

February 6, 1973

SENATOR PROUD: Well, subject to the fact that the body has the right to overrule me with 25 votes.

SENATOR STROMER: But actually, probably the feeling of the body would not be to override you if you (inaudible) by the change of the content that you sent it back to a Committee. Would this maybe not be a more preferable way of handling rather than being involved in (inaudible) discussion.

SENATOR PROUD: The thing is, Senator, that if I make the motion and then if I'm overruled, I must suffer that indignity. Where if Senator Maresh makes the motion, I don't have to suffer that indignity.

SENATOR STROMER: Senator, there is nothing we'd like to do to your dignity.

SPEAKER: Senator Carpenter, did you wish to be recognized, Senator Carpenter, on this motion? OK, Senator Maresh, do you care to close on your motion? Senator Maresh is closing on his motion.

SENATOR MARESH: Mr. President, members of the Legislature, I certainly hope that you will vote favorably on this motion because talking to the people I get the feeling that they don't like to see us push legislation through without hearings and I, therefore, hope that you vote in favor of this motion.

SPEAKER: The question is shall Senator Maresh's motion be sustained and LB 174 returned for public hearing. All those in favor vote aye, all those opposed vote no. The chair would observe that this does take 25 votes in order to bind the body to this action. And once again, the chair would ask if you have all voted? The clerk will record.

CLERK: 28 ayes, 7 nays, 14 not voting.

SPEAKER: The motion carries and the bill will be returned for public hearing. Just one second, Senator Carpenter, the chair this morning wants to have added to the Journal the fact that there were 25 additional High School students that have visited this morning from Brownell-Talbot School in Omaha and were in the north balcony. And also seated under the south balcony this morning is Mrs. Tera Witthoff and the Rev. and Mrs. Powell. They are from Fremont and are visiting the Unicameral this morning. And let's see, Senator Carpenter. For what purpose do you rise?

SENATOR CARPENTER: A point of order.

SPEAKER: Thank you, sir.

SENATOR CARPENTER: Now we're talking specifically about this bill in other than a light position. If we have a public hearing and a committee in its judgment, let's just presume, will not adopt the Waldron amendment and the bill is reported back to this body without the amendment, is it in order then to attempt by this body to reimpose the amendment on to the bill and not have it for another hearing?

SPEAKER: The chair would rule, yes.

SENATOR CARPENTER: That's what I thought, so what are we going to accomplish. Stand by. We are ready for the General File consideration of LB 291 which I believe is Senator Marvel's bill. Appropriations Committee. The clerk will read the title.

CLERK: Read title. LB 291. There are committee amendments offered by Senator Marvel's Budget Committee.

SPEAKER: Senator Marvel.