

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 13, 2002 LR 16

I kind of lighten the mood, but I'm taking it seriously.

SENATOR SCHIMEK: I know.

SENATOR CHAMBERS: I hope you understand that. And also, I don't mean to be attacking you by my questions.

SENATOR SCHIMEK: I understand.

SENATOR CHAMBERS: Why do we have the words "of the state" in line 15? The phrase would be "An employee of a political subdivision of the state."

SENATOR SCHIMEK: It's probably not absolutely necessary.

SENATOR CHAMBERS: But what courts say is that every word or phrase in the constitution must be taken to have a meaning, and it must be construed.

SENATOR SCHIMEK: And the meaning is clear in the language. But since it is referencing the above language, I think that it would be clear that it is of the state. It may be unnecessary language.

SENATOR CHAMBERS: Because you know what this language can do? By implication, it can authorize us to create a new category of political subdivision, not local, not county, but of the state. So we have these constitutional offices and officers. We have the Legislature. Then we have local. But between there we create a new category of political subdivision, of the state. And the reason I'm saying it, if all you mean is a political subdivision, it would be good to at least strike that language.

SENATOR SCHIMEK: And I don't think that would be a problem at all, Senator, but...

SENATOR CHAMBERS: Okay. And maybe I could have just gotten to it quicker than the way I did it. But now I'm going to go back to my discussion. That's all that I wanted to ask you, Senator Schimek.