

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

April 28, 1999 LB 882

SENATOR BRUNING: Mr. President, members of the Legislature, I am grateful for the fact that this body has decided to reconsider the vote we took previously. I think Senator Pederson struck on some of the chords that I want to discuss. As an attorney, one of the things I do on a regular basis is, of course, deal with clients and, to give you an example, let's say that, oh, who can we pick on today, Senator Suttle. Let's say Senator Suttle got in a car accident, came into my office and said, you know, my back hurts, I've been rear ended, I need somebody to help me get compensation. Under Nebraska law, you have four years in which to file a claim. Now why is that? Why do we have a statute of limitations? Why does it matter? Because within a very short time the car is gone. You can't take a picture of it anymore. Senator Suttle might move out of the state. The person who rear ended her might move out of the state, all the witnesses are gone, everything that's known about the accident disappears with the passage of time. Statutes of limitations are a necessary part of our system of laws. Without them, cases and controversies can't be resolved in an efficient manner and, in a business setting, it's even more important. I feel for these people. They made a mistake. I feel bad for them. But, you know what, if this claim is granted by this Legislature there is every reason in the world for every one of us to go back and look at our back taxes over the past years. Senator Chambers mentioned that he didn't get as big of a refund as he might a gotten. We ought to go back and look at our back taxes and see what else we can get. Oh, my goodness, I forgot a hundred dollars. I can go down and there's a way for me to get that back. I made a mistake, so I can get that taken care of by the Legislature. The system of laws can't work that way and work efficiently. There needs to be a cutoff time. Without a cutoff time, we open Pandora's box. Now, if I may have a little fun here with my colleague to my left here, Senator "Marx"...Senator Tyson, I'm sorry. (Laughter) Senator Tyson, if you would respond to a couple of questions. (Laugh) Senator Tyson, could you respond to a question?

PRESIDENT MAURSTAD: Senator Tyson?

SENATOR TYSON: Mr. President, is a "maybe" acceptable under these circumstances? Up or down? Yes, I will.