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

May 4, 2005

LB 737

on the floor. Senator Cunningham, let me ask you what you know about this. The state has what's called an Unclaimed Property Act. Right?

SENATOR CUNNINGHAM: Yes.

SENATOR BEUTLER: And let's say I have a title company and I have a trust account in that title company and a certain person out there is owed \$1,000. I send them a check for \$1,000 and it's never cashed. Okay. I, as the title company, cannot keep That's unclaimed property, and I send it in to the that money. state as unclaimed property. And then what does the state do? They take the name and they publish it in the newspaper and they look to see who owned it and they give it to them if they come in, and it might be five or six or seven years later. Now how can we reconcile what we're doing there with what is being proposed today? I think this whole area needs some sort of overview and some sort of systematic approach, and not the haphazard approach of taking two out of three claims on one day and doing it differently than we've done it in the past all And even if you want to deal with it this session, once. wouldn't it be possible, Senator Cunningham, for you to come forward with some discount system, for lack of no...or penalty system that could be applied on Select File if we feel a need that we have to change the system this year as opposed to simply doing...looking at it partially here this morning or this afternoon on the floor? You could do that, couldn't you?

SENATOR CUNNINGHAM: Yes. I mean, that's what I would much I mean, my first choice would be to deal with it rather do. during the interim study and try to get all of the information before we do it. And if the body isn't willing to do that, we could definitely work with the interested parties and do something on Select File. I do have a memo that was given to me back in...this was written on May 11 of 2000, and they were talking about this issue back at that time and the Treasurer's Department thought that the state agencies, we needed to do a lot better job of, if we saw that there were warrants not being cashed, that we needed to notify people more often and try to get those warrants cashed. It is my personal feeling that the state owes that money. I mean, admittedly, it is sloppy