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body to make a determination. If, in fact, voting to defer is not a legislative action, then it doesn't matter how much we argue here, those people stand confirmed. And, if, at a subsequent date, the Legislature attempts to not vote their confirmation, it seems to me they'd have a basis to go in court on a constitutional issue and say, by the Legislature failing to have done anything on these confirmations, they did not act, therefore, our confirmations stand based on the provisions of the Constitution. So, if you want to confirm those people, you should reject this offering of trying to hold off those confirmations, because they may stand confirmed anyway, if you don't do anything. If you don't want to confirm them, then vote them down. I'm going to vote against these confirmations as I did on all the others. But I hope that what I said is clear to somebody.

PRESIDENT: Thank you. Senator Wesely, please.

SENATOR WESELY: Mr. President, members, I don't know if it's particularly clear, but at least I think I understand what you're saying and I think it's an excellent point, Senator Chambers, to allow us to get into the question of confirmations outside of the call. It wasn't included in the call. And by reason of the fact that they are not really legislative action, we can't, I think you're right, we can't now turn around and say that this is legislative action in this particular case because then that would be outside of the call, clearly. So either we...yeah, I think you're right. I think you can't cut it both ways. And either what we do here is action and may not be constitutional, or it's not action and so anything we do doesn't matter. I mean it's clearly a dilemma. What I would suggest is we've got, I guess, a precedent the way we've handled it in the past. We always have these special sessions, and we always deal with confirmations. I don't know that that was really good policy. I think that we kind of rush in here and rush people in and we take action. I think it would be better, perhaps in some ways, to defer that action to next session anyway. So it seems like in my mind that we, I don't know where we'd go with Senator Withem's proposals and Senator Schmit, but maybe we go along the way we have and then suggest that the Attorney General, or some action be taken to clarify this thing, because I think he's absolutely right, it is an inappropriate situation. Furthermore, I just think in general in our handling of confirmations we've been awfully lax. I think Senator Withem and Senator Schmit are trying to get some control over this