

March 9, 1977

LB 275

PRESIDENT: The question is, shall the House go under Call? Record your vote. Record.

CLERK: 21 ayes, 16 nays.

PRESIDENT: The House is under Call. Would all Senators please return to their desks and report their presence.

CLERK: Senator Venditte voting aye on the original motion.

SENATOR F. LEWIS: Mr. President, I move the Call be raised.

PRESIDENT: The question is, shall the Call be raised? Clear the Board. Record your vote. Have you all voted?

CLERK: 25 ayes, 5 nays.

PRESIDENT: The Call is raised. Report the vote.

CLERK: 21 ayes, 20 nays.

PRESIDENT: Motion carries.

CLERK: No, it doesn't.

SENATOR F. LEWIS: Yes, it does, an amendment to an amendment.

CLERK: Not on Select File.

PRESIDENT: Motion carries. The Chair announced that the motion carried. We will check. On General File, we have a specific rule that says majority of the elected membership or of those voting on an amendment to an amendment. On Select File, there is no such rule but all of the other requirements are of the elected membership. Therefore, it would be the Chair's ruling that that did not prevail since it did not have a majority of the elected membership. So the amendment to the amendment failed. Senator Lewis.

SENATOR F. LEWIS: Mr. President, I would like to make a comment.

PRESIDENT: You are out of order to make a comment.

SENATOR F. LEWIS: Then I ask for personal privilege of the House.

PRESIDENT: State the point of personal privilege of the House to the Chair.

SENATOR F. LEWIS: I will, Mr. Chairman, that that particular ruling is not consistent with the way we have operated in the body with amendments on the way up.

PRESIDENT: All right, but on the way down it is consistent, is that it?

SENATOR F. LEWIS: Yes, it is. That's it.

PRESIDENT: All right. As you know, I ruled the other way because I had assumed it was that way all the way through

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