

presumptuous. But let me just take one more example, I think it was LB 46 I looked at. It says...

SENATOR F. LEWIS: Senator DeCamp, could we stay to 45 right now.

SENATOR DeCAMP: Okay, 45, we are on 45, but let's assume we are on 46.

SENATOR F. LEWIS: No, the Chair doesn't want to assume that because that is the next bill.

SENATOR DeCAMP: Well, I will wait, then, what the heck. My point is the three bills are going to create a monster and they are not going to solve it and there is a way to solve it. I do have an amendment here, as I stated. It is the concept that you make that citizen's right to enforce the law, the citizen's right to enforce that law a more meaningful right by making sure that when he is in the right he hasn't expended all his money just forcing the state to act without getting reimbursed. So I am not suggesting we go as far as Senator Chambers did. I am suggesting only when the citizen is in the right does he get these costs reimbursed or the damages or the expenses and that is as far as I would go on this but I think it is most reasonable and most in line with the problems in 1977 which are lawyers cost a lot of money, courts cost a lot of money, and if you are going to enforce the law, you should have this remedy.

SENATOR F. LEWIS: Senator Murphy. Senator Murphy, you are...you were the last speaker but now you are not.

SENATOR MURPHY: Well, if I may speak for a second on prior to closing, Senator Lewis, I agree with Senator DeCamp. This is deep water and I did not come down here to wade in shallow water. We have got a first class problem and the citizens at home wonder what kind of a state government they have and they know it is an expensive one. But they wonder how it can be effective when the things that happen to them continue to happen to them and they turn to us and we throw up our hands and say, well, that is the way they have been doing it for years. You can get a writ of mandamus. I maintain that this Constitution provides a form of government that will work but not if we are content to sit here and let every independent agency make its own determination. A statement was made that government is so complex today, that it has become a government of groups of people, a bureaucracy, if you will, and a bureaucracy is described as a collection of specialists though not necessarily experts. This is what we have gotten behind. We complain bitterly of the bureaucracies of Washington and yet we sit here and let our own bureaucracy of Education fail to implement, let our own bureaucracy of DPI fail to implement, let our own Highway Department fail to implement and then we want to throw up our hands and say to the citizen, well, we can't figure it out. Why don't you get a writ of mandamus. Do you know where the citizen at home would have gone with his writ of mandamus under this particular issue that I mention under 445. He would have started with the Attorney General who failed to respond to the Department of Education upon their request