

February 20, 1991

how is it that somebody, not a member of the Legislature, can submit something that interrupts our discussion of matters that are properly before us. It was not offered by way of motion. It's not, even if it was a motion, it's not a priority motion. Somebody just says, this should be done. Let me ask Senator Kristensen a question, because I want this to come out of his mouth. Senator Kristensen, if a person is on the ballot and that person dies, but that person gets the most votes, who is declared the winner?

SENATOR KRISTENSEN: That person.

SENATOR CHAMBERS: And they don't...All right. Now let's say the person doesn't die, but you get past the point that the statute allows you to take your name, and you tell everybody and his or her brother and sister, I don't want that office, I have withdrawn, and you get the most votes. Your having expressed, as clearly as you could, that you want to withdraw, who is the winner?

SENATOR KRISTENSEN: That's not the issue.

SENATOR CHAMBERS: No, it is the issue. Okay, thank you. Here's what I'm telling you, the system is put together in such a way that after a certain point is reached the system begins to require certain things to take place. When the contest was filed it was past the point, once we began to consider it, as we have done, to say it goes back to a matter which is under the control of the one who brought it. It's a legislative issue. A person, it would seem, should have the right to withdraw from an election, if he or she wants to. But it goes past a certain date, no matter what you say, your name is on the ballot, and if a majority of votes are cast for you, you're the winner. And then what you have to do is go through certain steps to disavow that office or give it up. This is wrong what is being attempted here today. How much time is it going to talk us to do it correctly? If we overrule the Chair, then we're back where we started before the letter came. Let the motion that was before us be properly disposed of. And then, if Senator Warner or somebody wants to make a motion to do something else, then at least we're behaving as a Legislature and we are the ones doing whatever is to be done. I think the Chair should be overruled, and we should try, if we can, to consider how we will feel a week from now, or two weeks from now about what we're doing today. We're abdicating our responsibility, we're taking