

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

March 23, 2004 LB 1241

lot of reluctance in even approving this bill, I have to tell you. We spent quite a bit of time, and the only...one of the reasons we decided to go ahead with it was to bring it to the floor and let the body as a whole decide what they wanted to do with it. That's what this body is for. I don't care if you vote this down. It doesn't bother me in the least. And I will tell you, and from my little small knowledge of law, I think we probably are opening the door to perhaps other filings against the state. So I just have to tell you that this particular case was brought to this floor of this Legislature for the purpose of getting your input, getting your feelings about what you wanted to do, and that's what we're about right now. And I'm not going to take up any more time, except that I'm sure there are others that want to want to talk and maybe we can get some real legal opinions and see where we're at. Hopefully, that can happen. And with that, I'll return the rest of my time to the Chair. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Vrtiska. Senator Wehrbein.

SENATOR WEHRBEIN: Mr. President, members, I'm not going to belabor this extensively, but I did want to get some things clear from Senator Vrtiska. This was not a judgment entered against...filed against the state, but was a claim brought through Health and Human Services, is that right, because it was a ward? Is that...is that how you got the claim?

SENATOR CUDABACK: Senator Vrtiska.

SENATOR VRTISKA: It was merely a claim that was brought to the Claims Board, for their review, and they decided to deny it based on the facts that have been brought out. Our committee, after hearing the testimony and listening to the proposal by the mother of this young man, I guess in a time of feeling sorry, decided to approve the claim and then submit it to the entire floor and see what the action would be.

SENATOR WEHRBEIN: But the Claims Board did deny this.

SENATOR VRTISKA: The Claims Board denied this originally,