

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 27, 2000 LB 1285

current moment judging from a political yardstick of what is doable. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Landis. Senator Beutler.

SENATOR BEUTLER: Senator Bromm, if I could just engage you in a couple last questions.

PRESIDENT MAURSTAD: Senator Bromm.

SENATOR BEUTLER: Then I guess I'll just cave in to political reality;...

SENATOR BROMM: (Laugh) Okay, Senator Beutler.

SENATOR BEUTLER: ...take my colleague from Lincoln's advice. But let me tell you something I don't like. I don't like the idea that a big corporation can just say we're going to ignore the consumer, we're going to ignore the law, and we're going to do this. And that decision is the decision of some individual in that organization, by and large. I mean maybe there are times when things inadvertently happen or they happen without knowledge or full understanding of a violation. But quite often it's a decision of a director or of directors or more likely of a corporate officer. And I think that, one's statutes ought to retain, both in a civil and criminal...both in the civil and criminal areas, the right of the state on behalf of the consumer to punish an individual for actions that occur. Most of the time you wouldn't want to do that, but there are times I think when that should be done. And I think that a society that says we deal with corporations, we don't deal with personal responsibility anymore is a society that is a step removed from making...from protecting the individuals in a democracy the way they should be protected. I think individual responsibility, whether it's inside or outside the corporation, should be a fact of life. And just because somebody is not incorporated, you know, if they're not incorporated then they bear the blunt (sic) of a large fine. But once they're incorporated, it seems quite often if the large fine is forthcoming, it's the stockholders who are punished. And why should they be punished? Or if they are punished, it seems to me there ought to be at least some