

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

April 7, 2004

LB 692

for some time, since last year I believe, and I want to thank Senator Preister for being willing to work with us on this amendment. I have filed and we are considering first of all a motion to suspend the germaneness rule. Senator Preister's bill dealt with biopower and some issues of that nature, and last year I believe certain portions of the bill were amended into another bill and passed, and this bill was left with these provisions, which Senator Preister indicated he had no intent to go forward with. So again, I thank him for allowing the bill to be used as a vehicle. The purpose of suspending the germaneness rule, of course, is to offer AM3567. This amendment is a provision that I spoke about when we were dealing with the budget bills, and this amendment would propose to change the statute, 25-21,211, that speaks about what the interest rate is in the event that there is a judgment certified to the Director of Administrative Services by the court, and if the Director of Administrative Services finds that it would be a great public inconvenience or problem to pay the judgment, in which event the interest begins to run on the judgment at that time. Now the statute was a little fuzzy, I think, about what it meant in terms of when the interest started, and so we've tried to simply clarify that. But again, I will argue that there are good policy reasons for making this change in the statute, and this bill provides a clean way to do that. It will have no other provision or subject in the bill other than this amendment, if the rules are suspended and if my amendment is adopted. Again, I'll remind the body that whether or not this is applicable to the low-level waste judgment is really not the issue, in my mind, although certainly it may be applicable and I would...I would personally believe that it is. But in the event that it is not, we do have the potential for large future litigation judgments in this state, considering the issues that are out there and the issues that have been spoken about, and again I'll remind you some of those that are possibilities are certainly the school finance litigation, the water rights and the problems that are arising out of that, Universal Service Fund, in the event that that should successfully be attacked, and then certainly there are always environmental issues out there that can give rise to significant litigation and potentially a significant judgment. Again, I'm asking the body at this point to suspend the germaneness rule to allow the consideration of