

February 23, 1990

CLERK: 23 ayes, 1 nay to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Those not in the Chamber, please return to the Chamber and record your presence. Please look up to see if your light is turned on. We're looking for Senator Moore, Senator Scofield and Senator Pirsch. Senator Byars has requested a roll call vote. Senator Moore, would you record your presence, please. Thank you. If I could have your attention, ladies and gentlemen, the question is the affirmation of Alice Bartels and a roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote read. See page 961 of the Legislative Journal.) 18 ayes, 3 nays, Mr. President, on the confirmation report.

PRESIDENT: The confirmation report is rejected. Senator Warner.

SENATOR WARNER: Point of order.

PRESIDENT: Okay.

SENATOR WARNER: I thought...I did not understand the motion to reject, I understood the motion was to confirm.

PRESIDENT: That was the motion, to confirm.

SENATOR WARNER: To confirm.

PRESIDENT: Yes.

SENATOR WARNER: So she was not confirmed, which there was a letter from the Attorney General a couple days ago, I don't have it on my desk, I thought the motion had...I thought the individual would continue to serve until rejected by the Legislature. I'm just asking for information, not to create an argument.

PRESIDENT: Okay. Senator Warner, I understand you're correct and I used the wrong term is not rejected. The applicant is not confirmed.

SENATOR WARNER: Thank you, Mr. President.