

February 12, 1992 LB 946

Constitution so that people can better read all of the requirements together. I think there are several others that wish to talk on this matter, so I would simply, at this time, move for the advancement of 946, and would be receptive to any questions.

SPEAKER BAACK: Thank you, Senator Coordsen. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I...Senator Coordsen, I tried to listen carefully, but I'm still not clear. On the sheet that you handed out, the two sheets with the constitutional amendment, it also has that last sentence on the first page that no one shall hold office if he or she has been removed from the district.

SENATOR COORDSEN: What this was...

SENATOR WARNER: And I didn't catch...

SENATOR COORDSEN: Um-huh.

SENATOR WARNER: Seems to me maybe that's in conflict with what you have on the second page. But my...over the years I can think of more than one...more than one legislator who...who...who's mere presence was questioned in this body because their residence was not in their...in the district that they were representing. And it was presumed they automatically were out.

SENATOR COORDSEN: I...may I reply?

SENATOR WARNER: Yes, sir.

SENATOR COORDSEN: I would tell you, Senator Warner, that this bill is the result of asking many questions and getting the...many different replies. Careful reading of Section 3, Article VIII says, no person elected as after said, shall hold his office after he shall have removed from such district. In other words, if you move out of your district then you have to resign from the Legislature. But if your district moves, according to Article III, Section 7, you retain your seat. And this is the language thing that's been thought or argued about a number of times. It said, when the Legislature is redistricted that the members elected prior to the redistricting shall continue in office. And implied within that is an exemption to