

2001 ASSEMBLY RESOLUTION 8

February 8, 2001 – Introduced by COMMITTEE ON JUDICIARY. Referred to Committee on Judiciary.

1 **To amend** assembly rule 73 (1) (b) and assembly rule 95 (71); and **to create** assembly
2 rule 51m and assembly rule 54 (3) (h); **relating to:** assembly confirmation of
3 nominations for appointment.

Analysis by the Legislative Reference Bureau

This resolution provides the procedure in the assembly rules for the assembly confirmation of nominations for appointment.

4 **Resolved by the assembly, That:**

5 **SECTION 1.** Assembly rule 51m is created to read:

6 **ASSEMBLY RULE 51m. Advice and consent of the assembly.** (1) Whenever
7 the governor submits to the assembly a nomination for an appointment as required
8 by law, the assembly committee on organization shall introduce a resolution, stating
9 that it is introduced at the request of the governor, to confirm the appointment. The
10 speaker shall refer the resolution to the standing committee that the speaker deems
11 to be the most appropriate committee to pass upon the qualifications of the
12 candidate. The committee shall report its findings and recommendations to the

1 assembly in writing. Nominations by the governor may be considered, and the
2 persons so nominated may with the advice and consent of the assembly and senate
3 be appointed, in special as well as in regular sessions.

4 (2) On the question of the adoption of a resolution confirming appointments by
5 the governor, the vote, notwithstanding rule 76 (4), shall be taken by an oral calling
6 of the ayes and noes, which shall be entered upon the journal. Adoption of the
7 resolution requires a majority vote of the elected membership. The question of
8 adoption of a resolution confirming appointment is not subject to a motion for
9 reconsideration under rule 73. The assembly may, but is not required to, act upon
10 an appointment resubmitted by the governor when the identical appointment has
11 once been refused confirmation by the assembly. The chief clerk shall record the
12 cumulative status of all appointments in the bulletin of proceedings. The assembly
13 shall inform the governor and the senate of its final action on confirmation of a
14 nomination for appointment.

15 **SECTION 2.** Assembly rule 54 (3) (h) is created to read:

16 ASSEMBLY RULE 54 (3) (h) An amendment to a resolution confirming a
17 nomination for appointment under rule 51m.

18 **SECTION 3.** Assembly rule 73 (1) (b) is amended to read:

19 ASSEMBLY RULE 73 (1) (b) May not be applied to: 1) the assembly's approval of
20 a conference committee report or of a resolution confirming a nomination for
21 appointment under rule 51m; 2) the assembly's decision on a veto; or 3) an assembly
22 action to recede from its position on a proposal so as to agree with the position of the
23 senate.

24 **SECTION 4.** Assembly rule 95 (71) is amended to read:

