

May 3, 1979

LB 221

the more explicit? The second one. It has to do with the motions to reconsider and their timetable for disposition. The problem and the fallacy with the Lewis-Fowler interpretation is that they use the words "has been decided" as the significant turning of phrase. That is not the significant point. Actually the operative word here is "question". What is it that we do when we call the question? We call the motion for a vote. What is it that the Speaker says when we have the bill on Final Reading? The question is, shall the bill pass. That question is answered every time there is a vote on that board. The operative word in this sentence actually is "question". The question is phrased in terms of the motion that is up there. The question is decided when the results of that motion are made obvious to all by that electric board and I would submit that those two sentences are not in conflict, that the first sentence says when a motion that is voted upon when the question has been called and we see the result, that is a decision of a question and that decision is susceptible to reconsideration. Certainly Senator Fowler raises a good point as to the policy implications of this language in the long term. What happens when we have three chances on General File and potential reconsiderations after each one? But that policy consideration does not govern what these words say and we can't allow the policy implications at this point to overrule the clear meaning of our rules. If we have problems that are brought out by this, let our Rules Committee draft new language that is explicit and solves the problem but we cannot write into these rules now considerations that are not there. Every time we vote we decide a question. It is in the very words that we, as Senators, use when we call the question, when we vote. It is in our daily parlance and, therefore, I certainly doubt the interpretation offered by Senator Lewis when he says, a question is only decided once it has been followed all the way through the process that that issue may have. What he really attempts to impress upon this body is when an issue has been decided and that is not the language of the section 7, rule 7.

SPEAKER MARVEL: One minute.

SENATOR LANDIS: I will be voting with Senator Kelly and with Senator Murphy, although I am not a proponent of LB 221. We have rules that govern. They are explicit enough to lead us directly in our choices here and we should stand by them. If they need to be changed, fine.