

been taken at a more opportune time. I think the issue is clear. If we are going to encourage local government to be responsible then the State of Nebraska needs to back up local officials who have the courage and the backbone to do what they think is right. If you will study the record submitted by General Binder, you will note that as early as March 13 and 14 the State Civil Defense warned of flooding on the Platte River. Yet, no action was taken until March 19. I think it's imperative that those individuals, local officials, who stick out their neck, accept the liability, accept the responsibility, be assured that when they do so the funds of the State of Nebraska are available to back them up. This is not a large claim. It's not going to bankrupt the Platte Valley Drainage District but I think the principle is clear. I want to reiterate once more that about four weeks ago I stood here and warned that the Metropolitan Utilities well sight was subject to flooding. That's exactly what happened. Serious flooding did occur there, serious damage would have ensued had there been a well field there and I can only hope that in the future before a well field is established there that MUD officials will consider the alternatives. But, that's not the issue here today. The issue here today is this: If the State of Nebraska is going to pay for flood preventive work in one area, then I think they have a responsibility to pay for that flood preventative work in other areas and I hope that you will approve this amendment to LB 943.

PRESIDENT: Senator Fowler.

SENATOR FOWLER: I guess I have a question or two of Senator Maresh, if I could.

SENATOR MARESH: Yes, Senator Fowler.

SENATOR FOWLER: Senator Maresh, was this claim heard by your Committee or by the State Claims Board?

SENATOR MARESH: No sir, it was not.

SENATOR FOWLER: It was not? Okay. Do you know with regard it's...the claim is for several years past, is that?

SENATOR MARESH: Yes, this is for claims that are outlawed. In other words, this is the public's last chance to be heard on the claim and we usually take care of claims that are not able to be allowed some other way.

SENATOR FOWLER: What I'm wondering is, is it still possible for us to meet this claim or has any sort of limitations passed or shouldn't it have been brought to the Claims Board years ago or whatever.

SENATOR MARESH: The person presiding over the body, Lieutenant Governor Whelan, probably he could give us an opinion. How old can a claim be against the state before it will be disallowed? Is there any statute of limitations on claims against the State? You being the presiding officer of the Claims Board, I thought you could help us.