

April 8, 1982

LB 807

I would be amenable to voting to suspend the rules myself, personally, and would vote in favor of that motion in the event Senator Hefner wanted to try that. I think it is accurate to say that the municipal initiative sections appear in different articles than the state initiative and referendum. One reason, the Constitution outlines the existence of the state authority. The municipal authority is strictly a creation of the Legislature and they do appear in different sections of the statutes.

SENATOR CLARK: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I believe it is germane to LB 807 and the reason that I feel this way, I believe it takes up about the same subject matter. I think we are dealing with the same subject and I am hopeful that the Chair will rule that it is germane.

SENATOR CLARK: In the first place to be consistent, it is somewhere in the same chapter but you are dealing with state, he is dealing with municipal, and I am going to rule it not germane because I think you probably have the 30 votes to suspend the rule anyway so I will rule it not germane. Senator Hefner.

SENATOR HEFNER: I move to challenge the Chair on this decision. I withdraw that motion, Mr. Chairman, and I would move to suspend the rule, what rule is that, Pat?

CLERK: Rule 7, Section 3(d) and Rule 1, Section 12.

SENATOR HEFNER: To suspend the rules and go ahead.

SENATOR CLARK: All right, the question before the House is the suspension of the rules to put this into the bill anyway whether it is germane or not. All those in favor will vote aye, all those opposed will vote nay and Senator Fowler would like to talk first.

SENATOR FOWLER: Mr. President, as suspension of the rules have been brought up, standard, informal standard and burden of proof on the person asking for the suspension has been the existence of an emergency for that legislation and who can forget that impressive performance last night as Vard Johnson talked about the dire straits of the City of Omaha as bingo was being pushed out of the way by strange foreign games from England and that an emergency was facing Omaha, and I just think that for the standard for today that the same thing should exist. And the question that I would ask that I think we should all ask before we