

state strong. The other philosophy is based on the notion that the state was brought together by some kind of mutual agreement at some undetermined time so that collectively the state or the people could do in this collective organization what individuals can not do for themselves. Machiavelli felt that the state came into existence because a strong man imposed his will on people and through might and might alone created the concept of the state and it is by might that the state is maintained. Senator Wehrbein's attitude fits into that category by saying that he hates to see a person harmed by the state, but he is unwilling to make the state correct the harm that it has done. My belief is that when the state wrongs an individual, there is an obligation to make the individual whole. When a policy such as this, which is given all types of altruistic reasons for justification or by way of justification, does a contrary thing to what is intended and cause more grievous harm than the one the program is supposed to address then the individual or the individuals so harmed should have redress. Senator Witek's amendment offers that redress. I think it is a terrible thing when we can say on the floor directly or indirectly that individuals are to be sacrificed for the state. In this instance, Senator Wehrbein, no individual is going to be used in his or her capacity as an individual but in his or her official capacity, meaning, representing the state, doing things in line with the duties imposed by the state. Obviously if the individual goes outside of those responsibilities and duties he or she will be personally liable and we are not talking about that. But, when the person is acting in the line of his or her responsibilities and duties...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...and harms an individual, that individual should have recourse. We do have allowances for people to bring actions against the state when they are harmed. If you read the newspaper you saw recently where the SS Department was found to have inappropriately dealt with a foster family by not telling them the background of a child they were placing with that family. When the family was harmed they took an action against the state and they won. And you will notice that these types of things are generated by the SS Department. And now you are creating another entire area of...for abuse and yet there is a reluctance to allow the citizen redress. I support Senator Witek's amendment.