

SENATOR LINDSAY: Senator, I talked to you earlier today and I read those sections you are talking about. My view of those is that...I guess my reading of it right now is that those people who already hold certificates of election or certificates of nomination would continue on the ballot. I don't think that the bill takes those certificates away from them. It declares there is a vacancy but doesn't say those people cannot additionally be...anybody petitioning on could additionally be nominated. So my reading of it simply is that those two who have certificates of nomination would be on there, and other people who wanted to petition on could also attempt to petition on.

SENATOR BERNARD-STEVENS: Okay, so what you are basically saying, I think, is what I tried to imply earlier. If Mr. Hohenstein, I think, or Hohenstein and Senator Conway, neither one of them decided that they wanted to get petitions, it would be your judgment that the legislation that we are passing here would say that they would be on the ballot anyway.

SENATOR LINDSAY: That would be my interpretation. Whether that would be prudent to rely on my interpretation is another thing, but that's how I read it. The question is, on, just as you have been pointing out, it is definition of vacancy, and does a vacancy mean that, and where you are going to get into that is in the language of the bill when you talk about a vacancy, for example, there is a vacancy if any person who was nominated declines or if for some other reason isn't nominated, and I am going to the old law before we amend it today, or if no person is nominated. You can either have a situation where there is one person still nominated or a situation...

PRESIDENT MOUL: One minute.

SENATOR LINDSAY: ...where no person is nominated. So vacancy, I don't think, if we read the statute in there, cannot mean...vacancy cannot mean nobody is nominated. So I think vacancy, as being used right now, means that additional people can still come onto the ballot.

SENATOR BERNARD-STEVENS: Thank you, Senator Lindsay and Senator Conway. With that, I will withdraw the motion. I did want it to be very, very clear if there was a court challenge or if there was a problem that the intent of the Legislature is that all people can petition to be on the ballot. And if there is a