

equal powers of government.

PRESIDENT: The Chair recognizes Senator Barrett.

SENATOR BARRETT: Thank you, Mr. President and members, there is probably no one in this body who has fought harder against this particular bill than myself. A number of us have anguished over this particular bill. There have been pressures exerted which in some cases were almost unbelievable on both sides. In my brief experience in this body I have not yet seen pressures such as those that were exerted on this particular issue. I rise in support of the introducer of the bill in his objection to the motion by Senator Chambers. I would like at this point to suggest to the body that we sustain the ruling by the Chair. The bill, at least in my humble opinion and the opinion of others, did not pass because it lacked the constitutional majority. If you will bear with me I would like to reread just two paragraphs that the Clerk read from the letter which was returned by Governor Thone. "The Legislature's Journal clearly indicates that LB 376 received only twenty-four votes from elected members of the Legislature. Twenty-five votes are needed for a Constitutional majority. Therefore, this bill did not meet the Constitutional requirement and was not passed by the Legislature. This return of LB 376 to the Clerk of the Legislature is a clerical function and is not and should not be construed as an exercise of the Governor's authority under Article IV, Section 15 of the Constitution of the State of Nebraska. In other words, I am not by this action exercising my Constitutional authority to veto this purported piece of legislation which was never legally passed by the Legislature." I don't believe that this particular action is within the competence of the Legislature, frankly. Again, the bill did not pass. I think the Legislature is not the appropriate body to determine whether or not this is a veto. I think the courts are the appropriate place at this particular juncture to make that very significant and most important determination. I think both sides in this issue at this particular time have generally agreed this is as far as it should go. Let's let the courts decide. So I would again agree with Senator DeCamp and I would ask the body to sustain the ruling by the Chair. Thank you, Mr. President.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, the Governor is in possession of the bill, one way or another. Like it or not, weak or strong, courageous or fearful of that situation, he has got it. Now what he chooses to do with it is up to him the next three or four days. The fact that he