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SENATOR CUDABACK:      Thank you, Senator Preister.      (Visitors introduced.)      On with discussion.      Senator Beutler.

SENATOR BEUTLER:      Senator Cudaback, members of the Legislature, I want to be sure I understand this clearly, but I think I'm equally troubled, with Senator Wehrbein, about this circumstance.      If I understand the facts correctly, Senator Vrtiska, and shake your head if I'm not getting them right, but there was a car, the car was damaged, the young fellow who was identified as damaging the car, or at least one of them who was damaging the car, lives some place else in town with a foster family.      Is that pretty much the case?      Okay, he's nodding his head that it is.      The problem here, as I am seeing it, if I understand it correctly, is that we're saying that the state is liable because they stood in the place of the parents and were responsible.      However, the problem with that theory is that parents aren't responsible under our law.      If that kid had come from a family on the other side of town and was not a foster parent (sic) but was the natural child of that family, those parents of that child would not be responsible for the damage to that car, under our law, if I'm remembering it correctly.      The lawyers can correct me if I'm wrong, but I believe that to be the case.      If that is the case, then what you're saying is that the state, who's standing in place of the parents, has a greater responsibility than if they were the actual parents, and I don't think we should be saying that unless you're going to say it for all parents.      And in addition to that, there is the potential for substantial liability based on that.      I mean, these are troubled kids.      They're going to cause considerable damage year in and year out.      And if we're going to pay for all that damage, we should talk about that fairly seriously here if, in fact, this is a precedent.      I don't know if this is the very first time we've done this, but if you're establishing the rule then it shouldn't matter whether somebody breaks down in tears or not.      I mean, you've got to have a rule that you're going to apply fairly and equitably to everybody.      So if one kid committed damage and you're going to be responsible, as the state, for that damage, then I think you have to do it for every kid who damages property.      And if you do that, you're getting into a larger liability question, a larger liability