

did you wish to speak to the Chambers amendment?

SENATOR NELSON: Yes, I believe I will. I guess that I have a little bit different trend of thought and while I'll use my time to speak while I'm right here. I have a problem. This bill was discussed considerably in Judiciary Committee this year and last year. In all due respect to Senator Elmer, legislation such as this, I have a little problem having it amended on the floor and expecting all of us to know exactly what that amendment is. I take a little different perspective than Senator Chambers. Senator Chambers says it's only the problem in Omaha that maybe elected people in political subdivisions are aware or not aware of exactly what is going on. I'll assure you, Senator Chambers, that is not only Omaha's problem, so again, on the other side of the coin, I somewhat have a problem and everyone should be responsible and they do take an oath when they are elected, but I will guarantee you that some of these smaller subdivisions and so on I think some of those elected members don't have the basic knowledge that they should have on a lot of the legislation. They take the advice of the administrator or whomever it may be and I'm not here to defend them on the other side of the coin and they are serving and they do take the oath, but I have a little problem in pinning their ears down on the other side of the coin as Senator Chambers so aptly put that may be necessary. I don't know where I'll stand on this but right now I have a problem amending it like this on the floor without going back to the Judiciary Committee. Thank you.

SPEAKER BAACK: Thank you, Senator Nelson. Senator Elmer, on the Chambers amendment.

SENATOR ELMER: Thank you, Mr. Speaker. Senator Chambers, you may be amazed to know that I support your amendment. And, Senator Bernard-Stevens, if you're here, this should answer some of the questions that you've had because it does remove some of the exemptions that we've been concerned about. I think that something of this nature should apply as uniformly as we possibly can make it. Our citizens need to be protected against having to spend most of their assets in defending themselves under an unconstitutional law or ordinance. A small businessman, criminally prosecuted under a state statute or a city ordinance, might spend a great deal in defense. And, Senator Bernard-Stevens, we don't award damages. We only award legal costs that an individual may have incurred, no more than he has actually incurred unless if the Supreme Court so decides