

Board more in an advisory position. Senator Conway, in reworking the bill, has really given the State Election Board the greater authority except for the point about disputing, deciding disputed points of election law, and that's, I guess...I don't see Senator Conway. Is he on the floor? I would like to have a discussion with him on the floor to make sure that we all understand the language that is in Section 6 on page 6. And I guess I'll turn to Senator Withem instead, if he doesn't mind because I just want to get this into the record. Senator Withem, on the last line of Section 6 on page 6, lines 21-24, it says, and we've discussed this, on disputed points of election law, the opinions of the commissioner shall have the force in effect of law until changed by the board, by the courts or the Legislature. And then if you go back to the bill in another place it also gives the State Election Commissioner the power to do that with the approval of the board more or less. I guess the thing I want to make clear on the floor today is that if we adopt this language that gives that Election Commissioner primary authority over those decisions and that they cannot be changed except by a change in, for instance, rules or regulations by court decision or by the Legislature passing a new law, and would you respond to that and then Senator Conway, if you have any further remarks, would you also.

SENATOR WITHEM: You're asking me to respond, Senator Schimek?

SENATOR SCHIMEK: Well, actually Senator Conway was the one I wanted to go ahead and respond.

SENATOR WITHEM: Yeah, I, personally, I agree with your interpretation, but so why don't you pose that question to Senator Conway.

SENATOR SCHIMEK: Senator Conway, do you understand what I am getting at?

SENATOR CONWAY: I missed the first part of it from our earlier discussion.

SENATOR SCHIMEK: I gave an explanation about how this bill developed and, you know, going back to the whole problem that we had with the election in Gage County and the fact that there didn't seem to be somebody who was actually making decisions on points of law for county clerks and election commissioners. I don't want to personally be responsible for setting up a system