

April 14, 1980

LB 627

vote on it. Senator Koch, do you want to?

SENATOR KOCH: Mr. President, I believe you are correct. That first motion I made today was to override the Governor's veto notwithstanding his objection. That is not a reconsideration. This is a reconsideration by Senator Merz and it is proper at this time and it states very specifically if you read that same rule we are talking about, Rule 7, Section 7. There is no other way you can interpret it except as you have ruled, Mr. Chairman.

PRESIDENT: Senator Kelly, I think you were next.

SENATOR KELLY: Mr. President, members of the Nebraska Unicameral Legislature, I am somewhat of a veteran when it comes to reconsideration. I have been through it many times and where we are sitting right now is basically a rather crucial question and when Senator Luedtke, correction, when Governor Luedtke and I were running this around with Speaker Marvel a year ago on the General File section of our procedures as it affects reconsideration, that floor action specifically changed reconsideration on General File in this Legislature and it did it by overruling of the Chair at that time but we just overruled part of the Chair's action and that was prior to a year ago on reconsideration General File. The person that made the reconsideration chose the time when that reconsideration motion would be taken up by custom, I guess, by ethic. At least that was the procedure that was well ingrained. When I was denied reconsideration on General File by the Lieutenant Governor and by the Speaker and by the Rules Committee, now this Legislature debated that issue and did not hurry to the vote but debated that issue and sustained that we have the right as members of this Legislature to reconsider on General File with 25 votes rather than the 30 votes we were talking of. However, in that parliamentary procedure, it was lost to the introducer of a bill or the mover of reconsideration the ability to select his time when that second reconsideration vote would be taken. We should not, Mr. Lieutenant Governor, hurry into a discussion or lack of discussion and a vote to this issue. It is crucial and it is before the House and the fact that we would not address it and address it as legislators to the point to determine what it is the Constitution says and what it is our own rules say and then 25 votes on the floor of this Legislature will state what the Constitution says and it will state what the statute says and it will state what our rules say but we should not do it because we want to hurry to a vote. This is the Nebraska Unicameral Legislature. We are on Final Reading. We are on an override vote. We are

10373