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LB 221

ultimately the rules that govern this Legislature are found in the book that we have which says Rules of the Unicameral, Nebraska Legislature, whatever the title is. Now when they talk about this three fifths vote or whatever that gives the Speaker authority we ought to carefully consider what rule is being considered. This has to do with reporting the order of bills which the Speaker is allowed to do with the approval of the Executive Board and that rule said once this approval is obtained then it takes a three fifths vote to alter the order of those bills. I am sure that there was no consultation with the Executive Board on this motion and that particular rule, Senator Newell, that deals with the three fifths vote has to do with the order of bills on General File and not the handling of motions. Now there is a clear rule that deals with reconsideration and there are ambiguous words in that rule as there are in other rules but when it comes to an ambiguity we can look at the practices of this Legislature and see what has been done in the past to give us a guide as to what should be done in the present. If something is to be done differently in the future, there should be notification. I have been in this Legislature almost ten years and what I have seen happen on General File is for a vote to be taken on a bill in order that it not be passed over and dropped to a lower position on General File knowing that there are not enough votes to advance it and the introducer of the motion or the bill would then vote against the bill in order to be on the prevailing side. Then that very afternoon another vote would be taken to advance that bill on General File and that has happened. Terry Carpenter used to do it. I am sure Senator DeCamp has done it. Memories fail us at this time but I have even participated in activities of that kind and when we are going to become very very technical about the meaning of words then I think I will be technical too. This rule 7 that everybody has talked about with reference to reconsideration says when a question has been decided. Now there can be a decision and there can be a final decision. In the legal arena and all the lawyers know this, there are interlocutory decrees and orders. There are final orders. There are some which cannot be appealed until a final order is entered. There are others which, although modifiable, are subject to appeal. Now when we know what the practice of this Legislature has been, when a vote is taken on an issue the outcome of that vote is considered a handling of that question and I believe were the issue different than 221 we would not even have the discussion before us that we have now and I think that when we can watch television as I had somebody call me Sunday and tell me to do, Senator DeCamp