

May 3, 1979

LB 221

SPEAKER MARVEL: You have the floor, Senator Lewis.

SENATOR LEWIS: Mr. Chairman, I think we ought to lay the cards out here and I was absolutely livid this morning by the unmitigated attacks on the Speaker in terms of arrangements that had been made by the introducer of the bill that is bringing up the motion now. 221 was on the schedule this morning at the request of Senator Kelly and for some reason or another, he didn't think the approach that he had developed at that time was satisfactory. So then his approach was as to chastise the Speaker who has done an excellent job in my judgment all the way through this Legislature. The Speaker's vote on this issue is clear, cannot be challenged on the basis he is against the bill. Mr. Chairman, I want to call the attention to the handout I gave you today from the Lincoln Journal this afternoon, probably the biggest pat on the back for the Legislature since I have been here and it starts with the headlines "Good Work by Speaker Marvel", and I want you to read that carefully. It talks about issues that have been hashed, rehashed and rehashed. Senator Kelly had his day in court. Timing is part of this business, when you vote, how you vote and a skilled manager like he is certainly can know that. Those are my preliminary remarks and now I would like to speak to my point of order and I would like, Mr. Speaker, to yield the last part of my time to Senator Fowler. We are talking about Rule 7, Section 7(a). Senator Kelly's motion is, shall the motion to reconsider the advancement of a bill which fails the first time on General File be in order. Rule 7, Section 7(a) says this: When a question has been decided it shall be in order for any member voting with the prevailing side or not voting to move to reconsider therefore." The key words in this issue is "have been decided". This issue has not been decided. A bill on General File has three opportunities to advance off of that General File, therefore the question of advancement of LB 221 off of General File has not been decided. Therefore, Senator Kelly's motion was not in order and did not need to be placed on the agenda. Your placement of LB 221 on today's agenda was not required but it was an extension of courtesy to Senator Kelly and other Senators on this piece of legislation to consider it one more time at this late date. If Senator Kelly wishes to bring his question before the Legislature he can file a motion to amend the Speaker's order and not to reconsider LB 221. If Senator Kelly is successful in bringing that issue before it, it certainly should be considered at this time. That motion is out of order. That motion will make a mockery of our procedures