March 19, 1981

SENATOR V. JOHNSON: Do you yourself believe that your amendment is necessary or do you think that, in fact, the concept of your amendment is clearly encompassed within the meaning of the words, "reasonable and good faith?"

SENATOR CHAMBERS: I think that the thrust of the amendment is contained in the existing language of Senator Lamb's amendment but I want to remove every shadow of doubt.

SENATOR V. JOHNSON: You want to make it clear beyond a reasonable doubt?

SENATOR CHAMBERS: Yes.

SENATOR V. JOHNSON: All right, thank you, Senator Chambers.

PRESIDENT: Senator DeCamp. The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Well, I just have concerns that he may be doing the opposite. Senator Chambers may be doing the opposite of what he wants. He is saying cases of unambiguous language. Well that is the whole issue. Whether it was or was not ambiguous the official may have said it was and so on and so forth. The language that Senator Lamb has already the "reasonable and in good faith" should be about as far as you go before you start getting into counterconfusion and so I would say just stick with what Senator Lamb has offered and not go too much further. You have solved the main problem if you do that, the main issue, and you still have the concept that Senator Burrows introduced and passed through here pretty fast which was public officials better follow the law or a mandamus action. To enforce it is not going to cost the individual who has to force the official.

PRESIDENT: The Chair recognizes Senator Chambers then to close, on the amendment to the amendment.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, perhaps Senator Lamb can assist me and it won't be necessary for me to clutter up his amendment. Senator Lamb, would you yield to a question or two?

PRESIDENT: Senator Lamb, would you respond, Senator Lamb?

SENATOR LAMB: Yes.

SENATOR CHAMBERS: Is it your intention by your amendment to make it possible for an official or an employee...

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