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

May 4, 2005

LB 737

SENATOR CUNNINGHAM: Thank you, Madam President and members. Obviously, we've got a policy discussion before us. And I have no real major interest in this. The body needs to decide what they want to do for the future. I personally am against this philosophically because Senator Bourne, I think, did a much better job of describing how I feel much better than I ever, ever could do. So I agree with Senator Bourne 100 percent. could go along with Senator Beutler. He talked to me about when we do our interim hearing that we give some thought to a penalty. If they don't cash it you lose so much in the first and so much in the second year, that sort of thing. would much rather see something like that. But as Senator Bourne alluded to, this really... I don't believe this is really a statute of limitations that we're talking about. I think it's more of an expiration of a check and the process to collect this check is to go through the claims procedure if you don't cash the check on time. So I believe it is strictly a policy decision. Whatever the body decides they want to do we're going to have to do. I do believe there's probably a problem with, as somebody alluded to earlier, we have three claims that are in this category. One of them happens to be just a rancher that sold some land to the highway department when they did road work. And if...you can read it. It's number 04-759, and they happened to be setting up a corporation at the time and the check was at the...in their attorney's office and didn't get cashed in time. So that becomes a problem. You've got just a...probably a small rancher that sold some land to the state who's going to lose this money, and I think that... I apparently have a different view than some of you, but I believe the state owes this money. So my vote will be against the amendment, but like I say, it is a policy discussion and if that's what the body feels we need to do, that's what we're going to have to do. And with that, I'm will return my time.

SENATOR SCHIMEK: Thank you, Senator Cunningham. Senator Beutler, your light is next.

SENATOR BEUTLER: Senator Schimek, members of the Legislature, I don't know any of these people at all that we're involved with either, but I would hope that we would look at changing the system prospectively, rather than abruptly making a change here