

SENATOR CHAMBERS: Madam President, members of the Legislature, there is no definition of disability in this bill. I don't know if there is one in any bill related to disability that would disqualify a person from serving on some commission or board, but it is possible for a person to have a physical disability, maybe even a mental one to some extent, that would not keep that person from discharging the duties that go along with the office. For example, I could be paralyzed in terms of being able to use my lower limbs, but I could still attend the meetings, participate in the activities of the board, so this language is designed only to give some kind of guideline prior to a person being disqualified from this board. My concern is that the amendment as drafted gives the Governor the power to remove people from this board. I think when you have that kind of power it has to be hedged about as much as possible to ensure that it will not be used in an arbitrary fashion. So if you have any questions about this amendment, I'm prepared to answer them, but all it says is that the disability must be such as to substantially impair the person's ability to carry out the duties that he or she is to perform as a member of that commission.

PRESIDENT MOUL: Thank you, Senator Chambers. Is there anyone who wishes to speak to the Chambers amendment? Senator Schimek.

SENATOR SCHIMEK: Yes, Madam President and members of the body, I just rise in support of Senator Chambers' amendment and I don't know how I didn't catch that wording the first time around, but I didn't, Senator Chambers, and that is what I saw here on the floor that I had a problem with, so thank you for offering that amendment.

PRESIDENT MOUL: Thank you, Senator Schimek. Does anyone else wish to speak to the Chambers amendment? Seeing none, do you have closing, Senator Chambers? Closing is waived. All those in favor of the Chambers amendment please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 20 ayes, 0 nays, Madam President, on adoption of Senator Chambers' amendment to the Conway amendment.

PRESIDENT MOUL: The amendment is adopted. Are there any further amendments?