

January 2, 1973

SENATOR KREMER: Mr. Chairman, I move that a committee of five members be appointed to wait upon the Chief Justice of the Supreme Court and escort him to the Legislative Chamber for the purpose of administering the oath of office to the newly appointed and newly elected members of the legislature.

SPEAKER: You've heard the motion and the second, any discussion? All those in favor say aye, opposed no. The motion is adopted. The Chair appoints Senator Kremer, Senator Carstens, Senator Luedtke, Senator Waldron and Senator Chambers. They will repair to the Chief Justice Chambers and bring him to this chamber for the ceremony. Senator Chambers.

SENATOR CHAMBERS: I feel still that until the swearing in which is an official part of becoming a Senator, a person is not cloaked with the authority of a legislator and since I'm one of those new people this time around, I probably should not even be authorized to serve on this committee.

SPEAKER: Well you were here last session and I think, do you honestly feel that way Senator Chambers?

SENATOR CHAMBERS: (inaudible) or else I wouldn't say it. I think the issue is serious enough for us to resolve it.

SPEAKER: Okay.

SENATOR CHAMBERS: Could I give an example. Suppose there had been a judge who was going to take over a court and he was not sworn in and the swearing in was a part of his being a judge. Could he decide a case prior to being sworn in and made officially a judge?

SPEAKER: The chair will appoint Senator Proud in Senator Chambers place. Legislature is at ease.

(Unidentified Person) The Attorney General in order to get his opinion as to which come first, apparently if there is some question I think we should have him determine it because he is the court of last resorts.

SPEAKER: You've hear the motion and it's been moved and seconded that the clerk be instructed to write the Attorney General and see which comes first, whether the swearing in of the Senators before the rules can be adopted or before they proceed with business, any discussion. All those in favor of the motion say aye, opposed no. Motion is adopted. Your so instructed Mr. Clerk.

(End of Belt #2)