

May 5, 1981

LB 209

election at the same time they do now. I should tell you that if the body does adopt the September primary idea, our election laws will have to be greatly rewritten to reflect the shorter time period between the primary and general elections. I have been assured by Secretary of State Beermann that this is a technical work and that he and the Government Committee can do this over the interim period. I believe that covers the committee amendments. I move for their adoption.

SENATOR CLARK: Senator Vickers on the committee amendments.

SENATOR VICKERS: Mr. President, members, I wonder if Senator Kahle would respond to a question please. Senator Kahle, you indicated the committee took out the parts of the section that allowed the independent voter to receive a nonpartisan ballot or to receive a partisan ballot of his choice and you indicated that the committee did that because of some recent court decisions. Were those Nebraska court decisions that you are referring to?

SENATOR KAHLE: Would you repeat that last part of it again.

SENATOR VICKERS: Were those Nebraska court decisions that you are referring to?

SENATOR KAHLE: No, I think that is national,

SENATOR VICKERS: Supreme Court decisions?

SENATOR KAHLE: What is the Wisconsin Supreme Court, I have been informed, have made this decision. Now whether it holds in Nebraska, of course, that is up to us.

SENATOR VICKERS: The Wisconsin Supreme Court made the decision in Wisconsin that an independent...registered independent couldn't receive a partisan primary ballot, is that correct?

SENATOR KAHLE: That is the way I understand it. Whether that is official. You know how our attorney friends do in the courts, they copy from one another. It hasn't been tried in Nebraska.

SENATOR VICKERS: Okay, thank you, Senator Kahle. I, personally, object to taking that part of the bill out of LB 209. I have no indication, I guess, I haven't really visited with Senator Koch as to how he feels about it but it seems to me that if you are registered as an independent in this state, I, personally, think it is wrong that we don't have an open primary in