

there is what is called procedural due process, there is substantive due process. Procedural due process relates to things like notice, opportunity to respond, and so forth. Substantive due process goes to the rights, themselves, which are at stake. If you are deprived of life, liberty, the pursuit of happiness, or a fair trial, and these kinds of things, you get into an area where you are talking about substance. You could have all of the processes and procedures in place, but if they are not...if they don't result in a proper decision, a person can be denied substantive due process; meaning that the right which is involved in all of these proceedings is taken away from you in a way that is inappropriate. That would be a denial of substantive due process. But here is what I would like to ask Senator Beutler, if he would answer.

SPEAKER WITHEM: Senator Beutler.

SENATOR CHAMBERS: Senator Beutler, would you agree, and I am putting it as a question, that this, the approach in this bill, which deals with revoking these licenses, is different from... well, using this as a method to enforce child support payments is different from the way we enforce other obligations? Revoking the licenses...

SENATOR BEUTLER: Is... obligations outside of the spousal support, child support area?

SENATOR CHAMBERS: Yes. Yes.

SENATOR BEUTLER: Yes, it is.

SENATOR CHAMBERS: Okay. Now if a person who makes one of these determinations after going through all of these steps is guilty of negligence, should...do you think there should be some liability if we base it on negligence, whoever the person would be, and I won't limit it to those names in the amendment right now, but trying to get at the issue? Should a person be exempt from liability when he or she fails to exercise the care required of a person in that situation, when by failing to exercise due care, damage is done to another person to whom such damage should not result?

SENATOR BEUTLER: Well, Senator, as you are aware, and I think I am correctly stating the law in the sense that the state, anybody operating on behalf of the state or pursuant to the