

February 10, 1992 LB 989

Board of Canvassers or not, or, I mean, that's just left open as far as to make any determination?

SENATOR BAACK: Yes, it is left open in this case. We did not address that issue specifically, no. I think it's still very clear, constitutionally, that we have the authority to seat whoever we want to seat regardless of what the Board of Canvassers do certify.

SENATOR WESELY: And then once seated there is no provision in our rules or in the statutes regarding the vote on...on the election contest by that person that's temporarily seated, right? I mean, they have full voting...

SENATOR BAACK: They...in my...I think it's very clear that they do have full voting power, yes. And this is not...this is not an issue that's addressed either in this. We do not...we do not change anything relating to the voting power of that person that's seated.

SENATOR WESELY: Okay, in drafting the bill, you hadn't considered doing that or...or has that been an issue you've looked at?

SENATOR BAACK: We thought about it a little bit. We discussed it some but I think we left that issue...we left that issue as it was.

SENATOR WESELY: Back to the Legislature.

SENATOR BAACK: Yeah.

SENATOR WESELY: Okay. Thank you.

SENATOR WARNER: Is there any further discussion? Seeing no lights, Senator Baack, do you wish to close? Senator Baack waives closing. The motion is to advance LB 989 to E & R Initial. Those in favor vote aye, opposed nay. Have you all voted? Clerk, record.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of the motion to advance LB 989.

SENATOR WARNER: The motion is carried. The bill is advanced. Senator Hillman has a guest, the Mayor of the City of Gering,