

that decision offered by the commissioner is overturned by the board, does the board's position become one that takes on the force of law?

SENATOR CONWAY: Correct.

SENATOR CHAMBERS: Even though it doesn't say that.

SENATOR CONWAY: Even though it doesn't say that, I assume where we would take that progression right on through, that if the board overrules the commissioner who is their hired employee, that then that would hold until overturned by the courts or overturned by the Legislature.

SENATOR CHAMBERS: Okay, and that's for clarification. Now go up a little farther and look at lines 5-10 and I'll tell you the parts that I'm interested in. In line 5, I'll go ahead and read it. This is one of the duties of the commissioner. "Cooperate with the political parties of the state and take such action as may be necessary to give effect to their directions." Based on that language, the political parties can tell the commissioner what to do and the commissioner has to do what they tell him or her to do.

SENATOR CONWAY: That language, if I may, was lifted from one of the current functions of the Secretary of State, using old language which basically says the Secretary of State shall cooperate with respect to the delegations of national conventions and those being allowed to be on the ballots.

SENATOR CHAMBERS: But this goes farther. This says that the commissioner will give effect to the directions of the political parties without specifying what those directions are, so any directions that the political parties give, the commissioner under this language has to carry them out. First of all, and I'll let you look at that, I won't ask for an answer right now. I want to make a comment or two. I don't like giving the political parties too much status in statute. Political parties don't really represent the people. Political parties are controlled by and large by the hierarchy of the party. They give their marching orders, decisions are made by the hierarchy so a political party represents a relatively few people who then are going to be followed by a large number of others. So I'm opposed at this point to this language in lines 5-10 insofar as it says that the political parties can give directions which the