

January 28, 1980

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test of our rules which is a new rule this year that subject matter be thoroughly and completely aired and debate not being shut off before all facts are brought before this floor, so I would respectfully ask for a roll call vote.

PRESIDENT: All right. Okay. All right, so you request a roll call vote. Do you want to wait for Senator Chambers? Senator Dworak, do you wish to wait for Senator Chambers? Proceed with the roll call vote, Mr. Clerk.

CLERK: (Roll call vote taken. See page of the Legislative Journal.) 19 ayes, 22 nays, Mr. President.

PRESIDENT: 19 ayes...

CLERK: Yes, sir.

PRESIDENT: The motion fails, the Chair is sustained. Senator Dworak, just for the information of the body, we were just looking at the rule again and so if this ever comes up again, the Chair had stated, I think, that it was twenty-five votes. Technically that is not correct because the rule, when you reread it, it says the majority of those present, so if there is forty-five here it would have been about twenty-three rather twenty-five. I'm just telling you. I was aware of that and I would have ruled on that basis, Senator Dworak, but I think everybody should know that. So always know how many are present and then you will know what the vote will be. All right, now there is, Senator Dworak, there is a motion on the desk.

CLERK: Mr. President, Senator Warner moves to reconsider the Koch motion to cease debate to the Dworak amendment.

PRESIDENT: Okay, motion to raise the Call. The Call is raised. Senator Warner.

SENATOR WARNER: I'm not going to spend much time, Mr. President. I voted to cease debate and rather than get a precedent established that we are going to continue debate on the majority of those voting by overruling the Chair from time to time which I think in the long run would lead to some difficulties, I voted to sustain the Chair, but if twenty-five of the members wish to provide more opportunity for the debate on this issue, I have no objection. I will vote to not cease debate, and it is not an argument, I think it is just a preferred route to go if, on occasion, we cut off debate too quickly.

PRESIDENT: Okay, so this is a motion to reconsider our action