

January 4, 1990

SENATOR CHAMBERS: The original position remains. We have to take two votes...

SENATOR WITHEM: No.

SENATOR CHAMBERS: ...one to reconsider and the second is a vote as to whether or not we change what we did.

SENATOR WITHEM: No.

SENATOR CHAMBERS: And if you don't get enough votes to overturn it, then the original action remains affirmed.

PRESIDENT: One minute. Senator McFarland, please, followed by Senator Withem.

SENATOR MCFARLAND: This brings a lot of interesting discussion about the rules, Mr. President. Let me just address the one situation and tell you my reasons for opposing this rule change. My understanding is that in the instance of an override vote, for example, if 30...if there are 30 votes to override a veto, then under the present system a senator can move to reconsider and if he or she is successful in getting 25 votes to reconsider, then the vote has to be taken again to see if there are 30 votes there to override again. In effect, I think Senator Withem is correct when he says that it is almost as if the first vote has no effect whatsoever, and I suppose that is true, because then you have to get 30 votes all over again. I would ask you just to look at the numbers though. If...if, in an override, you get 30 votes to pass or to override the veto, 30 affirmative votes, that means that you only have a maximum of 19 no votes or 19 no votes along with the nonvoters. That means that in order to get a motion to reconsider, that person still has to convince not only the persons, the 19 who may have voted no or were nonvoters but he or she also has to get six additional votes to get the 25 necessary to reconsider. So it seems to me that if, in fact, the motion to reconsider is inappropriate or doesn't have sufficient merit to in effect require reconsideration, then the...then the 25 votes are not going to be there. But the practical and, to me, the theoretical view of the whole issue is shouldn't we allow a majority vote, a majority, 25, to reconsider a particular issue? And I think requiring 30 is just too much. You cannot always assume that the 30 who voted yes on an issue are that definite in their vote. Many times we pass legislation with 30 votes or