

SENATOR CAVANAUGH: Certainly. If a person can't get the same relief under this state law, he has the option to pursue that relief through the Federal areas. All we are deciding is whether we want to have primary jurisdiction or whether we want the Federal government to have it. That's the only issue here.

PRESIDENT: Senator Syas. Still talking on the Carpenter amendment.

SENATOR SYAS: Yes. All I was going to suggest is that take ...I think you should take....Senator Carpenter, I think you should take each one of these amendments up individually because I could see where a person would be for some and against some. And if it was all in one ball of wax, it's.. I think it would be advisable, just as a suggestion, to take them, all four of them, one at a time.

PRESIDENT: Sounds like a good suggestion to divide the issue here. Senator Barnett, for what purpose do you rise?

SENATOR BARNETT: I have a question, Mr. President, of Senator Cavanaugh.

PRESIDENT: Senator Cavanaugh, will you yield to another question from Senator Barnett?

SENATOR BARNETT: Senator Cavanaugh, what choice do we really have between the Federal and the state. If we adopt the state in one place and the Federal in another place, wouldn't that make the bill useless.

SENATOR CAVANAUGH: Well, no. What hap...if you've got a person in a situation who feels that he is discriminated against and our law is not in conformity with the Federal law, he would be covered under the Federal law but he is not because we don't adopt certain of these provisions not covered under our law, he will go to the Federal authorities and he will seek his remedy there. If, on the other hand, it is covered. If both our laws are in coherence, even if he goes to the Federal authorities first, the way the practice has progressed up to this point is that they send him to the state agency. They say, your state agency has that same law and we defer to them in this area since you can seek the remedy there. If, on the other hand, he can't seek his remedy because of a deficiency in state law, he has the remedy under Federal law and that is where he will pursue it.

SENATOR BARNETT: So, it really makes it useless to adopt anything but the Federal law.

SENATOR CAVANAUGH: Well, certainly. I mean, if your argument is that by adopting this we're imposing a harrassment on employers, the only thing we are deciding is who do we want to harrass them, the state authorities or the Federal authorities.

PRESIDENT: Senator Carpenter. It's been suggested that we take up your amendment in a section by section and that they.. There is some feeling in among the body that they might not want to vote for each part of the amendment and so, thereupon, you have the days and the fines and so forth, why don't you take those up one at a time and let's see what develops on that. Senator Nore, I believe, has asked to speak on the Carpenter amendment and that is what is before the body.

SENATOR NORE: I'd like to ask Senator Cavanaugh a question.

PRESIDENT: OK. Senator Cavanaugh, will you yield to another question from Senator Nore?

SENATOR NORE: What would happen if we just killed the bill?