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FLOOR DEBATE

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we should do so. So...but then Senator Baker says that he's going to...this is the only way he'll support the bill. I am going to draft an amendment, though, that would say there is no liability on behalf of a municipality or the state for doing this kind of conduct. I do think that if this amendment is adopted, it doesn't...it really kind of defeats the purpose of the bill. Some of the other senators had mentioned that the state highways that are traffic controlled go right through the middle of their communities, and that's the area that is choicest, for lack of a better word, to solicit the money. So, Senator Baker wants to limit the liability on behalf of the state. I agree with that concept, that goal, but I think we should do it directly. So I will be voting no on his amendment. But I do support the bill, I do support the committee amendment, and I am going to work to eliminate any liability on behalf of a municipality or the state. So, thank you.

SENATOR CUDABACK: Thank you, Senator Bourne. Senator Chambers. Senator Chambers is on his way.

SENATOR CHAMBERS: Mr. President, members of the Legislature, there has to be liability somewhere. If you have people willy-nilly in the street, liability should be on the municipality that creates that situation. I will offer an amendment after Senator Bourne's which says that any municipality which enacts an ordinance allowing this will be liable for injuries caused to any person as a result of this activity. Don't just let the lot...the municipality create a dangerous situation, then withdraw. Before, there was no involvement by the city. People went out there, and there came a point, Senator Connealy and I were discussing it, where a group of the wrong complexion were doing the same thing, and the white ones didn't like it. So the law started being enforced against these other people for being out in the street, but not against the white ones, because the ones who enforced the law were the white ones, cops and firefighters. So, when the hubbub developed, a law was going to be put in place. When Senator Pedersen brought it the first time, I told him the way it was drafted it could be used in a discriminatory manner to favor some and ban others, so he offered language that would allow it to be an equal opportunity begging bill. But once we've got