

April 13, 1978

LB 184, 847

PRESIDENT: Motion fails. Please read LB 757 on Final Reading. Senator Bereuter, for what purpose do you arise?

SENATOR BEREUTER: Mr. President, I rise to request a revote on LB 847 because of possible voting technical problems and the closeness of the vote is crucial.

PRESIDENT: Did that have the emergency clause?

SENATOR BEREUTER: Yes, it does.

PRESIDENT: It passed by 33?

SENATOR BEREUTER: Yes.

PRESIDENT: To eight?

SENATOR BEREUTER: That is correct.

PRESIDENT: Are you making references to the possibility that the voting apparatus might not have been properly functioning?

SENATOR BEREUTER: That is correct and if that is the case I would not have the 33 and the bill may be said to be invalid by some future court.

PRESIDENT: Mr. Clerk, did you verify that vote?

CLERK: Yes, Mr. President I did.

PRESIDENT: Do your records show an objection to the verification of the vote?

CLERK: No sir, they do not.

PRESIDENT: Senator Bereuter, I can't imagine anyone making a collateral attack on this bill in view of the fact that the record shows that there was no objection when the vote was verified by the....if you have those serious concerns we wouldn't re-read the bill.

SENATOR BEREUTER: I understand. I would request that you simply call the vote again because I do have those serious concerns, and it is my bill.

PRESIDENT: We have some legal difficulties with that because the bill is now legally passed, in my opinion, and if you... there has been a verification and no objections. Now if you call it again and it doesn't receive the 33 votes you have problems.

SENATOR BEREUTER: But then I can go without the emergency clause, isn't that correct?

PRESIDENT: Yes. Senator Chambers, for what purpose do you arise?

SENATOR CHAMBERS: I'm sure that he voted on the prevailing side, so he could move to reconsider and the reason that I think he should is that it was established and the record will show that as a matter of fact that a vote showed on the board

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