

errors, but as of now I am in support of Senator Lindsay's amendment.

SPEAKER WITHEM: Senator Beutler.

SENATOR BEUTLER: Senator Withem, members of the Legislature, I would like to continue to argue that this amendment is entirely the wrong approach to this particular problem. As indicated to you by Senator Day, I think the chances of an error being made are very minuscule in this particular situation, but in terms of due process, where we usually focus in terms of attempting to be sure an error is not made is...are on the requirements of due process, and those requirements center around the ideas or the concepts of giving a person proper notice and giving them the opportunity to be heard, those requirements in this bill are met. If Senator Lindsay and Senator Chambers are dissatisfied, if they think the notice is not adequate, if they think that the procedures are wrong in the bill, it seems to me more appropriate to address those procedures as they apply to the different aspects of the bill than to suggest to you that a person who is directed by the law to be responsible for taking certain action is going to be held liable under the law in the event that they make a mistake. What do we do with county attorneys who prosecute the criminal laws? They could make a mistake too, could they not? But I don't think we ever think about holding the county attorney liable for a mistake absence some sort of intentional wrongdoing on the part of the county attorney. Some of the attorneys here, who are county attorneys, may be able to relate that experience better than I can, but it just seems to me that nowhere do we take such a broad approach as this in terms of the liability of the officer designated by the law to carry out a legitimate function of the law, and so I think that Senator Lindsay should think through a different approach, or at least seriously modify this approach in terms of situations where liability might occur, rather than this very broad approach that is being attempted now. Thank you.

SPEAKER WITHEM: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, Senator Beutler had indicated that nowhere else do we take such a broad approach. I would like to remind Senator Beutler, and those who support this bill, that no place else do we suggest sweeping the floor in the manner that we are talking about in this bill. On the issue of due process, I want to say, again,