

May 23, 1979

LB 262, 329

capable of transacting business, I am about to sign and do sign LB 329. Motion on the desk, Mr. Clerk.

CLERK: Mr. President, Senator DeCamp moves to place LB 262 on Select File for a specific amendment.

SPEAKER MARVEL: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, so that everybody understands and nobody is confused, this is a procedure that, to the best of my knowledge, has never ever been used. However, you are having handed out to you at this very moment an Attorney General's opinion that states that this can be done. In fact, it's a legitimate procedure. I think it's an important procedure for us to know it is available in the future in dealing with issues. All it says is that basically a bill that's been vetoed, if you have a different bill on the same subject, you can take it back and amend it. You can attempt to override the veto, you can forget about the bill, or you can amend it, and if you do it becomes a different bill, and of course subject to all the various things of the Legislature. Now I would just read to you from the opinion: Dear Senator DeCamp: You have requested the opinion of this office regarding whether the Legislature may amend a bill which has been vetoed by the Governor and returned to the Legislature. We can find no constitutional prohibition to utilizing this procedure. Article III, and so on and so forth, the key language in the absence of a constitutional restraint and when exercised by a majority of a constitutional quorum, such authority extends the determination of the propriety and effect of any action, and so on and so forth. So what I want to do is put the bill back on Select File. Now I know it can't go any further this year, but it would be back there and this amendment is there, and this amendment is one I would hope that a Senator Venditte, a Senator Labeledz, those that have reservations about how to handle this death penalty matter would seriously examine and maybe go for. First of all, it recites why we're doing this....statement of intent of the Legislature. Second, it provides hard labor in effect for those thirty years, something I promised that I wanted to see done....complete system to put these people to work, instead of just laying on their cots. The third thing, it has a system for the Supreme Court to make comparisons, going back over all the people that have been sentenced to first degree murder, and see how long they really stayed in there. I think when you settle up, you're going