	241,690.84
1960 (70th)	7 days	4,887.36
1960 (71st)	7 days	4,291.40
1961 (72nd)	126 days	287,385.89
1963 (73rd)	132 days	399,973.83
1963 (74th)	24 days	21,023.38
1965 (75th)	149 days	446,134.32
1968 (76th)	7 days	6,020.40
1967 (77th)	134 days	535,475.00
1968 (78th)	7 days	8,060.00
1968 (79th)	7 days	5,266.00
1969 (80th)	185 days	614,289.49
1970 (81st)	7 days	7,685.67

* Special Session

Appendix A

The Constitutional

Adopted November 6, 1934

That Section 1 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 1. Commencing with the regular session of the Legislature to be held in January, nineteen hundred and thirty-seven, the legislative authority of the state shall be vested in a Legislature consisting of one chamber. The people reserve for themselves, however, the power to propose laws, and amendments to the constitution, and to enact or reject the same at the polls, independent of the Legislature, and also reserve power at their own option to approve or reject at the polls any act, item, section, or part of any act passed by the Legislature. All authority vested by the constitution or laws of the state in the Senate, House of Representatives, or joint session thereof, in so far as applicable, shall be and hereby is vested in said Legislature of one chamber. All provisions in the constitution and laws of the state relating to the Legislature, the Senate, the House of Representatives, joint sessions of the Senate and the House of Representatives, Senator, or member of the House of Representatives, shall, in so far as said provisions are applicable, apply to and mean said Legislature of one chamber hereby created and the members thereof. All references to Clerk of House of Representatives or Secretary of Senate shall mean, when applicable, the Clerk of the Legislature of one chamber. All references to Speaker of the House of Representatives or temporary president of the Senate shall mean Speaker of the Legislature. Wherever any provision of the

constitution requires submission of any matter to, or action by, the House of Representatives, the Senate, or joint session thereof, or the members of either body or both bodies, it shall after January first, nineteen hundred and thirty-seven, be construed to mean the Legislature herein provided for.

That Section 5 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 5. At the regular session of the Legislature held in the year nineteen hundred and thirty-five the Legislature shall by law determine the number of members to be elected and divide the state into Legislative Districts. In the creation of such Districts, any county that contains population sufficient to entitle it to two or more members of the Legislature shall be divided into separate and distinct Legislative Districts, as nearly equal in population as may be and composed of contiguous and compact territory. After the creation of such districts, beginning in nineteen hundred and thirty-six and every two years thereafter, one member of the Legislature shall be elected from each such District. The basis of apportionment shall be the population excluding aliens, as shown by next preceding federal census. In like manner, when necessary to a correction of inequalities in the population of such districts, the state may be redistricted from time to time, but no oftener than once in ten years.

That Section 6 of Article III of the Constitution of Nebraska be amended to read as follows:

Amendment

Sec. 6. The Legislature shall consist of not more than fifty members and not less than thirty members. The sessions of the Legislature shall be biennial except as otherwise provided by this constitution or as may be otherwise provided by law.

That Section 7 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 7. Members of the Legislature shall be elected for a term of two years beginning at noon on the first Tuesday in January in the year next ensuing the general election at which they were elected. Each member shall be nominated and elected in a non-partisan manner and without any indication on the ballot that he is affiliated with or endorsed by any political party or organization. The aggregate salaries of all the members shall be \$37,500 per annum, divided equally among the members and payable in such manner and at such times as shall be provided by law. In addition to his salary, each member shall receive an amount equal to his actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than said salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

That Section 10 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 10. The Legislature shall meet in regular session at 12:00 o'clock (noon) on

the first Tuesday in January in the year next ensuing the election of the members thereof. The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members elected to the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election returns, and qualifications of its members, shall choose its own officers, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. 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. The Legislature may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

That Section 11 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 11. The Legislature shall keep a journal of its proceedings and publish them (except such parts as may require secrecy) and the yeas and nays of the members on any questions, shall at the desire of any one of them be entered on the journal. All votes shall be viva voce. The doors of the Legislature and of the Committees of the Whole, shall be open, unless

when the business shall be such as ought to be kept secret.

Sec. 14. 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. No such vote upon the final passage of any bill shall be taken, however, until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day. No bill shall contain more than one subject, and the same shall

be clearly expressed in the title. And no law shall be amended unless the new act contain the section or sections as amended and the section or sections so amended shall be repealed. The Lieutenant Governor, or the Speaker if acting as presiding officer, 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.

That Sections 12 and 28, of Article III, and Sections 9 and 17, of Article IV, be and the same hereby are repealed, effective as of January 1, 1937.

Appendix B

The Rules of The Nebraska Legislature

As revised by the Eightieth Session
of the Nebraska Legislature, 1969

RULE 1

Authority

Constitution of Nebraska. Art. III, Sec. 10

Gregg's Handbook of Parliamentary Law. The rules of parliamentary practice comprised in Gregg's Handbook of Parliamentary Law, Rev. Ed. c 1940, shall govern the Legislature in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Legislature

Amendment and suspension of rules. Rule 17.

RULE 2

Presiding Officer

Section 1. **Presiding Officer:** Lieutenant Governor, Speaker. The Lieutenant Governor shall preside as President of the Legislature, and the Speaker shall preside when the Lieutenant Governor shall be absent, incapacitated or shall act as Governor. (Const. Art. III, Sec. 10). All references herein made to the President shall be construed as meaning also the Speaker whenever he may preside.

Member of Reference Committee. Rule 14.

Member of Committee on Order and Arrangement Rule 5

Sec. 2. **Chairmen of Committees Preside, When.** In the absence of both the Lieutenant Governor and the Speaker, the order of the presiding officer of the Legislature shall be as follows:

Chairman of the Legislative Council
Chairman of the Committee on Committees
Chairman of Committee on Judiciary
Chairman of Committee on Government
and Military Affairs

Chairman of Committee on Budget
Chairman of Committee on Revenue
Chairman of Committee on Education
Chairman of Committee on Banking,
Commerce and Insurance

Chairman of Committee on Public Works
Chairman of Committee on Agriculture
and Recreation

Chairman of Committee on Public Health
and Welfare

Chairman of Committee on Miscellaneous
Subjects

Chairman of Committee on Salaries and
Claims

Chairman of Committee on Labor

Chairman of Committee on Urban Affairs

All the powers herein conferred on the President shall be exercised, except the authority to sign bills or resolutions passed by the Legislature.

Sec. 3. **Member Presides, When.** The President shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment.

Sec. 4. **President Calls Legislature to Order: 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 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. 5. **Absence of Quorum.** If the President finds that a number less than a quorum is present, he 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 Legislature.

Sec. 6. **President to Preserve Order.** 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.

Sec. 7. **Point of Order, President Decides: Appeal.** The President may speak to a point of order in preference to members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any member; on which appeal no member may speak more than once, unless by leave of the Legislature.

Sec. 8. **Putting Question.** The President shall rise to put a question, but he may state it sitting.

Sec. 9. **President Shall Sign.** 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. (Const. Art. III, Sec. 14.) All writs, warrants and subpoenas issued by order of the Legislature shall be under his hand and seal, attested by the Clerk.

Sec. 10. **Lieutenant Governor Votes, When.** The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided. (Const. Art. III, Sec. 10.)

RULE 3

**Officers Elected and Their Duties:
Recall; Employees, Selection and Duties.**

Sec. 1. Nomination and Election. At the commencement of each regular session, the Legislature shall nominate and second from the floor and before the ballot is taken each person so nominated for the following offices shall 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; secret ballots shall be taken:

Speaker

Chairman of Committee on Committees

Chairman of Legislative Council

Vice-Chairman of Legislative Council

Sec. 1A. At the commencement of each regular session, the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Chief Clerk of the Legislature

Assistant Clerk of the Legislature

Sergeant-at-arms

Assistant Sergeant-at-arms

Postmaster

Chaplain

Officers and employees recommended by the Executive Board of the Legislative Council. See 50-111, R.S. Supp. 1967.

Sec. 2. Officers, Vote Necessary to Elect. A majority vote of the elected members shall be required for the election of each such officer.

Sec. 3. Recall of Officers. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Oath of Officers. 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 office according to the best of his ability.

Sec. 5. Duties of Officers, General. In general the duties of the officers of the Legislature shall be those usual to such officers.

Sec. 6. Speaker, Duties, Rule 2.

Speaker is member of Reference Committee. Rule 14, Sec. 1.

Speaker is member of the Executive Board of the Legislative Council. See 50-401.01, R.S. Supp. 1967.

Speaker is co-ordinator for the chairmen of standing committees.

Speaker provides floor leadership so as to expedite Legislative processes.

Sec. 7. Clerk of the Legislature, Duties.

(a) The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature.

Const. Art. III, Sec. 11

Daily Journal Rule 8.

(b) The Clerk of the Legislature shall have the responsibility to supervise employees once they are hired.

(c) 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.

(d) 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.

(e) 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.

Sec. 8. Assistant Clerk, Duties. The Assistant Clerk shall, in the absence of the Clerk, be authorized to exercise all of 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.

Sec. 9. Sergeant-at-arms, Duties. 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 by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the Legislative Chamber.

Sec. 10. Assistant Sergeant-at-arms, Duties. 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.

Sec. 11. Postmaster, Duties. The Postmaster shall superintend the post office kept in the Capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

Sec. 12. Chaplain, Duties. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

Sec. 13. Employees, Selection. A committee of five members shall recommend to the Legislature for its approval and election, employees and their salaries as provided for in Section 50-111 and 50-112, R.S. Supp. 1967. All employees shall be selected without reference to party affiliation.

RULE 4

Members: Attendance, Decorum and Debate

Sec. 1. Presence of Members Required. 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 is a member, unless excused by the Legislature or the Committee Chairman. Members who have been excused by the Legislature shall notify their Committee Chairman that they will be absent.

Sec. 2. Presence of Member May Be Compelled. 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 non-attendance is made as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

Call of the Legislature, Rule 9, Sec. 8.

Sec. 3. Absence of Member May Be Explained. Upon the completion of the roll call on the final passage of a bill, any member may explain the absence of any other member, and if requested in writing by the absent member to do so, may state how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

Sec. 4. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no



Lincoln statue west of Capitol

member shall be twice expelled for the same offense. (Const. Art. III, Sec. 10.)

Sec. 5. Decorum: Members May Speak Only When Recognized by President. When a member desires to speak in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President." A member shall speak only when recognized and shall confine himself to the question before the Legislature.

Sec. 6. Decorum: Abusive Language and Interruptions Prohibited. No member shall speak to another who has the floor, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall rise to a question of privilege for the introduction of guests while a member is speaking. Visitors may be introduced only upon written notice to the presiding officer, who shall then recognize the introducer at a proper time. No member shall use profane or abusive language when speaking to or about another member.

Sec. 7. Decorum: During Final Reading. 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.

Sec. 8. Transgression of Rules: Call to Order. If any member, in speaking or otherwise, transgresses the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he 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 shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Call to Order: Words Excepted to Must Be Indicated. If a member is called to order for words spoken in debate, the member calling him 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 shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business shall have intervened.

Sec. 10. Debate: Limitations, Proponent May Close. No member shall speak more than twice, nor for more than ten minutes on each occasion, upon any one question in debate during the same legislative day, without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

For right of proponent to close debate when previous question ordered, see Rule 10, Sec. 11.

Sec. 11. Explanation of Vote Permitted. A member shall be permitted to explain his vote on roll call upon any question, but such explanation shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

Sec. 12. Debate: Permanent Record. 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.

RULES

Committees

Sec. 1. Committee on Committees. 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 chairman, and three from legislative district Nos. 1, 2, 25 through 33, 37 and 46; three from legislative districts Nos. 3 through 14 and 20; three from legislative districts Nos. 15 through 19, 21 through 24, 34 and 35; and three from legislative districts 36 through 46 with the exception of 37 and 46.

Chairman is member of Reference Committee for bills and resolutions. Rule 14, Sec. 1.

Committee on Committees is reference committee on nominations by Governor. Rule 14, Sec. 2.

Sec. 2. Committee on Committees Shall Recommend Standing Committees, Designate Chairmen. The Committee on Committees, by a majority vote of all of its members, shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, one of whom shall be designated by the Committee on Committees as chairman thereof:

Agriculture and Recreation	8 members
Banking, Commerce & Insurance	8 members
Budget - Appropriation	9 members
Education	8 members
Enrollment and Review	1 member
Government & Military Affairs	8 members
Intergovernmental Cooperation	5 members
Judiciary	8 members

Labor	7 members
Miscellaneous Subjects	8 members
Public Health and Welfare	7 members
Public Works	8 members
Reference	3 members
Revenue	8 members
Rules	5 members
Salaries and Claims	7 members
Urban Affairs	8 members

The Speaker shall not be a member of any standing committee except as provided in section 11 of Rule 5.

Sec. 3. Committee on Committees Shall Select Other Committees. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered 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 purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

Sec. 4. Committee on Committees Shall Arrange and Publish Schedules of Standing Committee Hearings. The Committee on Committees shall arrange and publish a schedule of regular standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the Capitol near the Legislative Chamber.

Sec. 5. Enrollment and Review, Privileged Committee. The Chairman of Enrollment and Review shall be privileged, and shall be in order at any time in reporting bills which have been engrossed for Final Reading and passage. In the absence of the Chairman, the Vice-Chairman of the Judiciary Committee shall assume the duties of the Chairman of Enrollment and Review. The bill drafting service shall have supervision of and provide legal services for the Enrollment and Review Committee.

Sec. 6. Enrollment and Review, Authority to Make Corrections. The Chairman of Enrollment and Review shall have authority, without being required to include the same specifically in his 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, 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 is adopted on Select File which does not spell out the standard emergency clause and make the necessary change in the title, the Chairman of Enrollment and Review shall also have the authority to add to the engrossed bill the standard emergency clause, 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 reports and recommendations to the Legislature or making any special record thereof.

Chairman of Enrollment and Review to give preference to bills readvanced from General File after having been recommitted from Select File. Rule 12, Sec. 8-d.

Sec. 7. Committee on Salaries and Claims; Filing, Limitation. No claim shall be considered by the Salaries and Claims Committee unless filed and considered by the Sundry Claims Board within or before the first twenty legislative days of the session, unless otherwise ordered by the Legislature.

Sec. 8. Claims Previously Rejected. The Claims Committee shall not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions.

Sec. 9. Committee on Order and Arrangement; Members, Duties. The Committee on Order and Arrangement shall consist of the Speaker of the Legislature; Chairman. Other members: Chairman of the Committee on Committees and the Lt. Governor. It shall be the duty of this committee beginning the twenty-first legislative day to report to the Legislature the order in which bills and resolutions shall be considered on General File. The order so reported shall become effective only upon approval of the Legislature. The committee shall meet subject to call by the Chairman.

Sec. 10. The chairman of each committee shall take into consideration the importance, need for, and passage of the bills referred to his committee and set the bill for hearing accordingly. Reference Committees:

For bills and resolutions. Rule 14, Sec. 1.

For nominations by Governor. Rule 14, Sec. 2.

For amendment of rules. Rule 17.

Sec. 11. When a member or members of the Legislature are absent because they are incapacitated and unable to serve, or continue to serve, on a committee, the chairman of such committee after a majority vote of the committee shall request one or more temporary appointments as the case may be to fill such vacancy or vacancies. The request shall be made to the Committee on Committees and such Committee shall appoint either the Speaker, or a member from a regular standing committee having eight members to fill such vacancy or vacancies. A temporary appointment may also be made by the Chairman of the Committee on Committees for only one day when requested by a chairman of a regular 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 or members, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he was appointed.

Sec. 12. The Nebraska Retirement Systems Advisory Committee together with the chairman of the Budget Committee shall function during each legislative session as a standing committee of the Legislature, shall have jurisdiction over

all bills proposing new or amending existing retirement systems of the state and its political subdivisions.

RULE 6

Committee Hearings and Reports, Officers

Sec. 1. Vice-Chairmen. Each standing committee shall elect from its membership a vice-chairman to serve in the absence of the chairman.

Chairmen designated by Committee on Committees. Rule 5, Sec. 2.

Enrollment and Review Vice-Chairman is Vice-Chairman of Judiciary. Rule 5, Sec. 5.

Sec. 2. Committee Hearings, Time. Standing committees shall meet at 2:00 p.m., unless otherwise ordered by the Legislature. Any Committee Chairman before deciding not to hold committee meetings or a committee meeting on an assigned day, must receive permission from a majority of the Reference Committee.

Sec. 3. Committee Hearings, Notice. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five calendar days' notice, by publication in the Legislative Journal, of the date and time of said hearing. Committee chairmen shall make rules concerning length of public hearings but no rebuttal shall be for more than ten minutes.

Reference committee exception. Rule 14, Sec. 1.

Sec. 4. Committees May Combine and Correlate Bills, Adopt Amendments. Standing Committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.

Sec. 5. Record of Committee Proceedings. Each standing committee shall keep a record of its proceedings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto. The vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

Sec. 6. Committees shall Report Promptly. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

Sec. 7. Legislature May Request Committee Report or to Advance Bill. 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 report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

Any Senator may move that a bill be placed on General File twenty days or more after the committee hearing, and by a vote of a majority of the elected members, said bill shall be placed on General File.

Anytime the introducer of a bill attempts to take a bill from committee to be placed on General File, the bill shall stand indefinitely Postponed if the motion fails to receive a majority vote of the members elected to the Legislature.

Sec. 8. Committee Reports Must Recommend Bills for General File or Indefinite Postponement: Majority Vote of Members at Regular Meeting Required. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall, by vote of a majority of its members, recommend (a) that the bill be placed on General File for the consideration of the Legislature, or (b) that the bill be Indefinitely Postponed. Such action shall be taken at regularly scheduled committee meetings only. A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has acted upon the particular measure. 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. 9. Effect of Committee Report to Postpone Indefinitely. If the standing committee report on a bill be to postpone indefinitely, the bill shall stand Indefinitely Postponed: Provided, that such bill may be placed on General File or referred back to the standing committee by a majority vote of all 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 all 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 making the same or it shall be deemed defeated. Consideration of motions pending shall be included in the regular order of business following resolutions.

Sec. 10. Committee Reports, Statements and Amendments: Minority Report. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, and, if recommended to General File, a copy of all amendments recommended by the committee. Such statement shall give the committee's reason for so reporting, and the minority view, if such there be, shall also be given. Copies of such statements and amendments shall be furnished to the members.

Sec. 11. Executive Sessions. Members and reporters of regularly accredited newspapers, press associations, and radio and television stations shall be admitted to executive sessions of the standing committees, and such reporters and the members of such committees shall respect as confidential the discussions and voting of the other members of any standing committee.

RULE 7

Order of Business

Sec. 1. Hour of Meeting and Adjournment. The Legislature shall meet 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.

Sec. 2. Order of Business. The order of business of the Legislature shall be as follows:

- a. Prayer by the Chaplain
- b. Roll call
- c. Call for correction of the journal
- d. Petitions and memorials

- e. Notice of committee hearings
- f. Reports of standing committees
- g. Reports of select committees
- h. Bills on Final Reading
- i. Resolutions
- j. Introduction of bills
- k. Bills on First Reading by title
- l. Reference of bills to committees on a day subsequent to First Reading
- m. Consideration of bills on Select File
- n. Motions to reconsider
- o. Motions to advance bills from committee
- p. Other pending motions
- q. Unfinished business, including messages on the President's desk
- r. Special order of the day
- s. Consideration of bills on General File
- t. Miscellaneous business

Sec. 3. Messages From the Governor, Preference. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

Sec. 4. Special Order of the Day, Effect of Adjournment. 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.

Sec. 5. Unfinished Business, Effect of Adjournment. 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.

Sec. 6. Legislative Days. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature, by a majority of the members present and voting thereon.

RULE 8 Daily Journal

Sec. 1. Journal Prepared by Clerk, Furnished to Members; Corrections. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, 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.

Sec. 2. Journal Entries. 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, and memorial or other paper presented for the consideration of the Legislature.

Constitutional amendments printed in Journal. (Const. Art. XVI, Sec. 1.)

Sec. 3. Title, Parts of Bills Entered in Journal. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

Sec. 4. Amendments Offered, But Not Adopted, Not Entered; Exception. In the consideration of bills on General or Select File, amendments offered but not adopted shall not be entered in the journal except where a record vote is demanded.

Sec. 5. Hour of Adjournment Entered. The hour at which the Legislature adjourns shall be entered in the daily journal.

Sec. 6. Additional Copies for Members. Additional copies of the daily journal, to be mailed at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

Sec. 7. Bound Journal, How Printed. The bound journal of the session shall be printed from the corrected daily journal.

Journal, cross references:

Yeas and nays entered in journal at request of any member. (Const. Art. III, Sec. 11.)

Yeas and nays on final passage of bill shall be published in the journal. (Const. Art. III, Sec. 13.)

Explanation of absence and statement of how absent member would have voted. Rule 4, Sec. 3.

Explanation of vote. Rule 4, Sec. 11.

Committee reports. Rule 6, Sec. 5.

Only totals of machine vote entered. Rule 9, Sec. 3.

Notice of committee hearings must be published. Rule 6, Sec. 3.

RULE 9

Manner and Record of Voting

Sec. 1. Votes Taken Viva Voce; Form of Question. All votes shall be taken viva voce. 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 'no'."

Sec. 2. Yeas and Nays Vote Required on Final Passage of Bill; Applies to Resolution, When. Upon the final passage of a bill, or of a resolution if the same requires the same consideration as a bill, the vote shall be by yeas and nays, and this rule shall not be suspended.

Sec. 3. Machine Vote, When. If a machine vote is called for, or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the electric roll call system; and only the totals shall be printed in journal.

Sec. 4. Record Vote, Member May Demand. Any member may call for a record vote upon any question (Const. Art. III, Sec. 11), and upon declaration of the yeas and nays by the members, the record thereof shall be made and taken upon the electric roll call system, unless the Legislature by a majority vote decides that a roll call shall be taken.

Sec. 5. For Yeas and Nays and Call of House, Vote on Electric System; Limitation on Time to Vote. In taking the yeas and nays and upon call of the Legislature, the members shall register their vote upon the electric roll call system. When the yeas and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

Sec. 6. When More Than Majority Vote Necessary, Electric System Used. In all instances where the vote, necessary to adopt a motion or other proposition, is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained by means of the electric roll call system. In such case, no member shall be permitted to vote after the yeas have been announced by the Clerk. Votes not

registered on the electric roll call system or given to the Clerk by voice shall not be counted for or against a proposition.

Sec. 7. Member May Demand Verification of Vote. Any member may demand verification of the vote on roll call; Provided, that on the final passage of bills verification shall always be made.

Sec. 8. Call of the Legislature. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the electric roll call system and shall remain in his 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 elected, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members present and voting thereon. When the Legislature has been under call for fifteen minutes, and 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.

Voting, cross references:

Lieutenant Governor votes only when Legislature equally divided. Rule 2, Sec. 10.

Explanation of vote. Rule 4, Sec. 11.

RULE 10

Motions and Their Precedence

Sec. 1. Statement of Motions. When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

Sec. 2. Motions Must be Written, When. Every motion shall be reduced to writing if the presiding officer or any member desires it.

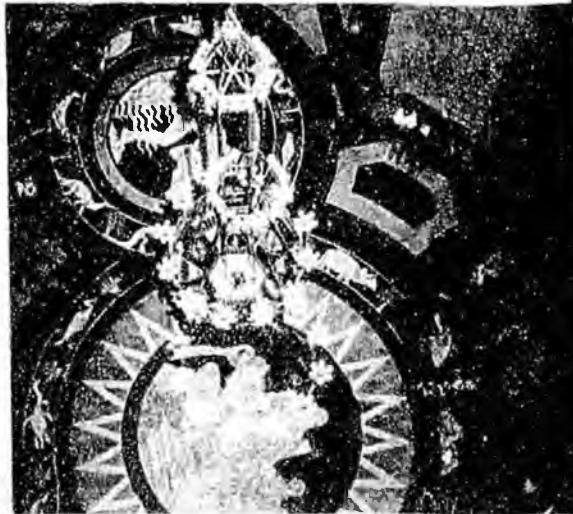
Sec. 3. Withdrawal or Modification of Motions. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Sec. 4. Motions Received When Questions Under Debate: Precedence. When a question is under debate no motion shall be received but:

- a. To adjourn
- b. To lay on the table
- c. For the previous question
- d. To postpone to a certain time
- e. To commit.
- f. To amend.
- g. 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. No motion to postpone to a certain time, 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. 5. Motion to Strike Enacting Clause; Effect, Precedence. A motion to strike the enacting clause of a bill, if carried, is equivalent to rejection of the bill. Such motion shall not have precedence over a motion to amend nor over a motion to postpone indefinitely.



Chandeller and mosaics, main rotunda.

Sec. 6. Motion to Adjourn, Adjourn to Time Certain, to Recess: Precedence. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

- a. While a member is speaking.
- b. When a motion to adjourn has just been defeated.
- c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
- d. After the Final Reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn; and provided further, that a motion to recess shall take precedence over either of such motions.

Sec. 7. Motion to Adjourn Pending Motion to Suspend Rules. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

Sec. 8. The Previous Question, Form. The previous question shall be in this form, "Shall the debate now close?"

Sec. 9. The Previous Question: Seconds Required, Vote Necessary, Effect. The previous question 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 Section 11 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

Sec. 10. Previous Question Undebatable. 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.

Sec. 11. Previous Question Ordered: Proponent to Close 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. 12. Questions of Privilege, What Are. Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn. Questions of 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 and the reason for such stated. The decision of order of permission shall be made by the presiding officer.

Question of privilege is not in order for introduction of guests while member speaking. Rule 4, Sec. 6.

Sec. 13. Reconsideration: Who May Move, Time for Motion. When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move 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 5 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, 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 10, Sec. 3.

Sec. 14. Reconsideration, Precedence. Every motion to reconsider shall take precedence over all other questions, except a motion to adjourn.

Sec. 15. Reconsideration, Vote Necessary. For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

a. 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.

b. 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.

Sec. 16. Amendments in Order. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

Sec. 17. Amendment to Title of Bills. Amendments to the title shall not be in order during the consideration of a bill or resolution on General or Select File until the bill or resolution shall have been considered in full.

Sec. 18. Amendment Laid on Table Does Not Carry Principal Measure. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

Sec. 19. Amendments, Preference in Consideration. When the Legislature is considering bills on either General or Select File, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, and then to such other amendments as have been deposited with the Clerk, in the order in which they were received by him.

Sec. 20. Amendments, Must Be Germane. No motion, proposition or subject, different from that under consideration, shall be admitted under color of amendment.

Sec. 21. Division of a Question, When. 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.

Sec. 22. No bill shall be divided into two or more bills.

RULE 11

Bills—General Provisions

Sec. 1. Introduction. 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. No bill shall be introduced unless it has been approved as to form and draftsmanship by the legislative bill drafter. The name of the introducer shall be followed by the number of his legislative district. Preceding each legislative session, the Chairman 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 Chairman of the Judiciary Committee, shall sign as introducer of 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 to General File. The Clerk of the Legislature shall have these bills printed before the convening of the next regular session.

Sec. 1(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 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. 2. Introducer Must Be Willing to Support. Members shall introduce only such bills as they are willing to endorse and support personally. Not more than three Senators shall sign any single bill. Provided that, this limitation shall not apply to committee bills, to Legislative Council bills, and to Revisor of Statutes corrective bills. Any additional signers shall be by the suspension of the rules with a machine

vote, and cannot be made by a unanimous consent motion.

Sec. 3. Time for Introduction, Limitation, Fiscal Notes. No bill shall be introduced after the twentieth legislative day, except upon recommendation of the Governor or by a majority of the members of a standing committee whose names shall be affixed to the bill and upon the vote of three-fifths of the elected members of the Legislature. After the ninetieth legislative day, no bill be introduced except by the unanimous consent of the Legislature or upon recommendation of the Governor. After January 1, no bill shall be drafted by the bill drafter unless requested or authorized by a member of the legislature.

Before an individual member may apply to a committee for introduction of a bill, he must first submit the bill to the Reference Committee; the Reference Committee shall determine which committee of the Legislature the subject of the bill is germane to. The bill shall then be submitted to the committee designated by the Reference Committee. A standing committee shall not recommend a bill for introduction unless the subject matter of the bill is germane to the subjects assigned to such committee.

A copy of intent of a bill recommended for introduction by a committee must be placed on each member's desk before such introduction of bill is voted upon.

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 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 as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact of more than five thousand dollars shall be heard by a committee or considered on General File unless the fiscal note is attached.

In determining the fiscal impact of any bill, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government which will be affected by the bill to prepare the fiscal note within five calendar days.

The Legislative Fiscal Analyst shall review the fiscal note prepared by the department or other entity, 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.

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.

When amendments to a bill are adopted by a committee or the Legislature, and such amendments would change the fiscal impact of the bill,

the appropriate changes shall be made in the fiscal note.

When the Legislative Fiscal Analyst determines that the fiscal impact of a bill will be less than five thousand dollars, it shall not be necessary to prepare a detailed fiscal note, and the fiscal note may merely state this fact.

When any bill proposes adoption of a new program for which appropriations have not previously been made, an appropriations bill for the purposes of funding the provisions of such bill shall be prepared from the information contained in the fiscal note. Such appropriations bill shall be introduced by the introducer of the original bill, shall bear the number of the original bill with the letter "A" added (for example LB 1A), and shall accompany the original bill through all stages of the legislative process."

2. The legislative bill drafter is hereby directed to prepare any amendments to other Rules of the Legislature made necessary by adoption of this amendment, and to submit such amendments to the Rules Committee.

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.

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.

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.

Sec. 4. Bills, How Designated. A bill shall be designated as Legislative Bill —

Sec. 5. Bill Must Contain Only One Subject; Amendment of Laws. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And 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. 14.)

Sec. 6. Amendatory Bill, How Printed. 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.

Sec. 7. Bills Must Be Engrossed Before Final Reading. All bills, before being advanced to Final Reading and passage, shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of members.

Sec. 8. Bills Must Receive Two Readings Before Passage. 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. Vote Required to Expend Money or Change Compensation. It shall require the vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

Sec. 10. Withdrawal of Bills. No bill, having been introduced, may be withdrawn except upon motion of the first introducer with the consent of his 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.

RULE 12

Bills—Stages in Consideration

Sec. 1. Introduction and First Reading.

Introduction. Rule 11, Secs. 1, 2.

Time for introduction. Rule 11, Sec. 3.

First Reading. Rule 11, Sec. 8.

Sec. 2. Reference to Standing or Select Committee.

Reference committee. Rule 14, Sec. 1.

Readings. Rule 11, Sec. 8.

Sec. 3. Consideration by Standing or Select Committee, Together With Desired Committee Hearings.

Committee Hearings. Rule 6, Secs. 2-5.

Sec. 4. Report by Standing or Select Committee and Reference to General File.

Committee reports. Rule 6, Secs. 6-10.

Effect of committee report to postpone indefinitely. Rule 6, Sec. 9.

Sec. 5. General File: Reading, Consideration and General Debate by the Legislature.

a. The clerk of the Legislature shall read the number and 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 as read, and the amendments, if any, recommended by the standing committee, shall first be considered for adoption or rejection, after which other amendments may be offered.

Amendments. Rule 10, Secs. 16-20.

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 Committee on Order and Arrangement; Provided, that any bill that comes up for debate for a second time, with the introducer present, shall be placed at the bottom of General File if said introducer asked for further time. And no change shall be made in such order, except by a majority vote of the elected members.

d. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on General File.

e. At any time during consideration of bills on either General or Select File, any member may move that the bill be passed over, 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. This motion shall

have the same precedence as to lay on the table.

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.

Sec. 6. Reference to Enrollment and Review. Advancement to Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless Indefinitely Postponed or recommitted to a standing committee. Advancement to Enrollment and Review from General File for such purpose shall require a majority of those voting, but there must be a minimum of eighteen affirmative votes.

Sec. 7. Report by Chairman of Enrollment and Review and Reference to Select File.

Enrollment and Review report. Rule 5, Sec. 6.

Sec. 8. Select File. Consideration by the Legislature, in review on Select File, wherein 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 Chairman of Enrollment and Review.

b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered. When a motion is made to adopt a unanimous consent amendment, the mover shall be required to explain the amendment sought.

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

d. A motion to recommit to General File for one or more specific amendments. If such a motion is adopted, the bill shall be transferred forthwith to the head of the General File where consideration of the specific amendment shall be the first order of business on that File. After disposition of the amendment, the bill may be readvanced to Enrollment and Review for review, amended further, Indefinitely Postponed, or recommitted to the proper standing committee. If the bill is readvanced, it shall be given prior consideration by the Chairman of Enrollment and Review and returned to the Select File as soon as possible and placed at the head of that File; Provided, if the bill is not amended, Indefinitely Postponed, or recommitted, it may be advanced to Enrollment and Review for engrossment.

Effect of passing over bill. Rule 12, Sec. 5d.

e. A motion to postpone indefinitely.

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

No bill shall be considered initially on Select File until three legislative days after its advancement from General File to Enrollment and Review; Provided, that the amendments so recommended shall not be read by the Clerk except upon the request of a member of the Legislature.

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 amendments may be considered.

Sec. 9. Advancement to Enrollment and Review for Engrossment, Unless Recommended to a Standing Committee or Indefinitely Postponed.

Sec. 10. Report by Chairman of Enrollment

and Review and Reference to Final Reading File, or to Select File for Specific Amendment.

Bills must be engrossed before advancement to Final Reading. Rule 11, Sec. 7.

Sec. 11. Conditions Precedent to Placing Bill on Final Reading. No bill shall be placed upon Final Reading and passage until:

a. Five legislative days after the initial reference to Enrollment and Review.

b. Two legislative days after its reference to Final Reading file.

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. 12. Final Reading. Consideration on Final Reading and passage when the bill shall be read at large with all amendments thereto before the vote is taken (Const. Art. III, Sec. 14); Provided, that 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; Provided, however, if the proposed amendment be to add the emergency clause, it may only be adopted by a vote of two-thirds of the elected members.

Sec. 13. Question After Final Reading; Emergency Clause. 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.

Sec. 14. Emergency Clause; Failure to Receive Constitutional Majority; Effect; Question. 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. 15. Governor's Veto, Consideration. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be, "Shall the bill pass, notwithstanding the objection of the Governor?"

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

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.)

RULE 13

Petitions and Memorials

Sec. 1. Petitions, Memorials and Other Papers

Referred to Committees. Every petition, memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by a member at the time such petition, memorial or other paper is presented, in which case the Legislature shall decide the question of reference.

Sec. 2. Introducer may make statement. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

Sec. 3. Communications, When Read. No communications or letters shall be read by the Clerk of the Legislature unless authorized by a majority of the Reference Committee.

RULE 14

Questions and Reference

Sec. 1. Reference Committee for Bills and Resolutions, Who Constitutes. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees. The Reference Committee shall either refer bills to standing committees or place them on General File. Those placed on General File will be bracketed for five days, and if one senator requests a public hearing on one or more of these bills, 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. 2. Nominations by Governor Referred to Committee on Committees. All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature, shall be referred to the Committee on Committees, 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.

Sec. 3. Members May Object to Reference. 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 on any legislative day, immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

Sec. 4. Motions for Reference; Preference. 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 put first.

Proposed amendments to rules referred to Rules Committee. Rule 17.

Sec. 5. Statement of Purpose by Introducer. Immediately upon the referral of any bill to a standing committee, the first introducer of the bill shall prepare and submit to the committee a statement in writing setting forth the reason for the bill and the purposes sought to be accomplished thereby. Such statement shall be incorporated into the committee records. No bill shall be reported to the Legislature by a committee whether the bill is Indefinitely Postponed or advanced to General File, unless such a statement has been submitted by the introducer of the bill.

RULE 15 Resolutions

Sec. 1. Resolutions; How Designated. A resolution shall be designated as Legislative Resolution —

Sec. 2. Resolutions Proposing Constitutional Amendments, Granting Money, or Requiring Governor's Approval: Consideration and Adoption. Resolutions which propose amendments to the state constitution, propose the ratification of amendments to the federal constitution, provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor, shall be considered and adopted in the same manner as bills (Const. Art. III, Secs. 13, 14; Art. XVI, Sec. 1.)

Sec. 3. Resolutions Proposing Legislative Council Studies Reference. 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.

Sec. 4. Resolutions Laid Over One Legislative Day. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

Sec. 5. Resolutions; Reference to Committee; Vote Necessary for Adoption. When called for consideration on the next legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its consideration at that time. The vote of a majority of the elected members shall be required for the adoption of any such resolution.

Sec. 6. Effect of Committee Report to Indefinitely Postpone. 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 or referred back to the standing committee by a majority vote of all 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 all elected members upon motion made more than three legislative days after such committee report. Not more than one resolution shall be raised

from committee on any one motion. A motion to raise cannot be amended to include any other resolution or subject matter.

RULE 16 Privileges of the Floor

The floor of the Legislative Chamber shall consist of that part of the Legislative Chamber forward from the row of desks or dividing line back of the last row of Senators including the space under the balcony on either side adjacent thereto, or any other space designated by the Legislature or the Executive Board thereof.

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

Members of the Legislature and their immediate families, officers and employees, including the bill drafter and employees of the Legislative Council.

Reporters of regularly accredited newspapers and broadcasting stations.

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.

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

The Governor, state officers and distinguished visitors may be admitted to the floor upon permission from the chair.

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 party or parties responsible for its distribution. The distribution must be approved by at least one member of the Legislature.

RULE 17

Suspension and Amendment of Rules

These rules may only be suspended by a two-thirds 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.

The Covers

The cover illustrations are photographs of the doors of the Senate chambers in Nebraska's tower Capitol. The front cover is of the West Senate Chamber doors. These doors lead to the chamber used by the Unicameral Legislature.

The back cover is of the Indian doors to the East Senate Chamber, where the Senate met under the old bicameral system. This room has become a hearing room.

The color photographs were made by James Dean, a student teaching assistant in the University of Nebraska School of Journalism.

