

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

May 4, 2005

LB 737

able to rest easy because he knows that I can't sue him any longer.

SENATOR SCHIMEK: One minute.

SENATOR BOURNE: The difference here is that the state knew that it owed this money. These people were simply being careless. They had poor bookkeeping, sloppy bookkeeping. We owe this money. It doesn't matter that they were careless. It's an obligation of the state, and I can't make any clearer the difference. Senator Chambers talks about suing somebody, and you miss a deadline, you miss a deadline. That makes sense. But what happened here is we...is this person made the deadline to file a claim with the state and they did it, and then they just didn't follow through and cash the check. We have a mechanism in our statutes that if this happens it goes to the Business and Labor Committee, and that's what this person is doing, and yet somehow we're saying that, okay, that statute is not appropriate, let's take their money from them. And I don't agree with that. And I argued the same way two or three years ago, or whenever it was, when Senator Chambers tried to take the money...

SENATOR SCHIMEK: Time.

SENATOR BOURNE: ...from somebody else. I think we should pay this bill.

SENATOR SCHIMEK: Thank you, Senator Bourne. Senator Flood, you are recognized to speak. Senator Bourne, excuse me, were you on somebody else's time just now? I'm sorry, I should have called on you next then, and then Senator Flood.

SENATOR BOURNE: Thank you, Madam President, members. Again, I just want to say that we have a mechanism in place that if somebody misses or lets a check expire there's a mechanism where they can appeal. They have done that. They've gone to the Business and Labor Committee. The Business and Labor Committee, in their infinite wisdom, has said, all right, this is an expired check, it's not necessarily a statute of limitations. And I think Senator Cunningham put it well that it isn't. We're