

have certificate of election are on the ballot because we have not done anything to void the primary election. It was a legitimate election. We have no language in there that says their certificate of election is not valid. So they will be on the ballot, even though there is not necessarily a vacancy. At that point then, we then have said there is a vacancy exists, even though they are on the ballot, and you are going to have the petition as well. My only point being that if our intent was, as a body, and this is what the body voted to do last week, was, in fact, to make everyone run on the ballot, that is not what this bill does now. I am sorry, it doesn't. If the intent of the Legislature is to be consistent with what we voted on last week overwhelmingly, again, that there are no people on the ballot, everyone files petitions to run, unfortunately that is not the case in 9E. The only argument that can be put forward in my judgment is that, yes, (d) is very vague on page 9 at the top, very vague, and the court, if it is vague, may go into the record and show that...try to find some intent of what it was we really meant by that. And if you want to trust the court to do that, that is fine. Traditionally, the court has said, we know what the intention was, but we also know what the law said that you wrote, and it is very clear that we have not invalidated those certificate of elections. The primary election was a valid election and, consequently, there are two people that will be on the ballot, and only the others can, in fact, petition on. And I might add, even those that have run before, in theory, could still run again. In the case of 17, I believe, there were only two people that ran. So that should not be a problem in this particular aspect. I bring it open for the discussion because, in the present form, it does not do what the intent of the Legislature was. If the body does not mind, if the body does not care, then certainly you want to go ahead and advance 9E in the form that it is in now. And I throw that open for discussion. Traditionally, the body has not been too excited to discuss the issues, but I shall throw it open at this point anyway.

PRESIDENT MOUL: Thank you, Senator Bernard-Stevens. Is there anyone who wishes to address this motion? Senator Conway.

SENATOR CONWAY: Thank you, Madam President and members. I certainly rise in opposition of returning to Select knowing the complications associated with that. As we have gone over this issue before, and Senator Bernard-Stevens is correct in terms of I think the body's intent was that, and we have discussed on a