

see some ambiguities in, to restate the obvious in the statute, I've never had problems doing that.

SENATOR CHAMBERS: Are you aware that courts have said that every word in a statute is presumed to have meaning, so, if there are other words dealing with this same subject, they must have a different meaning from the words that went before. Therefore, what you're writing now must mean something different from what was put in before?

SENATOR WITHEM: No, I'm not aware of that.

SENATOR CHAMBERS: If that is the case, then might what we deemed a redundancy, from the standpoint of language, be considered something far more significant as far as statutory construction might be a concern?

SENATOR WITHEM: Before I could comment on that, I would need to be more assured of the first statement that was made.

SENATOR CHAMBERS: Okay.

PRESIDENT MOUL: One minute.

SENATOR CHAMBERS: Oh, the first statement being that courts say that all the words in a statute are presumed to have a meaning?

SENATOR WITHEM: Well, the middle statement then, that that leads to stating that this must mean something different than was there before. And I'm not aware of that being a judicial practice, and so I cannot comment.

SENATOR CHAMBERS: All right. But, if this is a redundancy, then that means, in your opinion it means the same thing as that which was said before. But, if the court looks at it, the court's going to say it must mean something different, because the Legislature doesn't deal in redundancies for statutory construction, otherwise they would just erase parts of law saying these words have no meaning. They won't do that. They'll accord every word a meaning, and either the meaning is constitutional or it's not. But that doesn't trouble you much about the amendment at this time.

SENATOR WITHEM: It does not trouble me much about this amendment.