

May 24, 1973

SENATOR SIMPSON: Mr. President, point of order.

PRESIDENT: State your point.

SENATOR SIMPSON: I asked you upon the taking up of this motion if this was reconsideration and, and the answer I got, I think, was yes and so then I would question who has put in the motion for this reconsideration. I'm afraid Senator Duis was not on the prevailing side, and so the motion would be out of order.

PRESIDENT: Senator Simpson, I don't believe that I answered that--

SENATOR SIMPSON: Yes you did.

PRESIDENT: --was a reconsideration motion.

SENATOR SIMPSON: We can go to the record if it's necessary. You said, yes, technically it is.

PRESIDENT: Well, that's right, practically speaking it is because it's the same identical motion that was voted yesterday. I said I thought to the point parliamentary was perhaps moved because it still requires just the 25 votes, but alright, fine, I'll go on the, on the motion then that it's a reconsider action.

SENATOR SIMPSON: Yeah.

PRESIDENT: Fine.

SENATOR SIMPSON: So then, Senator Duis' motion would be out of order.

PRESIDENT: Senator Waldron.

SENATOR WALDRON: (mike off)--Mr. President, I'd like to ask Senator Simpson to withdraw his objection. We can save time here. We've got the previous question. We can dispense with this motion now Senator or, otherwise, we'll just find someone who was on the prevailing side and then we have to go through the whole thing again so if you still object, I'd like to check to see how I voted, but I was on the prevailing side or not, or whether I voted. Do you have a record of that, Mr. Clerk?

PRESIDENT: Senator Waldron, the Chair would observe that the bill has already been returned. I don't know what happened--I, am I coming through? I've lost volume, I think on this mike. We have a malfunction here. Am I coming through or not? Let's try this. I'm going to rule--the Chair's going to rule--can you hear me? Chair is going to rule that the reconsideration question raised by Senator Simpson is at this time, at least, not out of order but out of time because the bill has already been returned to select file so it's there and the action now and it still takes the 25 votes in order to make any motion on the thing, I, I have to concur that somebody else can wind up making the motion. The bill is there and so I'm going to not call it a reconsideration action as such because it has already been returned and it is on select file. It has a specific amendment. If you care to challenge the ruling of the Chair and we go into that, fine, Senator Simpson, that would be the only way I think we could proceed.

SENATOR SIMPSON: Mr. President, I would, I would not challenge the ruling of the Chair. I don't believe that the reconsideration was bringing the bill back. The reconsideration is now on the motion before us and that's, that's what I'm talking about, what is now before us. That's the only place there's a reconsideration.