

February 18, 1992 LB 950

aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Madam President, on adoption of Senator Wehrbein's amendment.

PRESIDENT MOUL: The amendment is adopted.

CLERK: Senator Schimek, would move to amend, Madam President. Senator, AM2909. (See pages 868-70 of the Legislative Journal.)

PRESIDENT MOUL: Senator Schimek.

SENATOR SCHIMEK: Yes, Madam President and members of the body, thank you. You won't probably find this amendment on your desks nor in the Journal, but I would briefly like to explain what the amendment is about. It is very simple. At the committee hearing on this bill, one of the things that came up during the discussion, during the testimony, was the fact that in city governments that are commission form of government, there is a provision in the statute, and it was totally a surprise to me and I think to everybody on the committee, there is a provision in the statute that says that the council, by ordinance, may waive the requirement for the primary election in any year. Now, council form of government, commission form of government occurs only in one city in Nebraska, and that is Nebraska City, as Senator Wehrbein will probably tell you. It...my recollection of that testimony at the hearing was that the City of Nebraska City often does away with the primary election in advance of anyone even filing. Now I have talked with Senator Wehrbein about this, and we are not sure about the facts of that. Neither have we discussed this or have I discussed this with Nebraska City, but my purpose in filing the amendment was to at least alert you to the fact that I think this needs some discussion and study. I think it is...I mean, it is really a surprise to me that any city or any governmental unit in the State of Nebraska can do away with a primary election at will. It seems to me that is taking away a very basic right. There may be a good explanation for it. I don't know. This amendment simply would have deleted that section of the statutes, which, incidentally, was slightly...or is in a different place in the statutes. That is one of the problems that you get into when you introduce any bill. You open up new ideas and new avenues, but this amendment simply would have waived or would have deleted this part of the statute that waived the requirement for