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things. If you're going to take the position that the Legislature must act on these confirmations during this Special Session, then you cannot turn around and say that a vote not to act is an action by the Legislature. So I think you're, as a Legislature, making a mistake, first of all, in handling the confirmations at all. But, having decided to do so, you would make a mistake to try to put the Legislature in a position to say it is going to vote formally not to act, but that vote not to act becomes itself an act relative to the nominations.

PRESIDENT: Senator Haberman, followed by Senator Warner, Senator Nelson, Senator Smith. Senator Haberman, please.

SENATOR HABERMAN: Mr. President, Senator Morrissey, for your information and for the record, approximately six years ago, maybe seven, a committee did, in fact, deny a confirmation. And in the 11 years I've been here that's the first time that that has happened. And I found out something that was very interesting, Senator Morrissey. You need 25 votes to deny a confirmation instead of it being the other way around, that you need 25 votes to confirm. So it has been done in the past. Now as far as I am concerned, the committee that wished to defer, we've had confirmations passed, as far as I'm concerned, they should either deny the confirmation or ask that they be approved. They knew when they held the hearings for the confirmation what we were going to do with them, nothing was raised at that time. So as far as I'm concerned, that's their choice, they can do it or not do it. To defer it, I'm convinced they're going to be confirmed anyway. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Warner, please.

SENATOR WARNER: Mr. President, I was going to merely comment on the issue. It seems to me other than to the extent where there may be a constitutional requirement for confirmation for the Legislature or some body, it seems to me the vast majority of these is done by statute. Obviously, in the future if there is a problem in those areas where it's not a constitutional requirement of confirmation, all you simply have to do, I would imagine, is to change the statute to read "to be confirmed by the Legislature at the next regular session following their appointment". I would think it would be a relatively simple correction. But that is not the law now. And I don't know where you'd get the response, where we could get an answer to the issues being raised today. But it seems to me that it is