

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 31, 2005 LB 682

whenever it occurs, special or whatever, if it's going to occur prior to the election when a House member would be selected, the person will serve up until that election, plus the term for which a person would have been selected at that upcoming election. Is that true?

SENATOR SCHIMEK: If this occurs between August 1 and the election itself, yes.

SENATOR CHAMBERS: Okay. So that person then serves more than two years on the basis of having been elected once. Is that correct?

SENATOR SCHIMEK: That is correct.

SENATOR CHAMBERS: This is a question that I'm asking because I don't know the answer. Is there anything unconstitutional about that? In other words, a person is elected to the House for a term of two years. This election would allow the person to serve longer than two years. Was that issue resolved?

SENATOR SCHIMEK: It would be...it would be for a very short period of time, Senator Chambers. It would be for that period of time between the election in November and the convening of Congress...

SENATOR CUDABACK: One minute.

SENATOR SCHIMEK: ...in January. And I believe if it were being an appointment, a appointment process, that...well, I shouldn't say that. Never mind. I'm fairly confident that other states do it this same way, Senator Chambers.

SENATOR CHAMBERS: I will turn off my...I meant I will stop for now and then proceed when I'm recognized. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Redfield, followed by Senator Chambers.

SENATOR REDFIELD: Thank you, Mr. President, members of the