

May 12, 1983

LB 617

SENATOR HABERMAN: Okay.

SPEAKER NICHOL: Senator Landis.

SENATOR LANDIS: Mr. Speaker, isn't it the case that only in the event the bill does not receive 25 votes are we in a position to reconsider because the Legislature will have taken final action on the 25 votes. If it passes at that point, the bill will then pass from Final Reading and not be in a position to be reconsidered.

SPEAKER NICHOL: That is not correct.

SENATOR LANDIS: Okay.

SPEAKER NICHOL: Senator Wesely, did you have...?

SENATOR WESELY: Mr. Speaker, I think we are making a mistake if we go on and vote on this bill without the emergency clause. I disagree with Senator Landis. My interpretation is the question before the body was the passage of LB 617 with the emergency clause. If at this point we do not reconsider the defeat of that motion and should go on to the next question which would be the passage of LB 617 without the emergency clause and then we ask to reconsider, we are reconsidering that second element which is without the emergency clause and I really have to question. I do not want to go on to voting on this bill without the emergency clause because then I think we pass by the chance of reconsidering the question which we just failed to adopt. That is my interpretation and I don't want to lose that opportunity and that is why I think we ought to discuss it.

SPEAKER NICHOL: If you want to turn to Rule 7, Section 7 down about three-fourths of the page you have a small numeral. It says, "Where such motions be to reconsider the vote on a bill which lacked the constitutional majority of a Final Reading with the emergency clause attached but which received a 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." Now we would vote according to my ruling of the rules would be to vote on the bill without the emergency clause attached. Senator Marsh, for what purpose do you arise?

SENATOR MARSH: To say if all those who voted green previously will refrain from voting, then we have no problem.

SPEAKER NICHOL: Okay, we are voting on the bill without the