

March 29, 1982

LB 408

SENATOR CLARK: There are 44 here. It is Section 12 on page 4 of the rules, Rule 1. The majority of those present shall be required to overrule the Chair. The Clerk will call the roll if we can get Senator Haberman in his seat. Senator Cullan.

SENATOR CULLAN: Mr. President, Senator Burrows is no longer excused so that should increase it I would think.

SENATOR CLARK: It still takes 23. Let's call the roll. We might get out tonight.

CLERK: (Read the roll call vote as found on page 1457 of the Legislative Journal.) 15 ayes, 28 nays, Mr. President, on the motion to overrule the Chair.

SENATOR CLARK: The motion lost. Senator Higgins, for what purpose do you arise?

SENATOR HIGGINS: Mr. President, I would just like to get a point of clarification as a greenhorn.

SENATOR CLARK: All right.

SENATOR HIGGINS: When you have a vote to overrule the Chair, the Chair gets to vote on it too.

SENATOR CLARK: I would assume. I don't know.

SENATOR HIGGINS: I am asking.....

SENATOR CLARK: As long as you are not the Lieutenant Governor.

SENATOR HIGGINS: I am just asking...(interruption).

SENATOR CLARK: I am not the Lieutenant Governor nor do I aspire to be.

SENATOR HIGGINS: Well, can you tell me, I mean, if you are going to vote to overrule the Chair, do the rules say the Chair votes also? I mean, this is a moot question here when it was lost 28 to 23, but I am just thinking for future reference.

SENATOR CLARK: I suppose it depends on how the Chair would rule in the first place. I am not going to vote to overrule myself when they need 23 to overrule, so it isn't a matter of one way or the other.

SENATOR HIGGINS: Then it isn't in the rules?