

SENATOR CHAMBERS: But, Senator, I guess you can tell that I'm very angry at your amendment (laughing), but I had misread it at first and I can also see why old, sly, cunning Senator Beutler withdrew his in exchange for yours. You all have emasculated this bill but the findings, I will say, were offered not necessarily that they had to remain a part of the bill, but to have before the body at the time this idea was presented the rationale for saying that contingent fee contracts are not a good way to do the public's business and the language that Senator Brashear felt was an overstatement comes from 60 ALR Federal, 263, and it's a condensation of court cases, the intent language behind federal statutes, rules and regulations, that prohibit, that prohibit contingent fee contracts at the federal level when you are obtaining federal contracts. So the language is a part of the law. Senator Brashear is entitled to say he disagrees with it, and he is entitled to say that it's overblown, but this is the language given as the rationale for prohibiting contingent fee contracts, and this is more than what I put in the bill, but this is what that language that I put in the bill derives from, "The requirements of this subpart have as their objective the prevention of improper influence in connection with the obtaining of government contracts, the elimination of arrangements which encourage the payment of inequitable and exorbitant fees bearing no reasonable relationship to the services actually performed and the prevention of unwarranted expenditure of public funds which inevitably results therefrom." That language is based on years of experience and numerous cases based on a multiplicity of fact situations. It seems strange and overblown in the setting of a bill before the Nebraska Legislature because it is not often that we get into those areas, but I read widely, knowing that there are those in areas such as this who can provide more information than I have at my fingertips. I have to derive benefit from their experiences and the laws that exist, the federal rules, regulations, their interpretation, and the court decisions rendered pursuant to those provisions. Now if you want to strike all of those provisions, as Senator Brashear suggest that you do, you will have taken nothing from the bill really that is what we could call active language. I had thought the first thing that somebody would try to do is strike Section 3, but I'd like to ask Senator Brashear a question about his striking. Senator Brashear, are you offended by this language I quoted from the Constitution requiring that the affairs of the state be economically and efficiently administered? Are you offended by that language?