

May 7, 1985

LB 713

and it would be entirely within the Presiding Officer's decision-making process to rule we would vote on this again. It is an appropriations bill. Adding \$8.5 million to this year's budget certainly is at issue and all appropriations measures should take 25 votes.

PRESIDENT: Senator Warner, do you wish to make another comment?

SENATOR WARNER: Mr. President, I was just going to also refer to LB 713 which very clearly is an appropriations bill, states that in the body of the green copy. We are dealing with an amendment to that bill which is also an appropriation, and that amendment to the amendment in essence reduces the appropriation of 65 point plus million to 8.5. So to me it is very clearly an appropriation.

PRESIDENT: The Chair rules that the vote will stand as it is. Senator Beutler may have had it in mind that it was an appropriations measure, the Chairman did not on the hearing of Senator Beutler's point. If it was perceived by Senator Warner, I think his point should have been made then. I think the vote will stand. If you wish to overrule my ruling, that is certainly your prerogative. Senator Nichol.

SPEAKER NICHOL: I don't wish to overrule. I was just wondering if we vote to overrule, does that take a majority or 25 votes?

PRESIDENT: Does someone want to challenge the ruling of the Chair? Senator Warner.

SENATOR WARNER: Mr. President, your ruling is that the amendment was adopted?

PRESIDENT: That is correct.

SENATOR WARNER: I would move to appeal the ruling of the Chair and file such a motion and then move that we recess until one-thirty.

PRESIDENT: Okay, the motion has been made that the ruling of the Chair be overruled and that the motion will be filed and that we recess until one-thirty. All those in favor say aye. Opposed no. The motion carried.