

February 23, 1990

PRESIDENT: So I...

SENATOR WARNER: That means that she continues to serve, I believe, unless someone wants to move accordingly.

SENATOR LANDIS: The Chair is not in a position to decide whether or not this person is capable of sitting or not, that's a matter of law and not for the Chair to determine. Isn't it beyond the scope of the Chair to make a ruling or a statement on that effect?

PRESIDENT: That is correct.

SENATOR LANDIS: Thank you.

PRESIDENT: Yeah. Senator Wesely.

SENATOR WESELY: Thank you. What is the next step? I just want to know do we now inquire of the Attorney General what our options are under the law or what the situation is? I'm just curious as to what the next step is on this issue.

PRESIDENT: Well, it's not up to me to decide what the next step is but, as I understand it, and I could be wrong on this, I believe that whoever is there will continue to serve for the time being now.

SENATOR WESELY: I...I would dispute that and do I need...

PRESIDENT: Just a moment, please. I am advised by the Clerk that I may not be correct on that so if that is true then, of course, I can't say that that person will serve, if that is not the law. Senator Withem.

SENATOR WITHEM: I guess my point of order would be that I think we're probably out of order even Senator Wesely raising the question and inquiring of you. I think it's an unfair request of you to be put in a position of advising the body on what actions it should take. I think further discussion of this matter is probably out of order at this point is the point that I'm raising.

PRESIDENT: Your point is well taken, Senator Withem. I'm with you. Senator Wesely.