

April 8, 1980

LB 1001

for him to veto constitutionally, and if that is what you want to do, why then I would suggest you vote for Senator Johnson's amendment. Personally, that is not what I want to do and I would hope the body would not accept the amendment as it is proposed, assuming that the money cannot be vetoed...if it is going to be vetoed for those particular projects and you can't override, the money is still gone anyway you look at it because they can reduce operations by that amount in addition to what they can now do. I think the proposal is not well-advised.

PRESIDENT: The Chair recognizes Senator DeCamp. Question. All right, do I see five hands? I do. All those in favor of ceasing debate vote aye, opposed nay. Record the vote.

CLERK: 30 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Motion carries. Debate ceases. Senator Johnson, you may close on your motion to return.

SENATOR JOHNSON: Mr. President, members of the body, I can appreciate Senator Warner's concern with the addition, in effect, of another million dollars to the operating budget of the University of Nebraska, and with that then becoming a vetoable (sic) amount by virtue of Section 7, Article IV of the Nebraska Constitution. Senator Warner may be right. I have been reading the section myself to see whether or not that would represent an additional increase over and above the amount the Governor himself had in his own budget message. He may well be right on that point. However, without this kind of language in our bill, when we go to override the line item veto, assuming we go to do that, without the language we couldn't do it. So my suggestion is that we go ahead, we pass this amendment, we bring the bill back, we then pass the amendment, we provide a little more flexibility in the system that you and I can then deal with later on down the line if we need to do that in the event the Governor does exercise the veto. If we fail to provide the flexibility, we are truly locked into a vetoed capital construction budget. I would again ask this body to return the bill to Select File for this specific amendment.

PRESIDENT: The motion then is the return of LB 1001 for the purpose of this specific amendment by Senator Johnson. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 8 ayes, 26 nays, Mr. President, on the motion to return the bill.