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SENATOR CHAMBERS: How do you make yourself deliberately ignorant of the truth if you don't know what the truth is? Do you have to know what the truth is to make yourself deliberately ignorant of it?

SENATOR ERDMAN: (Laugh) I'm sorry, Senator Chambers. Could you ask that again?

SENATOR CHAMBERS: Okay. It says "in deliberate ignorance of the truth." There is a truth out there. If you do not care what the truth is and you make no effort to discover it, that would be reckless disregard, wouldn't it? Reckless disregard does not say in spite of the truth, but reckless disregard of the truth. It means you make no effort to determine what the truth is, wouldn't it? Or would it?

SENATOR ERDMAN: Well, here's how I would see that. An analogy would be, if the speed limit through your neighborhood is 25 and I drove 50, that would be a reckless disregard for the truth. If I drove through at 50 and didn't know what the speed limit was, that would still be...I would be ignorant of the truth, but I would still be...that would still be a similar analogy, depending upon whether or not the individual knew the information or not.

SENATOR CHAMBERS: There could be some overlapping between these two. Is that possible?

SENATOR ERDMAN: There may.

SENATOR CHAMBERS: Do you think, with some of the heavy penalties--not criminal, remember; we're dealing with Sections 3 through 17, where the penalties, the damages, court costs, and all these other things are involved--that there need not be a specific intent to defraud? If a person has no intent to defraud, why should the person be punished, even though civilly, for defrauding? And mistake or mere negligence are not covered. So the person is not punished if he or she makes a mistake. The person is not punished under this bill if he or she is negligent. Now under the law, negligence is a failure to exercise due care, things that you ought to do and you have a