

February 20, 1991

there so you can see this and you'll know what is on the desk and then once it is substituted with unanimous consent, I hope, I'll then move to withdraw it. Then leaving up Senator Hall's motion to strike a portion which I understand Senator Hefner has agreed on the minority report, should the Withem amendment or motion fail. In the event the minority report fails, this tool still exists if it is our will, knowing that neither party necessarily agrees to it, knowing that there is problems with what a court would do, the tool does exist and you've got it here at your disposal. I'm going to withdraw the tool at this point, put it behind the minority report, maybe that's the way you want to go. If you don't want to go with that way, this tool...

SPEAKER BAACK: Time.

SENATOR LANDIS: ...exists and you can use it at the proper time, and that is the report on what has happened since yesterday to today.

SPEAKER BAACK: Thank you, Senator Landis. Senator Schmit.

SENATOR SCHMIT: Mr. President and members, I would rise in opposition to Senator Withem's motion and I believe that the reasons that have been given by a number of legislators as they spoke are consistent with my own point of view. I do believe that the issue ought to be determined here. It ought to be determined as quickly as possible and I think that all of us know the fragile nature of the one vote margin. Those margins can shift and things can happen and both sides recognize that. I would suggest also I enjoy the recount or the recall of the primary dilemma between Mr. Hoppner and Mr. Nelson and I suggest that if this continues much longer and when the money numbers come in the end of this week, maybe Governor Nelson might even want a recount of those votes in Dawson County and Butler County. But I would hope that we would get this issue settled. I think it's important also for those of you who do not know that although there are about 100 votes down there in that district, that only 31 of those ballots are nonpolitical. So that even if all of the ballots were counted for Mr. Korslund that it would not change the outcome. Those of us who believe that the individual who secured the highest number of votes ought to be seated, as Senator Hall indicated, are not likely to change. Those who feel the statute ought to be adhered to the letter are not likely to change. I think either of us can make