

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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question?

SENATOR CHAMBERS: I will.

SENATOR BRUNING: Senator Chambers, one of my concerns with this bill, as I mentioned earlier, is that I don't see a difference between the Attorney General's position and your desire to have that be a nonpartisan position, and the State Auditor or the State Treasurer or the Secretary of State. Can you explain, I guess, the...your rationale in not including those particular offices in this bill?

SENATOR CHAMBERS: Senator Bruning, just looking at the nature of the duties of those two offices that you mentioned and comparing them to that of the Attorney General makes the difference obvious. Those two offices are not given the duty under the con...under the statutes to give opinions to all other agencies and individuals in government at both the state and political subdivision level. None of them handle the litigation for the state, whether it's challenging a statute that we have enacted or defending one that has been challenged. No other state official is given concurrent duties and responsibilities with those of a county official as the Attorney General is given with reference to the county attorneys. No other state official reviews and must give approval to all the rules and regulations that are promulgated and issued by all these various state agencies. So the nature of the work in the Attorney General's Office is that of a lawyer. It is legal in nature. It should not be unnecessarily embroiled in politics. There have been people whom I know who would not run for this office because they would have to put a party label behind their name. They were attorneys. They do not advertise themselves as attorneys belonging to either political party. If they lost running for the office then their party affiliation is out there and they had run on a partisan ticket for an office, which people may presume would cause him to feel, or her, beholding to the party that got him or her into office. I know you cannot take the politics out of these offices, but when you designate the person who is going to run for a particular office by a party label it is making it clear that the public may presume that this person is somehow beholding to that party. Nothing is diminished in terms of the office or the duties by removing the party label,