

April 18, 1980

LB 627

the Governor's veto, its action in taking up the Governor's veto, so we have already reconsidered once on Final Reading our action. Further provision of the rules is that having once failed on reconsideration on Final the issue is deemed defeated. Senator Merz' motion, I believe, is out of order.

PRESIDENT: Will you show me a place in the rules that says you can't reconsider that which you have done? Your rules don't say that though. You have reconsidered things for years in this fashion. I really don't read that into your rules.

SENATOR MURPHY: Mr. Speaker, it is very specifically there and the fact that we don't want to reconsider or consider that is unfortunate. Article VII, Section 7, I believe deals with it but we have already according to the Constitution once reconsidered this issue.

PRESIDENT: You are addressing yourself to the Constitution itself. I mean Senator Murphy is. Senator Beutler, I saw you looking this way. I presume you have the rule that you think applies.

SENATOR BEUTLER: Well, I would ask for a ruling from the Chair with regard to a specific rule and this rule came into effect last year so the Speaker would not be, Mr. President, you would not be acquainted with it from your experience in the Legislature. The rule is Rule 6, Section 11 and the pertinent portion of the rule, if there is a pertinent portion, says, no bill vetoed by the Governor shall be taken up by the Legislature for any purpose other than passage of the bill notwithstanding the objection of the Governor. We have already taken up the bill for the purpose of passage of the bill notwithstanding the objection of the Governor so the question is, is the motion for reconsideration in violation of that portion of the new rule?

PRESIDENT: I don't think so because I think that you have said it, you have answered your own question, it is being taken up for the purpose of either passing it notwithstanding the objection of the Governor or for override and this is...reconsideration is merely the same thing. It is just a continuation of the same thing. So I am going to rule, I think just in order to save time, gentlemen and ladies, I am going to just rule that it is in order and then you can overrule the Chair. I think that would be the best thing to save time this afternoon. Okay, I think that is the best way to handle it. Senator Murphy, I would recognize you for speaking on it.

10369