

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

February 13, 2003 LR 16

will say that, even if the Attorney General could not arrive at that conclusion. And I feel that my training in the law, my study of the constitution and court cases, makes me have confidence in my determination that a political subdivision, first of all, is not a part of state government. Political subdivisions are created by the state. That does not make the people who work for those subdivisions state executive officers. This amendment to the constitution would be similar, in my mind, to taking an approach like this: we're not sure how a court would resolve an issue of this kind, so let's put something in the constitution so that we can make it come out the way we want it to come out. I have not heard a compelling argument to justify amending the constitution in this way,...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...when it's clear from the language that exists in the constitution right now that it's not talking about political subdivisions, it's not talking about employees of political subdivisions, it's not talking about elected officials of political subdivisions. So my advice, if I were advising the Legislature, is, don't do this, because it's not necessary to accomplish any purpose, and I haven't been made clear in my mind what the purpose of this is. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers and Senator Janssen. Senator Louden on LR 16CA.

SENATOR LOUDEN: Thank you, Mr. President, and body. I would like some clarification on the wording here. It seems to be quite extensive on where it's going. I was wondering if someone that was working for the Game and Parks Commission could theoretically also be elected to the Legislature. That would be my question. And also, if they were in such a position, you know, they could eventually be, like, on the...Chairman of the Natural Resources Committee. I would maybe yield my time to Senator Schimek for an answer.

SENATOR CUDABACK: Who are you asking, Senator Louden?

SENATOR LOUDEN: Senator Schimek.