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tough decisions right now. I realize we voted on this yesterday. I realize that we need to adopt some language today so that we can seat Senator Byars, but I still haven't heard it and I don't know what it is and, frankly, I wish that somebody would come up with something that I could support. Thank you.

SPEAKER BAACK: Thank you, Senator Schimek. Senator Schmit, you are here now so I'll recognize you now.

SENATOR SCHMIT: Thank you, Mr. President. I'm sorry I was not on the floor. I would have to oppose the motion made by my colleague, Senator Chambers, because I believe the language that Senator Warner has outlined is actually more correct. I believe that the language proposed by Senator Chambers is an attempt to narrow the situation down and I do not think it can be done that way. I want to just address a couple other issues while I have the floor. I want to emphasize, and particularly to Senator Robinson, his concern about the other ballots and I was concerned about those also and I think we all are. As was indicated by Senator Dierks, he indicated that those ballots, at least some of them, may have been invalidated by the voter themselves. There is a major difference I believe when a ballot is invalidated by a voter as opposed to one which is invalidated by an election official. Number two, it is my understanding and if, in fact, there were sufficient ballots out there to change the outcome of the election, then I might feel like Senator Robinson does that we ought, in fact, to count them prior to making a decision. It is my understanding, Senator Robinson, and I would ask to be corrected if I am not right, but there are only 31 nonpolitical ballots out there so that if all of those ballots were counted for Mr. Korslund, he still would not be the victor in this race from the standpoint of counting all ballots that we know of that are available. And so I think that from that standpoint it becomes a moot question as to whether or not those ballots ought to be counted. I'm like Senator Robinson, it grieves me that there are ballots out there that were declared invalid for whatever reason, but in view of the fact that there are not sufficient ballots there to change the outcome of the election, I believe that we are justified in acting on it without knowing the full recount there because it would not, could not change the outcome of the election. In regard to what Senator Schimek has said, she raises some excellent points and I have to agree with some of what she says. But I would hope that by the adoption of the Warner language, as was indicated by Senator Hall, that this is instance specific.