

February 20, 1991

SPEAKER BAACK: Senator Chambers, for what purpose to you rise?

SENATOR CHAMBERS: Mr. Chairman, I will disagree with the ruling. This contest does not belong to Paul Korslund. This contest does not belong to Dennis Byars. The outcome of this contest is to be determined by the Legislature. It has been placed before us as a bill is placed before us. The one who introduces a bill may ask leave of the Legislature to withdraw it, but the introducer cannot say, I don't like the bill so it's withdrawn. We require a vote to withdraw a bill. To me this is far more serious than a bill, because it's a situation fraught with consequences. Let's say that it were an issue of fraud, and the contestor, as things proceeded, may have begun to get an impression that he or she was not completely clean. But the issue has to be resolved. To prevent a resolution from ever taking place, just say, well I pull it away from the Legislature. This contest belongs to us. If we vote to drop it, that's one thing. But I don't think the contestor requesting that it be dropped should prevail. There is no guarantee that that minority report will be accepted. There may be additional deliberation by the Legislature. If I file an appeal in court, after it reaches a certain point, I can't go up there and tell the court I'm going to take this away from you, just because I want to do it. A point is reached where it becomes the court's property, and they make a determination. We've talked about behaving as a court. And now to play fast and loose with every rule, those in the statute, those in our rule book, those that we kind of informally agree to go by, and then just in an ad hoc fashion say, based on how I feel today we're going to proceed in that fashion and ignore everything else, I think is a serious and grievous mistake. It is not responsible behavior by the Legislature.

SPEAKER BAACK: Senator Chambers, do you wish to make a motion to overrule the Chair? Is that what you're going to do, because we do need a motion on the table if you're going to do that.

SENATOR CHAMBERS: Yes, all right. I move to overrule the Chair. But, before that, I want to ask you another point of order. How can that motion be made when there is a matter before us? If there is a matter pending, how can a motion be offered when it's not a priority motion? How can this thing by Paul Korslund be injected when there is a motion before us being discussed, and there is nothing in our rules that allows that. So that would be my first point of order, how appropriate is it,