

January 9, 1985

the Legislature has picked up their ballots we will proceed to tally the votes, and the Teller Committee may come up here, if you wish, to do your work on counting the ballots. The Clerk is now delivering the ballots to the Teller Committee. The Clerk will announce...do you have an announcement there, Mr. Clerk?

CLERK: Mr. President, the tally is 24 for Senator Nichol, 24 for Senator Labeledz. There was one vote that was not legible.

PRESIDENT: All right, as much as the presiding officer would like to declare a tie and determine this matter himself, we will now rule that because one ballot is illegible and there is a tie on the vote that the balloting should occur again. So please cast a second ballot, and the same Teller Committee. The Teller Committee please report to the Clerk the results of the election.

CLERK: Mr. President, the tally once again is 24 votes for Senator Nichol, 24 votes for Senator Labeledz. Again there is one illegible vote.

PRESIDENT: Does Senator Marsh wish recognition?

SENATOR MARSH: Yes, please.

PRESIDENT: Senator Marsh.

SENATOR MARSH: Thank you, Mr. President. I would move that we take a very short recess and have the Clerk take the responsibility for printing two names on a piece of paper and passing out the ballots so that there doesn't happen to be a problem.

PRESIDENT: You have heard the motion by Senator Marsh. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I would object to that procedure. What we have here is a situation where people have a right to vote or not to vote and as with any other matter where balloting has to continue until a decision is reached, I think that ought to be done and we ought not put any responsibility on the Clerk or any employee of the Legislature to do anything other than to give us the pieces of paper which stand for the ballots. It then behooves us