

April 13, 1983

LB 628

SENATOR FOWLER: Not.

SPEAKER NICHOL: Oh, I see. So we are on the motion to...yes, we are on the motion to suspend the rules. Senator Higgins, for what purpose?

SENATOR HIGGINS: A point for clarification.

SPEAKER NICHOL: Yes.

SENATOR HIGGINS: Under the circumstances, what you have just ruled, at the present time I have a bill that a Senator has a motion up there to kill. Now if I decide I don't want to take that bill up on the day that it comes up, can another Senator then make a motion to suspend rules and say let's vote now whether or not Higgins has the right to lay her bill over? Would that apply also to a Senator?

SPEAKER NICHOL: Yes.

SENATOR HIGGINS: Then we really don't have the right to say I want to lay my bill over or I want to take it up now. It is really going to come back down to if somebody wants to say let's suspend the rules and do it regardless of what the Senator's prerogative is? The rule itself then is null and void, is that correct?

SPEAKER NICHOL: I would say that when someone wishes to suspend the rules, unless the contrary, yes, that rule would be taken up at that time. However, Senator Higgins, I believe Senator Cullan has something to say that will solve the problem but...

SENATOR HIGGINS: I hope so because if we have rules I hope to God we use them once in awhile.

SPEAKER NICHOL: For to allay your fears, as long as I would be presiding anyway, if a motion to suspend the rules followed a kill motion, I would rule that the motion to suspend the rules would prevail.

SENATOR HIGGINS: So that if a Senator decided they did not want to take up a kill motion, and someone said let's suspend the rules and take up Higgins' bill even though she doesn't want it taken up, they could do it?

SPEAKER NICHOL: Yes, that is true. I realize the folly of it if it should be your bill but that would be my ruling.

SENATOR HIGGINS: Thank you, Mr. Speaker. Senator Cullan.