

matter of choosing the assets that security and negotiable instruments would include, and of course this would include notes, stocks, treasury stocks, bonds, debenture and other negotiable instruments. If these are found in the proximity or used as a payment in the illegal drug traffic profits, then I see no reason why we should not be able to confiscate them and have them forfeited. There is ample provision in the law that would allow someone to show that, indeed, they were not the gains of illegal drug trafficking and that they should not be confiscated. It is one way or an additional way to make sure that the illegal drug profits are not disguised, are not changed, are not put into forms that will be the profit, that will be used to further illegal drug trafficking. So I oppose Senator Chambers' amendment.

SPEAKER NICHOL: Senator Chambers, did you wish to speak again on the amendment? Okay.

SENATOR CHAMBERS: Mr. Chairman, I know they are just lining up at the microphones to get into this heated discussion of this very interesting issue. But, nevertheless, Senator Pirsch in her presentation is correct. There are legal definitions for securities and negotiable instruments. I took courses on these things in law school. To be completely honest I know what they are. I couldn't name every type of instrument that would qualify. But the point I am making is this, Senator Pirsch, when she went to the statutes to find out if there were definitions, made my point. In reading from the statutes she also made my point. If a law enforcement officer would have to go to the statutes to find out what it is he is authorized to confiscate, he or she, or take by way of forfeiture, we are creating an unduly complex situation. They know what money is. Everybody knows what money is. Senator Pirsch said there are ample provisions in the law, I think she means this act for a person to challenge the taking of the property. But what Senator Pirsch and Senator Hoagland and Senator Chizek would do is make a person pay court costs and other fees in order to establish that the property is his or hers. So if the property is yours, and it has not been involved in any illicit activity, why should you have to pay these costs and fees to establish your title to that which is yours? It is a bad bill overall. This provision is a bad provision in a bad bill, which they are attempting to add to a bad bill and make a bad bill worse. So rarely is it so quiet.