

tive actions to be allowed to stand without the Legislature making some kind of clear determination. So what I feel an obligation to do is to lance this boil. The word veto is not contained in the Nebraska Constitution. In Article IV, Section 15 there is an itemization of certain actions that are available to the Governor when he is given a bill by the Legislature. And when he is dealing with a bill he may do only those things. No matter what disclaimer he offers or how he tries to characterize his action, if all of the facts that are necessary to produce a certain result are present, that result as a matter of fact, exists and since the Journal is the official record of what has been done by the Legislature, I want some things in the Journal. The first thing was my motion which has been overruled. I feel I must offer this motion ~~to~~ ^{to} overrule the Chair and the record of the debate will indicate the rationale that I have. Section 15, the significant language indicates that after a bill has been presented to the Governor, if he approves, he shall sign it. That is the first thing he can do. If he does not approve, he shall return it with his objections to the Legislature. That is the second thing he can do. He can hold it for five days without his signature or if we adjourn before the five days are up, then five days after adjournment and in which case it becomes law. Those are the only three things the Constitution allows the Governor to do. Now as a matter of fact, a letter was addressed to the Clerk of the Legislature during the time we are in session and the Clerk is the agent of the Legislature and official correspondence, communications and other things are addressed to the Clerk, not in a personal capacity. It is impossible to write the Clerk of the Legislature a personal message from the executive branch, so a communication from the executive branch to the Clerk of the Legislature while we are in session is a communication to the Legislature. The Governor's letter, and I will call it a veto, although that word is not in the--I started to say the Bible, in the Constitution. Here is what the Governor said and I will paraphrase so I won't take a lot of time, that his objection is that the bill was not passed. There were not enough votes by members of the Legislature. That is a specific objection. In the next to the last paragraph he concludes by saying again, the bill, not having received twenty-five votes of senators, did not pass. So what facts do we have? A communication from the Governor under which he returned a bill with his objections without his signature. So regardless of how he characterizes his action, regardless of any disclaimer that this is just a clerical function, he vetoed that bill. Every factor necessary for a veto is present in this activity by the Governor. There is no recognition in the Constitution of a clerical return of a bill by the Governor with his objection. It was an