

March 13, 1974

SENATOR SYAS: I think that Senator Cavanaugh really at first glance, now I haven't had a chance to study it, is doing the same thing that my amendment does. He's doing exactly the same thing and he's letting us set it up by statute like we presently do for...for the other government....like the.... well, any other group that we allow to run partisan or non-partisan. We would be then allowed, for instance, to give an example, is set up by statutes how the...the Attorney General runs and all that. We could change the statutes so I think have them run now non-partisan so I think his amendment is doing exactly what my amendment does. It allows the Legislature to decide. Now, am I wrong in that interpretation? Of a quick interpretation?

PRESIDENT: Senator Cavanaugh, do you care to respond?

SENATOR CAVANAUGH: Well, Senator Syas, I don't think that my amendment is the last word in this situation but I think what we're trying to arrive at is a situation of giving the people the opportunity to decide whether or not they want a partisan Legislature. And not necessary to grant the power to the Legislature to make itself partisan or non-partisan at will. Now, I don't think, it would be my hope that we could devise a system that would not allow us to go to a non-partisan system if we put this proposition on the ballot. It would no longer allow us to go to a non-partisan system by legislative bill. Otherwise, there's no reason to put anything on the ballot. That's the only question we have. The only question we have to present to the people is whether or not we want them to answer the question of whether or not they want a partisan or non-partisan Legislature. Currently, we are a non-partisan Body because that's mandated in the constitution. It seems to me that if we remove that requirement, perhaps other language would have to be added to make us elected on the same basis that other elected officials are. I'm not an expert in the current state of other elected officials, for example, Hall County officials are elected on a partisan basis. But, I think that's what we should try to arrive at rather than what you're trying to arrive at to give the Legislature the power to make itself partisan or non-partisan as it chooses. I don't think that that is a wise thing to present to the people and I don't think that's the question the people want presented to them. So I think if we adopt my amendment and advance the bill, if other language is needed, we understand the intent, now we can arrive at that language. There could be some problem, I'm not sure how much of a problem there is with mandating "partisan" in the constitution. But I think we should find it out before....but still give the people the opportunity to decide the question whether we're going to be partisan or non-partisan.

PRESIDENT: Senator Stahmer.

SENATOR STAHMER: Well, Mr. President, members of the Body. I'm not a constitutional lawyer but I've been around Senator Syas long enough, maybe a little bit of it is starting to rub off. But I'm really rather surprised at Senator Cavanaugh, my good friend, because I really think we're talking about constitutional office and that being the case, we either have to declare in the constitution where they're going to be elected in a specific manner or in a manner set by the Legislature. And to have a void on the constitutional office I think would be unacceptable, put us in an unacceptable spot. You wiped out the partisan, well, Senator Syas already wiped that out. I think this is getting us nowhere. We're just