

least it indicates that the Legislature recognized there could be problems. And if those problems result, then the Legislature wants the court to try to sever those parts that may be unconstitutional and leave the rest of it. By the same token, absence of the severability...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...clause will not necessarily mean that the whole bill will be struck down. But because of the way we have debated and the fact that there could be no changes in any of these bad provisions that are in the bill, I want them as a matter of record. Because when you have ambiguity in a statute, a court will look at the legislative discussion to see how it is to construe what is not clear on the face of the bill. And they'll look at some of this stuff, the very same facts, one, two, three right here; one, two, three right there can be a felony or a misdemeanor. The same elements constitute two separate offenses of different grades.

PRESIDENT ROBAK: Time. Thank you, Senator Chambers. Senator Beutler.

SENATOR BEUTLER: Senator Lindsay, could I just explore a couple provisions of the bill with you?

SENATOR LINDSAY: Sure.

PRESIDENT ROBAK: Senator Lindsay.

SENATOR BEUTLER: I wanted to look for a moment at the provisions having to do with department approved personalized program plan documents.

SENATOR LINDSAY: What page are you on?

SENATOR BEUTLER: I'm on page 21 of the...

SENATOR LINDSAY: Okay.

SENATOR BEUTLER: ...E & R amendments. And as I understand it now, there's going to be a plan document for each and every offender. Is that right?

SENATOR LINDSAY: Yes.