

February 17, 1976

PRESIDENT: Are there five seconds? I see five seconds. The question is shall debate cease. Record your vote. Record.

CLERK: 25 ayes, 6 nays.

PRESIDENT: Debate ceases. Senator Cavanaugh, would you close debate on the matter.

SENATOR CAVANAUGH: Mr. President, members of the Legislature. It's just inconceivable to me that.... You're correct, Senator Burbach. We've spent about three days on it. There have been about four people talking about it. The rest of them have been saying, to those of us who have wanted to talk about it, "Why are you talking?" Senator Murphy -- "This shouldn't be talked about, this shouldn't be discussed, this shouldn't be hashed over. This is big spenders trying to trick and fool you." This is a proposal to call a Constitutional Convention to rewrite the Constitution of the United States. Nobody here listens, nobody here talks, nobody here cares. You're going to come back, sure as hell, a year and a half from now and 36 states have adopted this thing in the same manner, by sleeping through it, by being afraid of it, by being afraid that if you get up and question whether or not this is going to call a Constitutional Convention somebody is going to call you a big spender. Sit there in your cowardly fashion and let the Constitution of the United States be assaulted. You're going to somehow have to go back to your constituents and say "I didn't know what was happening. I didn't know what Senator Murphy was doing. Nobody told me this would be a Constitutional Convention. I just wanted to stop spending. I just wanted to send a message to Congress, that's all I wanted to do". It says "require a Constitutional Convention". If this thing goes through the rest of the legislatures of this country, in the same fashion that it's gone through here, you're going to have a Constitutional Convention. The Convention will not, cannot be limited to the language contained in this resolution, in fact Senator Murphy has told you himself the language contained in this resolution is not the language proposed for the constitutional amendment. This is not the same situation that you were confronted with in the ERA. You were at least presented the language that was to be adopted. You do not, here, have the language that's to be adopted. You have, here, the language of no deficit spending except in the case of an emergency. Senator Murphy doesn't know what an emergency is, no one knows what an emergency is. You're not going to put that language in the Constitution. Senator Murphy tells you you're not. It has to be rewritten. He tells you language has to be drafted, that means that when you create this Constitutional Convention, when you bring these people together to write this language, any language they want can be applied. All of the great forces that struggle and are frustrated in this country will then have an opportunity to assault the document, the only document, that protects us and keeps us civilized and that is the Constitution of the United States. Yes, Senator Kelly, I think we should attempt to protect that document from the assaults of the general population of this country. There are tumults, frustrations and antagonisms that reside in this country. The reason that we have preserved a harmonious