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SENATOR CHAMBERS: But the state would have to have waived its immunity in order to be sued, as it was in the low-level nuclear waste case? Is that true or false?

SENATOR BRASHEAR: Yes. Yeah, that's correct.

SENATOR CHAMBERS: By allowing itself to be sued, something was...

SENATOR BRASHEAR: Now you know that was an issue that was adjudicated in that very litigation, whether we had or hadn't waived,...

SENATOR CHAMBERS: But some...

SENATOR BRASHEAR: ...and it was determined that we had waived.

SENATOR CHAMBERS: And something is granted to litigants when they are allowed by the state to sue the state, which if the state had not waived its immunity such lawsuit could not have occurred? Is that true?

SENATOR BRASHEAR: That's true.

SENATOR CHAMBERS: So even if these litigants did not derive any interest, the fact that they were put in a position to obtain a judgment because the state allowed itself to be sued, the state has already granted them something which they would not have had without the state's agreeing to allow it. Isn't that true?

SENATOR BRASHEAR: In a general sense and theoretically, yes.

SENATOR CHAMBERS: So these litigants who won have coming to them, assuming that nothing changes for the sake of this question, \$151 million, which they would not have even had the opportunity to procure had not the state waived its immunity. Is that true?

SENATOR BRASHEAR: Well,...

SENATOR CHAMBERS: If the state had not waived its immunity, the