

Nebraska.

SENATOR CHAMBERS: Thank you, Senator Dierks. Members of the Legislature, this bill is not a condemnation bill. The state has the power to condemn land. If the state decides it's going to condemn land, that land is going to be condemned and the only point of contention is how much the state will pay the landowner when the land is condemned. And any dispute on that subject will have to be resolved in court if the two cannot resolve it themselves. This bill has nothing whatsoever to do with that. First of all, if land is paid for, this has nothing to do with that. In fact, there might be people who think this will do more than what it actually will do. I'm opposed to it because I think it is bad legislative policy. I would like to make a comment about what Senator Bromm said with reference to the Attorney General being able to disregard what is in the statute. If a public official is given a duty and that public official refuses to carry out that duty, then a citizen can bring an action known as mandamus. If the public official still refuses to carry out that duty, the public official cannot hide behind the Bar Association, judicial ethics, lawyer ethics or anything else. That person is violating his or her responsibility as a public official and if for any reason that official cannot carry out his or her duties...

SENATOR HALL: One minute.

SENATOR CHAMBERS: ...that person is removed from office. The Attorney General cannot decide to enforce a law or disregard a law unless at it's done at his or her peril. When we talk about things being a matter of public record and it's public business, the Legislature enact laws, enacts laws which make that determination. There are duties imposed or reposed with the Attorney General because the statute does so, not because of anything found in the canons of lawyer ethics or the canons of professional responsibility, and that might be what Senator Bromm was thinking of. But in order to pursue that a bit further, I'll turn my light on again.

SENATOR HALL: Thank you Senator Chambers, you may continue, your light is next.

SENATOR CHAMBERS: Thank you, and now that I have a little time I would ask Senator Bromm a question if he would answer.