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LB 682

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

SENATOR BOURNE: Thank you, Mr. President and members. Would Senator Schimek yield to a question or two?

SENATOR CUDABACK: Senator Schimek, would you...

SENATOR SCHIMEK: Yes, thank you.

SENATOR BOURNE: Thank you, Senator Schimek, and I'll tell you, I'm trying to figure out what Senator Redfield's amendment does, but then I started looking a little closer at the bill and I'm kind of...I'm curious about why we need the bill. Could you tell us...I'm looking on page 2, and I've read through the language about when the vacancy occurs that the Governor shall hold a special election. And "shall," of course, means he or she has to do that. It's not optional. We recently had a situation in the 1st Congressional District where the incumbent retired or resigned, and I want to say he did that somewhere around...sometime in August. And the Governor at the time, Governor Johanns, elected not to have a special election. And I guess what I want you to do, if you would, is compare and contrast that situation of that individual resigning prior to the passage of LB 682 and after, if you would, so we can get a sense, a real sense of how this piece of legislation would work.

SENATOR SCHIMEK: Yes, thank you, Senator Bourne, and I'd be happy to do that. Actually, the resignation in Nebraska raised questions. But probably the thing that really triggered this was a court case in Ohio. And in that case,...

SENATOR BOURNE: Senator Schimek, if I could interrupt you now? That's a case in Ohio. Was that a circuit court?

SENATOR SCHIMEK: Yes.

SENATOR BOURNE: But it's not in the 8th Circuit, is it?

SENATOR SCHIMEK: No.