

February 19, 1991

let's live by the result of every vote cast in the 30th District without regard to ministerial failures of the clerk in that area.

SPEAKER BAACK: Thank you, Senator Landis. We will now to go Senator Wesely, followed by Senators Abboud, Moore, Schmit, Ashford and Chambers and Robinson.

SENATOR WESELY: Thank you, Mr. Speaker, and members, it's a very interesting vote we just had and, obviously, a lot of us have just been struck by the situation of a one-vote margin decision on this matter will be made and, obviously, it's a very, very close divisive issue but it seems to me that an interesting set of scenarios plays out to this point. As you have all gone through the discussion, we have had the contest brought to a court here in Lancaster County, a county judge saying and indicating that the Canvassing Board should not count these ballots, the Canvassing Board ignoring that decision. Thus, instead of Paul Korslund sitting in the seat, Senator Byars is sitting in that seat. And based on that vote of that Canvassing Board, in violation in some aspects of the law and in terms of the judge saying that that action was outside the law, we've got a very, very difficult scenario now that because of that action the difference is going to be made on perhaps in the next vote. How ironic and, frankly, how unfortunate. Perhaps far better that it had not been as close as that and a different scenario had played out. Of course, Senator Byars has the option to vote. He's been seated. On the other hand, I recall from discussing with Senator Nichol when his decision was being looked at with Senator Carpenter, I don't know if others can recall, but I understand he did not participate in the vote. So the question is, what is appropriate and what isn't in this particular vote about to occur? A very, very difficult situation but one, I think, worthy of consideration and some of the issues being raised by Senator Withem and Senator Landis are well worth pondering, the end at which we now face another vote and circumstances under which. So I don't know exactly what to say our options are but it certainly is an unfortunate situation to be in, to have it come down to that situation.

SPEAKER BAACK: Thank you, Senator Wesely. Now we'll go to Senator Abboud.

SENATOR ABOUD: Question.