

no more nor no less than like an Attorney General's opinion. He sends it to the Clerk of the Legislature like the Attorney General shows copies to and he cites all of the reasons that the Attorney General evidently has given him for why the document that he has before him is not a bill. Then he explicitly says that he is performing a clerical function by calling to our attention the fact that he does not have a bill before him and that his letter should not be construed as an exercise of his authority to veto messages, to veto bills. And then he goes on and the final sentence to the letter to explicitly state that he is not exercising his constitutional authority to veto LB 376 which, as he views it, is not even a bill in the first place. Now I think when we try to figure out what this document is the first thing we have to look to is what the intent of the person who wrote the document is and it is clear that he is simply sending a communication to the Clerk of the Legislature giving his legal opinion on what we did yesterday when we passed LB 376. Now when the Governor does veto bills and sends veto messages to us, he does it in a different form. If you will look on page 2267 of the Journal, you will see his veto message on LB 39 and he addresses veto messages as follows: "Mr. President, Mr. Speaker and members of the Legislature," and then, "Dear Mr. President and Senators:" This message is addressed to the Clerk and it says, "Dear Mr. O'Donnell." Now I think it is clear when you read this letter and reflect on it, all the Governor is doing is telling us that as far as he is concerned he does not have a bill before him and whether, in fact, he has a bill before him is obviously a question that is going to have to be answered by the Nebraska Supreme Court and that relates to the issue raising the Governor's letter as to whether the Lieutenant Governor could validly vote on the bill as he did yesterday. I personally think that he can. I think that the Lieutenant Governor's vote yesterday was in conformity with an explicit provision in the Nebraska Constitution. The Governor indicates that he disagrees. He is a lawyer. The Lieutenant Governor is another lawyer elected by the people of this state at large and he obviously feels he has a constitutional authority to cast that vote because he did and he sent the vote on and he sent the bill on to the Governor's office. Ultimately that question has got to be answered by the Nebraska Supreme Court and I think that for Senator Chambers to construe this as a veto is distorting not only what the Governor says in the letter but the provisions of the Nebraska Constitution. So I would strongly urge that you vote to sustain the ruling of the Chair in this matter. Thank you.

PRESIDENT: The Chair recognizes Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, I totally support the interpretation of our Constitution made by Senator Chambers. I spent a little time looking at the