

January 10, 1985

CLERK: (Read record vote. See page 93 of the Legislative Journal.) 10 ayes, 31 nays, Mr. President.

PRESIDENT: The amendment fails. We are back to the Abboud amendment. Is there anything on the desk, Mr. Clerk?

CLERK: I have no further amendments to Senator Abboud's proposed change, Mr. President.

PRESIDENT: Senator Beutler, do you wish to speak on the Abboud amendment?

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I would just like to speak briefly against the amendment.

PRESIDENT: May we have order in the Chamber, please. (Gavel.) Senator Beutler.

SENATOR BEUTLER: I think that it does not make sense. I know that there is a lot of emotion going around today. But I don't think it makes sense to take a structure and destroy it because the structure doesn't work perfectly. The idea of merit, certainly we all believe that that is ultimately what we are trying to get at. Seniority means nothing except insofar as we give it weight, as we give weight properly to experience. I suggest to you that if you really think about this body we give a heck of a lot of weight to seniority and to experience. But seniority also reveals other things. It reveals the quality of people. Those of us in here know that through our experience with other people in here, some we are very impressed with, some we are not impressed with. Then you get into questions of what does merit mean. There are geniuses in this body, but that doesn't mean necessarily that that particular person is a person that you want in a particular spot because genius has faults and exercises egregious judgement from time to time, because genius is totally different philosophically, and philosophy is based on assumptions, not upon proven facts. So you can get into very, very deep philosophic discussions about what merit means and about what representative democracy means in this particular context. All this that we've heard today about the failure of the system I believe true in part, but not nearly in as large a part as is being represented to you today. I suggest to you that to adopt a principle that is essentially false and wrong and which you