

books revised, revamped, offered with model legislation that, in fact, they get the expertise of bill drafting, law drafting, if you will, on a very cost-effective basis. And these model rules and regulations are available to communities to use. I don't think they are overwhelmed by the obligation to draft constitutional rules. Secondly, I see no distinction between the state and the creatures of the state, the cities, in their obligation to make sure that the scheme of laws that they impose on their citizens be consistent with the Constitution, that it's all right to recompense somebody who goes to court to instruct the state, or the representative of the state, that they have overstepped their constitutional boundaries. By doing so, they have done a public service. They have reversed the inappropriate, unconstitutional, arbitrary actions of government. And that we should parcel out our concern for this based on economic sense is somewhat distressing to me. Secondly, and John Lindsay raised the point in conversation a moment ago, perhaps he'll expand on it in a moment, the vast majority of cases in which criminal prosecutions are appealed and challenged are by public defenders. Public defenders don't get their costs reimbursed under this bill, they're already public servants. The cost of this bill, the cost to cities is quite minor, it seems to me. And I don't think we have to feel a great deal of trepidation about the expenses in LB 125. But, no matter, we should bear them when we place our citizens under regime of unconstitutional laws, force them to exonerate their rights, and make them use their personal resources to do so. When we do that we make their search for our justice at their expense, and yet we all profit by it when those unconstitutional measures are stricken, and we then find ourselves having our governmental arbitrary behaviors cut back by a court of law. That's for all of our benefits, we ought to pay for it. This amendment is unnecessary. It draws a distinction where no distinction need be drawn. And, the greater principle is fidelity to the Constitution as opposed to worrying about the obligations of the creatures of the state to draft constitutional rules. It should be their obligation, and we should let them know it's their obligation to do that. LB 125 sends that signal. We ought to pass it without the Beutler amendment.

SPEAKER BAACK: Further discussion on the Beutler amendment. Senator Ashford.

SENATOR ASHFORD: I won't speak again on this bill. But I just