

November 20, 1986

Boosalis, because Greg Hayden was active in the Kerrey administration. Senator DeCamp did not say that Greg Hayden was not qualified for that position. In fact, he said he is competent, eminently qualified for the position. But he is being singled out for special treatment, and we are being diddied, and I resent it, it shouldn't happen.

SPEAKER NICHOL: Senator DeCamp.

SENATOR DECAMP: Mr. President, I'll withdraw the amendment and go along with the...finish the presentation of the motion itself.

SPEAKER NICHOL: Okay. Do you wish to finish the motion?

SENATOR DECAMP: Yes, Mr. President. Mr. President and members, the process for approving or disapproving is in a bit of confusion. Let me explain that. It used to be before 1972 that failure to approve, in other words, failure to muster enough votes, was sufficient to keep an individual from being approved. In 1972 the Constitution was changed, and we have an Attorney General's Opinion dated 1973 that indicates the state of confusion and suggests, maybe, the Legislature deal with it by statute or even constitutional change. The situation now is if you fail to approve, it is automatically approved; if you fail to disapprove, it is automatically approved and, therefore, the only way, I repeat the only way to raise the question on approval or disapproval is to specifically have a motion and a vote, with a majority of the Legislature, 25, to disapprove if you have any disagreements. This illustrates the issue. If we were to do nothing here today, I repeat, if we did nothing, he's automatically approved without the Legislature having voted at all. I'm not going to vote for the gentleman. It is quite true, quite true, as I stated originally, he is eminently qualified. I said I had two reasons for disagreeing with the appointment, one, the particular position having to do with such an important matter, almost a billion dollars of funds, and the fact, and the fact that the new Governor, I felt, should have a chance to pick the individual they are going to work with in this position. So, yes indeed, clearly political, make no secret about it, I stated that originally. The second reason I stated was philosophy, absolutely a disagreement in terms of how public funds, or I shouldn't say public funds, in this case funds belonging to public employees should be invested and used. I think you better watch how your funds in the future are used because there have been proposals to use those funds for