

Constitution, looking at the Governor's message to us containing his objections, looking at our own rules and it seemed quite clear to me that very simply what has happened is that the Governor has sent us a document with his objections and with a bill and he may call this returning the bill because of a clerical oversight but in truth, in fact, what he has done is sent us what is known in the Constitution, although the word veto is not used, it is the equivalent to a veto and now it is up to us to make the decision whether or not to override that veto. Now there are people out in the lobby saying, let this go, let it go by the boards, let the courts interpret but one of the reasons that I think this is the most important principle for us to work out is because the legislative branch is one of the three co-equals of government and there have been wars waged over what the appropriate function of the legislative branch is and one of the functions of the legislative branch is to interpret our powers and our rules and our order of procedure. And we have as many prerogatives in our bailiwick as does the Nebraska Supreme Court over interpretations of the Constitution and as does the Governor over his own interpretation of the Constitution. But because the Governor casts LB 376 as a failed measure, it does not mean it is a failed measure in our eyes. It can well be a passed bill in our eyes and, in fact, you can look at the Journal. You will discover that we recorded the Journal and it has not yet been corrected as 376 having had a constitutional majority. It is declared passed. That is our legislative decision. The Governor can send us his message and it can say that simply that I am returning this measure to you because it did not pass and please do not construe my message as a veto but it is up to us, who is given the constitutional power to overrule objections by the Governor to a bill to make our own conclusion, our own independent conclusion, unfettered by nobody as to what this letter was. Now when I read the Constitution I discover a Governor may do three things with a passed bill and we said the bill passed. He may sign the bill, he may not sign the bill, whereupon it becomes law after a passage of time and in the alternative he may return the bill with his objections in writing and they shall be read in the Journal by the Clerk and we may then take up those objections, and if by three-fifths vote we overrule the Governor, override the Governor, then that bill becomes law notwithstanding the actions of the Governor. The Constitution says absolutely nothing about returning a measure that we have said was a passed measure for any action on our part or any inaction on our part and accordingly it seems only fit and proper that we overrule the Chair on this point and we impress upon the Governor and upon the court our interpretation of the Constitution. To do otherwise, frankly, is not in keeping with our being a co-equal, one of three