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have 25 votes and the legislature could confirm that appointment. Due to the Attorney General's opinion that we got last session however, we found, or we find rather, that it now takes 25 votes of this body to reject an appointment to any state agency, so consequently any appointment that the Governor makes is automatically confirmed. Regardless of what this body thinks, unless we can muster up 25 votes to reject that appointment. I am wondering if Senator Carpenter would have any objection to including this in the review that these people are going to be making to bring us back a recommendation on how we can correct that problem too. Now Senator Carpenter have you got the jest of what I am talking about?

SENATOR CARPENTER: I have no objection if you write a second part to the motion. I will be glad to have it accepted so far as I am concerned if the rest of the body wants to do that also.

SENATOR GOODRICH: Thank you.

SENATOR DUIS: Mr. President, members of the legislature. What I am particularly concerned about here and I believe that Senator Chambers is particularly concerned is that whether any type of action that we take here in this legislature is going to have any effect on the constitutionality of this because the question is much deeper I believe than legislation. The thing that bothers me is that if we do attempt to pass legislation to pass this type of legislation to correct this and the legislation is passed, the election is held noone does anything about it until after everyone takes office in that particular year for which they were elected and go along a couple of months and then somebody institutes an action and it is declared unconstitutional just think what a mess this would be in if all of the actions of that particular Governor and Lt. Governor were unconstitutional and voided. So consequently I think that we had better proceed with caution and that we had better do something about a court case. I don't know Senator Carpenter, I agree with your thoughts, but I'm not so sure that the Attorney General together with the other people either individually or collectively could reflect what might be a decision of the Supreme Court. We can only get a particular opinion and then of course I am wondering if Court Action shouldn't be instituted right away and be concluded prior to the time the Legislature adjourns.

PRESIDENT: Senator Carpenter.

SENATOR CARPENTER: Senator that is all that I am trying to do. If this body can only request the Supreme Court to take under consideration this problem. For the most part the court is very jealous that they are not put in a position to predetermine anything before it actually gets the case before it. I tried that recently in another matter and they refused to accept it and I presume that they are right because that is the way it is going to be. I only want to do what you are talking about and which I am thinking about and I presume everybody ought to be thinking about. I don't care how you do it, you can put another motion, and you can hold it over until tomorrow to make a determination as to what you want to do if anything. But lets do something before it happens. If it is an act of the Supreme Court to take it that is alright.

SENATOR DUIS: Senator Carpenter what I am wondering about is if we could go with a very direct motion that the legislature requests the Attorney General to make application for a case