

May 3, 1979

LB 221

sider and then I would not have been in the situation that I was where it took 30 votes. Senator Kelly, and also it had the other advantage by reconsidering is that it would not have lost one chance to advance the bill. The idea is there, is that if you ever have a bill fail to advance on General File you throw up a motion to reconsider and what you do is you get around the other rule that says it takes three times and your bill is dead. This way you can have the first time. You can just keep reconsidering it until you get the thing passed. I think that is clearly an abolition or a way of getting around the rules which is not intended and serving on the Rules Committee I think it is clearly prohibited but then that is the point that we have been discussing or I thought we were to be discussing. The reason I am offering this reconsideration motion is try to frame the issue, to try to frame the issue on the merits of this kind of activity of allowing someone to do by a bare majority what cannot be done by 30 votes. I think this is a precedent that we will regret. I have three motions. The three motions are very symbolic because they offer to emphasize the opportunities one has to keep reconsidering the same motion and thereby at no risk to themselves. The issue is very clear. The issue should be on the rules and whether the Speaker was correct and in my opinion the Speaker was correct because it is the essence of the rules. I think the Speaker was incorrect when he allowed his motion to be overruled by a majority. He should have made it clear that it is part of the rules and, therefore, you cannot do by a majority vote what you could not do by the rules, but the Speaker chose in his very fair fashion to be very fair about this and to allow an opportunity to overrule him by a bare majority as opposed to following and relying on the rules. So what this does is that it sets Senator Kelly in a very enviable position of reconsidering his bill without risking a 30 vote rule that I had to risk and that others risked today. Now I understand that Senator Kelly is very emotionally attached to LB 221 and I would like to assure this body that I am equally emotionally attached to LB 16, and when Senator Kelly has strong opinions in opposition to LB 16, it should be no surprise that I have strong opinions in opposition to 221. But that really ought not be the issue in the reconsideration motion. The issue should clearly be what is right, what is fair, what is decent, not what the issue is. We are setting a precedent here that we will live with for a long time. I guarantee you that this precedent is bad. It cannot work. It cannot work well.