

April 16, 1982

LB 404

PRESIDENT: All right, Mr. Clerk, do you want to bring us up to date where we are on 404?

CLERK: Mr. President, with respect to 404, the bill was presented to the Legislature on Final Reading this morning. The Chair ruled that the bill would take 33 votes to pass. Senator Fowler stood at a point of personal privilege and requested that the Chair be overruled on that particular ruling, Mr. President.

SENATOR FOWLER: I think it was a point of order, wasn't it?

CLERK: All right, point of order, you are right, Senator, excuse me.

SENATOR FOWLER: I clear that up on a point of personal privilege. I guess....

PRESIDENT: Senator Fowler.

SENATOR FOWLER: ...yes, I would pose the question to the presiding officer as to whether he would concur as the presiding officer as to whether or not this needs 33 votes or 25 votes.

PRESIDENT: As has been observed, the Chair...there is a different person in the Chair and I have reviewed the matter. I have reviewed some case law. I have discussed it, and this Chair will rule that it will only take 25 votes. Now you can take it from there. Now you can take it from there so we have lights on and, Senator Fowler, if you would like to while you are on your feet you may discuss it and then the others, I will recognize Vard Johnson, Senator Beutler, Senator Chambers, in that order. Okay, there is no motion. You are right, Senator Beutler, so I guess if you want to challenge I guess that would be the best way to get the thing to issue. So, Senator Beutler, go ahead.

SENATOR BEUTLER: I would move that the Chair be overruled.

PRESIDENT: All right, that gets it before us, thank you. All right, now we do have something before the House, and now, Senator Beutler, since you made that motion I will recognize you first then, so you go ahead.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I did go back over the lunch hour and try to read the cases that were involved, and I am sure some other people did too, and you will hear a lot of...many different opinions. But I