

February 20, 1991

from contestant Mr. Paul Korslund. (Read Korslund communication as found on pages 727-28 of the Legislative Journal.)

SPEAKER BAACK: Thank you, Mr. Clerk.

CLERK: Mr. President, pursuant to that action I now have a motion from the Chair, the Credentials Committee, Senator Warner, that would call for the permanent seating of Senator Dennis Byars to the 30th Legislative District.

SPEAKER BAACK: Senator Warner.

SENATOR WARNER: Mr. President, I move that motion is required by the motion that was offered the first day by the Credentials Committee that Senator Byars would be temporarily seated until the election contest was determined. Since it has been withdrawn, I believe the motion would be appropriate.

SPEAKER BAACK: Senator Hall, for what purpose do you rise?

SENATOR HALL: To raise a question, Mr. Speaker. The election contest has been drafted; it has been requested; we've had public hearings on it; the Executive Board has met; we've debated it now for nigh onto two legislative days. And at this point the contest is no longer in control of the Legislature, it can be withdrawn by the contestee. That is my question. At this...so we were never in control of that issue. The individual who raises the question can now withdraw it midway into the second day of that discussion. And I'm not going to argue with your decision. I want a decision for clarification purposes. I know that Senator Byars withdrew his prior to the issue being before the full Legislature, but I'm asking that now that Mr. Korslund has been before the full Legislature, it can be withdrawn, very similar I guess to an amendment without, although this is without objection, it can be just withdrawn and that is your determination?

SPEAKER BAACK: Senator Hall, it will be my...my interpretation would be that the contest was filed by Mr. Paul Korslund and I would assume that that individual has the right to, at any time, withdraw that contest and that would take it off of the table here at the Legislature. That is my interpretation.

SENATOR HALL: Thank you.