

November 17, 1989

millions and millions of dollars as they review the low-level waste contracts and the rate setting systems of the low-level waste facility. This is very important stuff. And I can't argue against Senator Chambers as to the semantics of this. But all I know is to confirm these people, when you really don't know that much about them, when they're taking a very, very important job in control of our environment and our farm economy and millions and millions of dollars, it's not the right way to go, and something has to be done. We talked about it and we thought things were so confusing that we thought this would be the way to handle it, because we simply weren't comfortable acting on these people until we could find out more about them. So, as to what Senator Chambers said, I don't know if he's right or wrong, but I do know that I cannot consciously vote for these people for these positions with the little bit I do know about them. Thank you.

PRESIDENT: Thank you. Senator Chambers, please, followed by Senator Haberman and Senator Warner.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I'm dealing with this because I want some things in the record. And, again, I'm not even talking about the board in question or the people being considered. The Constitution talks about regular or ordinary sessions of the Legislature, and it talks about extraordinary sessions. The Constitution divides this government into three branches or departments, and it says that one, in so many words, one department cannot take to itself the prerogatives of another or impinge on their authority unless explicitly or specifically authorized to do so by the Constitution. Now, the extraordinary session of the Legislature is one of those instances when the Constitution has authorized the Governor to limit what the Legislature can do. The Constitution has said when the Governor perceives the existence of an emergency, the Governor issues a proclamation declaring an extraordinary session laying out the issues to be considered, and the Legislature can deal with no business other than that brought before it by the proclamation issued by the Governor. The proclamation is the authorization and the reason for the Legislature coming into existence at that time, and it also sets the boundaries, constitutionally, as to what can be considered. Now, on its own the Legislature can attempt to do whatever it wants to, but the court simply strikes down those things that were not authorized by the call, because anything outside the call is not a part of that unique type of legislative assembly