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question came up as to whether or not there was discussion, and I indicated that, you know, there was some perhaps. But the reason that we didn't pursue was because that's what the statute said, 32-1001.10 says, "No testimony shall be received in the taking of depositions or by the Legislature, on the part of the contester or contestee, which does not relate to the points specified in the notice, a copy of which notice, attested by the person who delivered or served the same, shall be delivered to the person or persons appointed..." In any event, "No testimony, except that contained in the depositions taken at the times and places herein provided, shall be received as evidence by the Legislature." Admittedly, I'm in a dilemma. My dilemma is that I opt to follow the law, as I saw it. I guess there is no...nothing that binds this body to restrict itself to the notice that was filed. The argument is that no voter should be disfranchised. I guess the logic is that because of a ministerial malfunction by the election official, I guess you could apply that same logic to the 95 votes, some of which, or most of which, as I recall, had only one signature as opposed to two required by statute. As I understand the motion that we're debating, which is the ruling of the Chair, and that I believe was the amendment of the minority report, I'm not real clear if it amends it or if it calls on the Legislature to again look at the total votes as opposed to an amendment. It may well be a substantive motion that does not reject the amendment...does not reject the motion by the minority, but rather seeks additional information. However, in order to feel personally consistent I'm going to vote no. I'm going to stay with my concept of following what the statute required, even though again it will be one of those cases where logic tells me I ought to go the other direction. If we've opened up the issue, and perhaps it should all be opened up, but I don't think the statute gave me that latitude. The election contest as filed didn't give me that latitude. So I will continue to vote as I see the law, which will be not to go to looking at the other 95 ballots, even though no one can argue the logic of doing that.

SPEAKER BAACK: Thank you, Senator Warner. We'll go to Senator Hefner on the motion to overrule the Chair. Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I'm going to vote no because I don't think the Chair should be overruled. Just a half an hour ago we took the vote and this body voted not to seat Paul Korslund. And by accepting the minority report you would be voting to seat Senator Dennis