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the same conclusion. So this matter has never been resolved in court. The Clerk pointed out that if these positions, if these nominations were made by the Governor, they would have to be acted on, under the Constitution, at the next meeting of the Legislature. Since this special session would constitute the next meeting after those nominations, the failure of the Legislature to act would take away the power of the Legislature to act because the Governor could, then, consider the appointments to have been ratified and the people would slide on in. I don't agree with the Attorney General's position. I don't agree with the position of the Clerk, but I think it is only fair that I put those two positions before you. I am not going to vote to suspend the rules. I am going to vote no on dealing with the nominations, but it probably won't make people much difference because most nominations routinely are approved by the Legislature anyway. But should it be found at some future date, should somebody challenge one of those nominations, and it goes to court, and the courts say that was beyond the power of the call, that when the Legislature does carry out an act imposed on it by the Constitution, that act constitutes business of the Legislature. The Attorney General said that is not business of the Legislature. So it is, one, a position or an issue on which people can disagree and I happen to disagree, but should...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...I be correct, then somebody could challenge that nomination as not having been properly confirmed and the person would not be entitled to keep that position. If I am in error and you go ahead and confirm the nominations, no harm is done because that is what happens anyway. But because of the opinion that I have, and I have read a number of cases related to special sessions, I think when we discharge a duty imposed on us by the Constitution, it is legislative business, and this confirmation goes beyond merely enacting legislation to make available those things necessary for us to carry out the session, such as, the provision of money to print the Journals, to pay the staff, to provide expenses, and so forth. This is entirely apart from activity which is essential to the operation of the session. So for the reasons that I have given, and I want them in the record, I am not going to support the suspension of the rules or any of the nominations.

SPEAKER BARRETT: Thank you. Senator Lamb.