

May 16, 1973

because we didn't have enough votes to reject. Therefore, the Governor's appointee would stand. Now I want to answer Senator Marsh's question that she asked this morning as a matter of explanation because I feel it has a bearing upon this motion. Those that were--that voted in favor of the approval of Mr. Egermayer at the Executive session of the Committee on Committees on May 10th were Senators Barnett, Epke, Luedtke, Nore and Whitney. Those who voted against were Johnsons--Senator Johnson, Stromer, Stull and Wiltse. Absent and not voting, Chambers, Duis, Snyder and Stahmer, so I just want to make this as a point of explanation so that you will know exactly what the situation has been and is.

SPEAKER: Senator Stahmer. Senator Stahmer passes. We're now considering Senator Goodrich's moti--motion to withdraw his previous motion to approve the appointment of George Egermayer. Does anybody else want to speak? Senator Goodrich, do you want to close? Chair rules this takes a simple majority of those voting. All in--Senator Nore.

SENATOR NORE: Mr. President, I'd like to ask Senator Goodrich why he is withdrawing.

SPEAKER: Senator Goodrich.

SENATOR GOODRICH: Excuse me. Yes I yield. For the purpose of making the proper motion which is to reject the confirmation of George Egermayer.

SPEAKER: Senator Mahoney.

SENATOR MAHONEY: What's your other motion you're going to follow up on this one?

SPEAKER: Senator Goodrich has just stated--

SENATOR MAHONEY: No, but I mean he's got another motion he's talking about that's behind this one.

SPEAKER: Yes.

SENATOR GOODRICH: That's it.

SPEAKER: He just stated that if his--this motion succeeds, then he's going to make a motion to disapprove the appointment of Mr. Egermayer, is that right, Senator Goodrich?

SENATOR GOODRICH: Yes.

SENATOR MAHONEY: He wants to remove this one and then he's going to come back with a second one to disapprove of it?

SPEAKER: That's his plan.

SENATOR GOODRICH: Senator Mahoney. I'd like to respond to that. In essence, what we're trying to do is comply with the change of opinion from a group of Assistant Attorney Generals that talked about this thing over the noon hour and we're just trying to follow the recommendations of that group of legal representatives that suggested that this be the proper way to handle the motion to get the end that we want.

SENATOR MAHONEY: Well, I just wanted to end up--why don't you let the appointment take its course and see what happens. If they fall on their face afterwards, that's their business. I don't know what this here is. What, let me ask you a question. Is Egermayer a Democrat, Senator Goodrich, is that what his--