

particular proposition is not always easy. It's not necessarily...I don't think the problem is a problem of ill will, generally, although it may exist in a particular instance or two. But the problem, generally, is trying to predict when something will be unconstitutional. And you know, from your experience in this body, that you have failed to make a correct prediction of that on more than one occasion in the last few years. Often times big cities, little cities, we're talking about situations where we're trying to fight crime, for example, and, in the process of fighting crime, you try to come as close to what is constitutional. You try to come up to the edge in terms of getting the best kind of prosecution that is constitutional. And, in honestly attempting to do that, you may step over. Or, another type of problem that can come up, the court cases can be fairly clear as to what's constitutional and what's not constitutional, but then the court, itself, changes its mind. You know, the abortion decisions of late are a recent indication of that. And, don't forget, we're not talking about just the State Constitution, we're talking about the United States Constitution and all of the changes that they can make in Washington that are completely unpredictable by those of us here in Nebraska. And now you want to ask all of these village attorneys across the state to be constitutional lawyers. And, believe me, those attorneys out there in the small towns and villages, they have a harder job than the attorneys in the big cities, because the attorneys in the big cities, they tend to specialize, and they can spend the time on a particular subject, and they should be better in determining questions of constitutionality within their particular areas but, out there in the countryside, they are asked to do everything. They are asked to be experts on all sorts of criminal laws. And I'm not sure that they're going to have the resources or the time to always make the kind of judgments that should be made, even if they could reasonably predict what the courts are going to say. And, again, don't forget that in this bill we have a myriad of problems we're not sure about anyway. We're not sure about how you process their claim, or who pays, we're not sure about which litigants are to pay how much, and how much of an allocation there is going to be, depending on the various claims in the case. There are a lot of unanswered questions here, even as we leave this law in place and experiment on it at the state level. Lastly, I want to remind you that here at the state level we have a big budget. We can absorb losses that may occur because we misjudged on the constitutionality of a particular proposition. But take a look at some of the villages and some