

SENATOR SCHIMEK: Yes, Madam Chair, because I think this is pertinent to our discussion on LB 7, I would like David Bernard-Stevens to continue the discussion on LB 9, so I will yield my time to him and turn on my light.

SENATOR BERNARD-STEVENS: Thank you, Senator Schimek. The choices that we have and the interpretation of the bill we have in LB 9 is that, one, we have two people that really are on the ballot, the certificate of election holders, and by definition we've created a new vacancy so that the petition process would carry on and more people would be able to be on the ballot by the petition process. That interpretation would be absolutely contrary to what the intent was of the Legislature, last week. The second interpretation of the language that we have would be that there is a vacancy that is created, and in theory one of the two certificate of election holders, obviously, must have vacated the seat to have won a vacancy there, the question of which one. So, you'd have one person on, there was a vacancy that exists, means one of the two that are off, and that's the position that the people are petitioning for, or you can take the scenario that, obviously, the election of certificates are not valid and every one still has to petition on, even though we have not stated anywhere that the primary election was not a valid election. If the primary election is not a valid election, then the certificate of elections are, indeed, still valid, and they must be in the ballot. And the language that we have does not prohibit that, but yet it's the intent of the Legislature, through an amendment that we rejected last week, that that not be the case. If we're going to have this much vagueness in the petition process, I put to you that the difficulties, legalwise, will be far more pressing, to this body, as to whether or not an election was indeed valid or not. You need to ask then the question, how many new people were actually put into District 17 under LB 7? Was enough...were there enough new people put in that you could legitimately say it really is a new district, and so the primary election really should not count, and everyone now should petition onto the ballot. The figures that Research gave me, a few minutes ago, state that in the total population of District 17, LB 7 as it is now amended, there are only 4.76 percent of the total population that was added to District 17. In other words, to put it another way 95.24 of the district is exactly the same as it was prior to the change. So, I think it can be argued that the district has not substantially changed. The number of people