

April 16, 1982

LB 816A

this body and I just don't like to play the ballgame that way. I've had my say. Thank you, Mr. President.

PRESIDENT: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, first of all, Mr. President, I would apologize for your being late for your fund raiser. I would have been happy to preside had you seen fit to go on over there and be on time. But I would like to ask Senator Warner a question if he would respond. In the years that I have been down here, Senator Warner, there have been many times when you have made a recommendation to this body as to whether 25 or 30 votes are required on a certain A bill. And I wonder if you could recollect any similar bills which you have recommended in similar situations where you have recommended that 30 votes or 25 votes as the case may be has been your recommendation.

SENATOR WARNER: Senator Lamb. Mr. President, members of the Legislature, Senator Lamb, my recollection was, up until in the mid 1970s when the former Lieutenant Governor was Mr. Whelan, I remember he came in one particular day on Final Reading and ruled that day that A bills were going to require 30 votes because they were not included in the Governor's budget and I have to admit that I pretty much accepted that carte blanche but presumably he was correct. And so as a matter of practice, because the rules required the Appropriations Committee to make recommendations, I have routinely requested of the budget office of the Governor whether or not...as to identify those A bills which were part of their budget which I again did this year and I did every year in between. This year there was an opinion that was requested by Senator Vard Johnson relative to LB 522A bill which had second year funding but that was the first time I began to be suspicious as to the practice that we had started under former Lieutenant Governor Whelan's ruling. As of Thursday evening I was asked what I would be saying on 816 and I had not prior to that time expected to do anything differently than what we had been doing. In response to a question or two then I submitted a letter to the Attorney General which you have probably read indicating that apparently what we have practiced since that ruling that day that Lieutenant Governor Whelan made perhaps was in error and that is the history as I recall it.

SENATOR LAMB: Then I assume from your remarks that you are saying that we are departing from our practice that has been followed in the last several years.

SENATOR WARNER: The practice has been in effect since the day that Lieutenant Governor Whelan came and made that ruling