

SPEAKER BAACK: (Microphone not activated immediately.)
...George W. Norris Legislative Chamber. Roll call.

CLERK: I have a quorum present, Mr. President.

SPEAKER BAACK: Do you have items for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. I have amendments to be printed to LB 773 from Senator Hartnett; and to LB 663 by Senator Beutler. That's all that I have, Mr. President. (See page 1781 of the Legislative Journal.)

SPEAKER BAACK: Okay. We will proceed back then to Select File. And we're on LB 579, if I remember correctly, we're on the third part of Senator Warner's amendment. Is that correct?

CLERK: Yes, Mr. President. It's lines 3 through 8, found on page 2 of the amendment. (Warner amendment, Fall8, can be found on page 1781 of the Legislative Journal.)

SPEAKER BAACK: Senator Warner, would you like to address this part of your amendment.

SENATOR WARNER: Mr. President, members of the Legislature, this amendment deals with the role of the Attorney General, under this section, the one that is being amended, it's the one which permits the election commissioner, through the commissioner and their general counsel, to issue opinions as well as the development of a manual. The first part of the amendment would require that they consult with the Attorney General before they do some of these things either in the way of an opinion, but then would specifically require, where the Attorney General disagreed with what the counsel for the election commissioner had issued an opinion on, or gave advice on, where they specifically disagreed that that would be necessary for them, in writing, to do that. And the reason for it, unless someone corrects me, but the reason for it is that, in my opinion, the Attorney General is the one that would eventually have to defend the election commissioner and his office in the event of lawsuits. And it would seem it would be prudent to know where those opinions are going to be disagreed with by the Attorney General's office, if those disagreements were issued at the time that various opinions were given. One can argue, I can think back, at least in one county, in the last 12, 15 months where the opposite was true, the Attorney General had issued an