

May 23, 1979

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Department of Justice, what Senator Venditte has read and what you have read are true that if your motion has priority, then what you are declaring is true. We're going on the basis of priority and Senator DeCamp's motion has first priority. We take it up first. If it fails, then your motion comes up. And I don't read in the rules and in the other information that we have that your motion specifically has to come first, and that's in effect what you are saying and I overrule that motion. Yes, sir.

SENATOR BUETLER: I don't believe the question is, which motion comes first. I believe that's the second question. The first question is whether he has any right to make that motion whatsoever. As I understand it, that motion is unprecedented in this body. As I understand it...as I think about it, I think it would be bad policy. There comes a point in time when the game has been played fairly and it's over, and the game is over. And I think that Rule 6, Section 10, is meant to state that. It states what is possible on the Governor's veto. It states that it is possible to override it. It does not state that any other motions are possible. Under the rules under General File and Select File and Final Reading all the different motions that are possible are stated. In this section of the rules no other motion other than the motion to reconsider are stated. I believe that that rule is intended to negate everything but what is explicitly set out in that particular situation.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, I like to be the best, fairest sport player there is and I think maybe I have an accommodation here that everybody can live with. The Constitution constantly speaks of a majority of this Legislature being able to decide issues, and all my motion does is offer that opportunity for the majority to redo the bill, do whatever they want there, not to pass it over the veto, but to redo it. Now Senator Venditte apparently is hung-up on the fact that he wants his motion first, and his motion is to override the veto, in other words, to pass the repeal of the death penalty. Is that correct, Patrick? Once your motion is disposed of, let's assume I let you go first, or I went along with you, if you were successful, of course I wouldn't care about making any further motions because it would be passed over the Governor's veto. If you failed, my motion would still be in order. That does not change the nature of that bill,

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