

ishments come in. Now I want to mention what appears to me to raise a constitutional problem. On the same page 2 in subdivision 5, the language says this. The court may as part of the judgement of conviction under this section and subject to the mandatory provision of subsection 3 of this section order such person. That is the constitutional question. The term "such person", to whom does it apply? The one charged with the misdemeanor in subdivision 3 or the one charged with the felony in subdivision 4? It does not specify and if you go to the top of page 3 which refers to imprisonment or fine, then the imprisonment can attach to one charged with a felony or a misdemeanor or the fine could attach to one charged either with a felony or a misdemeanor. So I think there is an unconstitutional vagueness here but because I know the Legislature is not too concerned with constitutionality, I have a question or two I would like to ask Senator DeCamp about all of this if he is here. Senator DeCamp, wherefore art thou? Actually people think that question means it is referred to your whereabouts but it is really not asking that at all. It is asking why. I just did, Senator Kahle. I explained it but you were not listening. Senator DeCamp, here is my question. Are you still willing to fly with this bill with the comments that I have made? Are you willing to risk letting the bill go in its present form?

SENATOR DeCAMP: Senator Chambers, thou full well knowest that we have discussed this and I am ready to go ahead with the legislation as drafted. The essence of your comments deal with the severity of a two year suspension mandatory on fleeing...

SENATOR CHAMBERS: Do that on your time. My questions are this, so that people that, you know, you still want the bill as it is and I am not trying to amend it. Do you see a problem about innocent third parties not being able to obtain damages?

SENATOR DeCAMP: Again, Senator Chambers, you and I have discussed this. I think it is a major problem. It is a major problem in other states. I have offered you a suggestion. I think it is a proper suggestion. I will support it if you attempt it.

SENATOR CHAMBERS: And that is to put an amendment in LB 273 which deals with similar matters.

SENATOR DeCAMP: LB 273 has been sitting on Final Reading. It is one of the major bills because it redoes, rewrites, sets up a whole new system of how the state handles...