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FLOOR DEBATE

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on the bill.

SENATOR SCHIMEK: Yes, thank you. Mr. President, members of the body, this bill is probably a direct result of this year's presidential election when we went back and started looking at some of our election statutes, and was actually brought to me by the Secretary of State's Office. It does one thing. It changes the method by which we choose the winner of a tied primary election in the case of Governor, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer, those top six constitutional offices. Currently, the statutes provide that the Legislature picks the winner of a tied primary in those six offices. All other offices in the state are decided by lot. That would be the State Board of Canvassers of offices and also the county board...the county offices that are canvassed by the county board of canvassers. So all this bill does is changes it so that those six offices are done in the same fashion. Now, if you think about it, it doesn't even make sense that the Legislature would pick those because the Legislature is not in session. It would mean that we would have to come back in to a special session in order to pick the winner of a race for one of those top six offices. Now, I think we could all argue about how these elections should be decided and I...and I think maybe that is a topic that the Special Election Task Force will be looking at, but, for now at least, this would just change that one provision to keep it in tune with the other offices and also to prevent our having to come back into special session. The one thing it does still permit is that in the general election or a special election it would be the Legislature who would still pick the winner if it was a tied election. So, with that, I would encourage advancement of the bill. I would be happy to respond to questions.

SPEAKER KRISTENSEN: Debate on advancement? Senator Wehrbein.

SENATOR WEHRBEIN: Mr. Speaker, members of the body, thank you. Senator Schimek, I was wondering, is there a definition of "lot", "by lot", in the...in the legis...in statue (sic--statute)?

SENATOR SCHIMEK: I don't believe so, no.