

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

March 4, 1999

LR 29

Senator Jensen,...

SENATOR CROSBY: Senator Jensen, once more.

SENATOR JENSEN: Yes.

SENATOR CHAMBERS: ...I'm looking at my Journal, at page 502. Do you have your Journal, or you have yours on the gadget, your copy of the resolution? While you find it, I will tell why I want to kill this resolution. I think it's pointless. I think it is disingenuous, I think it is misrepresentative of the facts. And I want to have Senator Jensen discuss this with me a bit, to see whether I might not be mistaken. Senator Jensen, are you on page 502?

SENATOR JENSEN: I am.

SENATOR CHAMBERS: In this "whereas", at the top of the page, it says "Whereas, the state", singular, "bore all the risk and expense in the litigation brought in state court and settled without any assistance from the federal government". Did Nebraska file a suit, in this case, in any state court in Nebraska?

SENATOR JENSEN: I believe we did.

SENATOR CHAMBERS: Which court was it filed in?

SENATOR JENSEN: The consent decree was filed in district court.

SENATOR CHAMBERS: I'm not talking about a consent decree, I'm talking about a lawsuit. What litigation was filed in state court? Did Nebraska file a lawsuit?

SENATOR JENSEN: In conjunction with the other states, yes.

SENATOR CHAMBERS: In which court?

SENATOR JENSEN: I'm not sure.

SENATOR CHAMBERS: So then we don't know whether that "Whereas", at the top of page 502, which is the third one in this