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

May 4, 2005

LB 737

than what it does, that this check is...has to be cashed within so many days. I think the discussion we're having here today probably will send a message to people who are going to get a return in the mail, they certainly know that it's coming, that they better get the darn thing cashed before statute of limitations run out. And I think our discussion here today will send a very good signal. And I'm not sure that we have done, you know, whether I want to do this today nor not, you know, we've done it before. Historically, we have allowed those claims, so I think we are treading on a little thin ice here, so I'm not sure how I...whether I'm going to support Senator Wehrbein's amendment or But not. I think we should probably...the discussion on the floor is going to send a very good message to those people, and I doubt very much whether it would happen again. With that, I'd return the rest of my time to Senator Bourne, if he'd like to have it.

SENATOR SCHIMEK: Senator Bourne, would you like the rest of Senator Janssen's time? There's about two minutes and ten seconds.

SENATOR BOURNE: I'd be happy to take that. Thank you. Thank you, Madam President, members. Thank you, Senator Janssen. Senator Chambers, Senator Chambers.

SENATOR CHAMBERS: Present. All present and accounted for, sir.

SENATOR BOURNE: Oh, I didn't ask for him to talk on my time. (Laugh) Senator Chambers wants to confuse you. He created this analogy that is absolutely inappropriate in this situation. He talked about charging someone in a criminal statute and they have a certain period of time and then they can rest easy. They know they're not going to be prosecuted after this date, or I think his example was is that the courts are filled, the decisions are filled, with criticisms from...by judges or to...or from the judges to prosecutor or to attorneys who miss deadlines. But that's for filing the claim. And it makes sense that there would be a statute of limitations in that regard, because if I want to sue Senator Aguilar for something he did three or four years ago, I don't even know what the statute of limitations would be, but after a certain period of time, he's