

unclear what it means. It does not give direction, but what it will compel the Legislature to do is to create some definitions in statute in order that a bill could be enacted doing what is envisioned here. There is no definition of primary service responsibilities existing in the statute now. So a court could not say we will look at what was on the statute at the time the constitutional amendment was adopted to find out what these terms mean. There are no meanings, no definitions for these terms statutorily. There are no definitions for these terms contained in the constitutional amendment. So the Legislature will have to create new definitions. If the idea of "primary service responsibilities", that is a term that I would put within quotes, means the same thing as similar language in the existing statutes, that won't make any difference because they are different, so a difference in meaning will be ascribed to them. The court says that words in a statute have a meaning, words in the Constitution have a meaning. If you have a single statute and you are talking about one idea but you express it differently at two different places in the bill, the court will say you must have intended, as a Legislature, that there be two different meanings or you would not have used different language. No words are going to be ruled superfluous. When it comes to a constitutional provision, every word will be given meaning even though they will be taken in the context of the overall provision. One thing that cannot be escaped is the fact that when language is put in the Constitution that limits the power of the Legislature, no statute that is enacted can go outside or beyond what that constitutional language authorizes. And with this restrictive language, the only way a statute could be drafted is if you first determine primary service responsibilities. In discussing that on the floor, the little time that we did, there was no consensus as to what is meant. There was not even a consensus that this language means what similar language existing in the statute means now. So I think it would be wise to remove this language. The Legislature could do everything that anybody in favor of this language would envision, but with this language, the Legislature may not be able to do as much as those who favor the language would like to see it do. So, Mr. Chairman, how much time do I have left?

PRESIDENT: Almost four minutes.

SENATOR CHAMBERS: I wanted to ask Senator Kristensen a question so that we can get something into the record, if we may.