

June 1, 1995

LB 391
LR 3

SPEAKER WITHEM: Yes, I'll try to be brief. This is actually one of those where you can almost say argument 26 and look it up in your book and there under argument 26 you would see what's frequently used when a bill requires...lacks the super majority needed the first time it's read, and then it subsequently is passed with the normal number of votes. In this case this bill did not have 40 votes, it was then voted on it, it has 30 votes. It has passed the Legislature, LR 3 will be on the ballot in 1996. The question we're debating right now is when will it be on the ballot. Senator Kristensen, the principal introducer of this, had an amendment adopted by this body early on in debate that would place this on the primary election ballot. And I think there's a good argument to do that, procedural argument, that this is one of the four or five, I believe there are five constitutional amendments that had...Legislature had passed last year, but the Supreme Court ruled could not be on the ballot in 1994. This is the last one of those yet to be acted upon. Yesterday I believe we had 38 votes with a few people gone. This hopefully won't take a lot of time, as a matter of fact I'm pretty much done right now. I'm just asking that this...that the Final Reading vote on this, with the primary election date in it, be reconsidered.

PRESIDENT ROBAK: The question before the body is the adoption of the motion to reconsider LR 3. All those in favor vote aye; all those opposed vote nay. Please record.

CLERK: 41 ayes, 2 nays, Madam President, on the motion to reconsider the Final Reading of LR 3.

PRESIDENT ROBAK: We are on Final Reading. The vote before you is the vote to pass LR 3 for election at a special election, it takes 40 votes. All those in favor vote aye; all those opposed vote nay. Please record.

CLERK: (Read record vote as found on page 2741 of the Legislative Journal.) 42 ayes, 5 nays, 2 excused and not voting, Madam President.

PRESIDENT ROBAK: LR 3 passes. We now move to Item 8 on the agenda, motion to override gubernatorial veto.

CLERK: Madam President, with respect to LB 391, Senator Wehrbein, as Chair of the Appropriations Committee, offers a motion found on page 2625 with respect to a motion to provide