

SENATOR LANDIS: Every now and then you sit in a committee hearing and you get a bill that comes up, and there is some pretty good stories that come out of the bill, and it kind of gets pretty interesting. And we are sitting in Banking one day, and we've got a pretty dull day. Come on, it is banking and insurance law, for God's sake, right, and Lowell Johnson brings us this bill about how inventors are getting ripped off. And he has got some inventors there, and a couple of them pass out some of their inventions, and talk about them. They show us the kinds of things that some of these people are doing that suck inventors into investing in to these really nonsensical scams, and it is really a very interesting hearing. This is a darn good bill, and there is only one change that the committee suggested. If you'll take a look at your bill book, you will find that there were a number of people that were present. This is not just a bill that was culled from our bill drafting's staffs file. About, I think, 15 states, as I recall roughly, have a bill like this throughout the country and it is a growing model act, basically, because there are a series of scam operators out there who take people's energy and enthusiasm and belief in their own inventions and make them spend 800, a thousand bucks, for a marketing guide that is exactly a boilerplate with the exception of just a few changes in various areas, and they wind up telling people that they are going to help them get their inventions sold to the private sector, and it never, never works. So the committee was really impressed at the committee hearing with the testimony that came forward and, in fact, there is a provision in the bill that allows an inventor to claim damages that they suffer. But we wanted the opportunity to pile on a little bit. Now as you know, if you went to law school, Nebraska does not permit punitive damages, doesn't allow the plaintiff to get more than their amount of loss. The Supreme Court has said punitive damages are a penalty and all penalties have to go to the common school fund, so what one of the proponents suggested was, fine, we don't care if the school gets rich on our cases, feel free. Let us nail this scam operator for our damages and then double them and send the doubled amount to the schools. It is not a punitive damage. It is constitutional, but it is meant to take the profit out of one of these scam operators. And, by the way, what you don't want to have some scam operator doing is saying, look, I am going to do this 100 times. I am going to get caught once. I will pay damages on that one claim. It will be a net gain to go ahead with business. Much better that they get tagged and that they