

PRESIDENT: The Chair recognizes Senator Lamb. Pass. Senator Hannibal. Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker, I rise to oppose the motion to overrule the Chair. I simply deal with what I think is kind of an issue of floor fairness. The issue goes like this. LB 713 has been debated. The committee amendments being debated, Senator DeCamp offers an amendment to the committee amendment. It is now time for a vote. Senator Beutler specifically rises and says, how many votes will it take to prevail? And the answer from the Chair is, a simple majority. That is the answer, a simple majority. Whether the Chair was right or the Chair was wrong, that answer was given. We then cast our vote and, lo and behold, 21 members voted for the DeCamp amendment, 19 members opposed the DeCamp amendment and several members did not vote. Now had the Chair said, it takes an absolute majority, 25 for the DeCamp amendment, it is quite possible that some of those who did not vote would have chosen to vote or it is quite possible that some who voted for the DeCamp amendment or against the DeCamp amendment would have voted differently. But the truth of the matter was, there was an operating rule called by the Chair. That operative rule was not challenged on a timely basis. It was not challenged prior to the taking of the vote. If it had been challenged prior to the taking of the vote, then at least the challenge could have been dealt with and folk would have known exactly what the operating rules were. The vote is finally completed, the roll is tallied, the vote is announced, the Chair just simply hasn't called which side prevailed, but by the rules announced earlier by the Chair, obviously, the DeCamp amendment side prevailed. At that point, Senator Warner made his objection. Senator Warner was not timely. Senator Warner can talk about reasons why he was not timely. He wanted to see whether the 25 votes were going to be present or not present, and the like, but the truth of the matter, there was a time to make that objection and that was the moment after the Chair said, a simple majority is what obtains. Had that objection been made in a timely fashion, then the vote might have been undertaken in a different manner, but the objection was not so made. The vote was taken as it was taken and now the results must be abided. For that reason, I do oppose the motion to overrule the Chair.

PRESIDENT: The Chair recognizes Senator Barrett.